



Americans with Disabilities Act (ADA) Transition Plan Consultant Services

REQUEST FOR PROPOSAL

July 2022

Owner
City of Sherwood
Public Works Department
15527 SW Willamette Street
Sherwood, OR. 97140
503-625-5722

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SECTION 1 – GENERAL INFORMATION

1) Proposal Request

Written proposals in response to this Request For Proposals (RFP) must be submitted via email at SattlerR@SherwoodOregon.gov no later the proposal due date of **2:00 p.m. local time on Wednesday , August 3, 2022**, to Rich Sattler, Utility Manager.

2) Proposer's Proposal

Proposers responding to this proposal request must follow the directions stated within this RFP. Adherence to these rules will ensure a fair and objective analysis of the proposals. Proposals should be prepared simply and economically. Special bindings, colored displays, promotional materials, etc., are not necessary. Emphasis should be on completeness, brevity, and clarity of the content.

Provide a clear and concise description of your firm's capabilities to meet the RFP requirements. Proposers must demonstrate prior experience in this type of work within the last five (5) years. All responses must be made in the format outlined in Section 3. Failure to comply with or complete any part of this request may result in the rejection of your proposal.

3) Schedule

Advertisement	July 20 and July 22, 2022
Proposal Due at 2:00pm	August 3, 2022
Interviews (if needed)	Week of August 14th
Staff Recommendation	August 22, 2022
City Council for Review/Approval	September 6, 2022
Consultant Contract Award	October 1, 2022

4) Issuing Office

All correspondence pertaining to this RFP should be directed to SattlerR@SherwoodOregon.gov

5) Submitting Proposals

Submittals that are late, incomplete, or misdirected will be considered non-responsive, with no exceptions. The City of Sherwood relies on the City's bid clock to determine the correct time and is not responsible for any delays or difficulties experienced in the submittal of a Proposal. Please do not wait until the last minute to submit your proposal. **THE LAST DAY FOR QUESTIONS IS FIVE (5) BUSINESS DAYS PRIOR TO THE PROPOSAL DUE DATE.**

The proposal must be submitted clearly marked as follows:

City of Sherwood
Attention: Rich Sattler, Utility Manager
15527 SW Willamette Street
Sherwood, OR 97140
RE: ADA Transition Plan Proposal

Failure to clearly identify the Proposal in the subject line may cause misrouting of the Proposal and late delivery, resulting in disqualification.

6) Proposal Withdrawal

Any proposal may be withdrawn at any time before the "Proposal Due" date and time specified in Section 1.3, Schedule, by providing a written request for the withdrawal of the proposal to the City. A duly authorized representative of the firm shall execute the request. Withdrawal of a proposal will not prejudice the right of the proposer to file a new proposal on this or future projects.

7) Rejection or Acceptance of Proposals

The City expressly reserves the following rights to:

- a) Disregard any or all irregularities in the proposals.
- b) Reject any or all of the proposals or portions thereof.
- c) Base award with due regard to quality of services, experience, compliance with the RFP, and other factors as may be necessary under such circumstances.
- d) Reject all proposals and re-advertise at the City's sole discretion.

8) Selection of Consultant

The City's Selection Committee will recommend to the City Manager that the contract award be made to the proposer that is in the Committee's opinion, best qualified.

The City's Selection Committee will use the following steps to identify the best qualified proposer:

- a) Evaluate and rank all qualified proposals according to the evaluation criteria.
- b) Negotiate with the top ranked proposer for a detailed scope and acceptable fee for the project. (Negotiate with the next ranked proposer if the first one does not lead to fruition.)
- c) Recommend to the City Manager that the contract award be made to the proposer that is in the Committee's opinion, best qualified after the scope and fee negotiation is complete.

9) Requirement of Insurance

The successful proposer will be required to meet the City's insurance coverage as described in the sample Professional Services Agreement (see Appendix A).

The successful proposer shall provide certification of all coverages and shall name the City of Sherwood as "an additional insured" on all except workers' compensation insurance policies prior to signing the contract. The City is defined as the entity named on the declarations page of the coverage agreement and its officers, employees, and agents including volunteers, authorized to act on behalf of the City.

10) **Execution of Contract**

It is anticipated that the total cost for design services may need to be approved by the City Council. The contract should be signed within a week of council award of the contract.

11) **Public Records**

Any material submitted by the proposer shall become the property of the City unless otherwise specified. During the evaluation of proposals and the selection of the Consultant, the proposals shall be confidential. After the selection process has been completed, the proposals shall be open to public inspection. Proposals should not contain any information which the proposers do not wish to become public. If it is necessary to submit confidential information in order to comply with the terms and conditions of this RFP, each page containing confidential information should be clearly marked "NOT FOR PUBLIC DISCLOSURE CONFIDENTIAL TRADE SECRETS". The City accepts no liability for the inadvertent or unavoidable release of any confidential information submitted, and claims arising out of any public record request for such information shall be at the proposer's expense.

12) **Tax ID Number**

Proposals must state the proposer's Federal/State of Oregon Taxpayer Identification Number.

13) **Recycled Products Statement**

Proposers shall use recyclable products to the maximum extent economically feasible in the preparation of the proposals, and the selected proposer shall continue the same practice in the performance of the contract work in accordance with ORS 279B.270.

14) **Federal/State/Local Requirements**

The selected proposer shall comply with all Federal, State and local laws, regulations, executive orders and ordinances applicable to the work under this contract, including, without limitation, the provisions of ORS 279B.220, 279B.230, 279B.235, and 279B.270. In addition, proposers agree to comply with:

- a) Title VI of the Civil Rights Act of 1964;
- b) Section V of the Rehabilitation Act of 1973;
- c) The American with Disabilities Act of 1990 and ORS 659.425;
- d) All regulations and administrative rules established pursuant to the foregoing laws; and
- e) All other applicable requirements of Federal and State civil rights and rehabilitation statutes, rules and regulations.

Proposer is subject to the Oregon Worker's Compensation Law and shall comply with ORS 656.017, which requires the provision of Worker's Compensation coverage for all employees working under this contract. The City's programs, services, employment opportunities and volunteer positions are open to all persons without regard to race, religion, color, national origin, sex, age, marital status, disability or political affiliation.

15) Payment

The City will pay the Consultant under contract for services performed based on the approved rates and the scope of work completed. The City will make monthly progress payments within thirty (30) calendar days following receipt of properly itemized invoices.

Payments for extra work not described in the PSA scope of services will only be made when authorized in advance and in writing by the City's Project Manager prior to such work being performed by the Consultant.

If the Consultant anticipates that the fee is going to surpass the not-to-exceed figure because a task has changed and is outside the scope, the Consultant shall notify the City in writing of the circumstances with an estimated amount that the fee is to be exceeded. The Consultant shall obtain written permission from the City before exceeding the not-to-exceed fee amount. If the Consultant does work that exceeds the maximum fee amount prior to obtaining the written permission, the Consultant waives any right to collect that exceeding amount.

SECTION 2 – SCOPE OF WORK

1) General

Sherwood City limits span four and half miles along State Highway 99W via Interstate 5. The rapidly growing city is located in Southwest Washington County. Sherwood is the home of the Tualatin River National Wildlife Refuge to the North, and bordered by Yamhill County to the South, and the City of Tualatin to the East. All these factors make Sherwood an attractive employment hub and one of Oregon’s most rapidly growing cities with approximately 20,000 residents. Throughout the growth, the City of Sherwood has benefited from thoughtful planning, high development standards, and a beautiful natural environment.

2) Invitation

In an effort to increase the City’s effectiveness at serving individuals with disabilities, the City of Sherwood desires to perform an audit of its policies, practices and procedures and identifying how those align with best practices. The City desires to evaluate the existing public facilities it is responsible for, taking advantage of the data already gathered as much as is possible. The end goal of this project is an ADA Title II Transition Plan (ADA Transition Plan) which outlines improvements as well as their priorities, triggers, timeline and planning level cost estimates. The ADA Transition Plan shall be developed consistent with the ADA Title II Technical Assistance Manual.

The transition plan is a formal document available to the public outlining a city’s compliance with ADA. A typical transition plan table of contents includes:

- a) Introduction/Executive Summary: Background on need and purpose, relationship to other laws and a general outcome of self-evaluation.
- b) ADA Program Coordination: Listing one or more designated persons responsible for coordinating ADA compliance. This person or persons is responsible to serve staff and the public with knowledge and background to address questions and issues regarding ADA.
- c) ADA Public Notice: Statement on the city’s understanding of their responsibility for employment, communications, policy, and modifications to policies and procedures.
- d) Grievance Procedure: A written and published procedure with contact information on how a resident can make a complaint or grievance of discrimination on the basis of a disability.
- e) Public Involvement: The procedure on how the city reaches out to the disabled public on accessibility challenges and priorities.
- f) Self-Evaluation: Detail of existing barriers to city communications, programs and services, streets and intersections, and buildings and outdoor areas.
- g) Implementation Program: The city’s methods and schedule on barrier removals. This section can include costs for the work.

The City of Sherwood is currently seeking to retain a professional firm experienced in the evaluation and development of an accessibility plan and to provide consulting services for Americans with Disabilities Act (ADA) compliance.

3) **Scope of Professional Services and Responsibility**

The Consultant shall provide adequate personnel and resources to accomplish the objectives of this Project. Various tasks for this Project are outlined later in this section. Key personnel must be identified, and the time allocated for each task needs to be clearly specified

The Consultant shall provide a wide range of responsible and responsive professional services. The Consultant is expected to provide a highly qualified and experienced team and be able to deliver satisfactory products and services.

All recommendations and information produced in this Project shall comply with applicable Federal, State and City regulations and requirements.

The selected Consultant team (Consultant) will assist the City in preparing its Transition Plan with regard to Title II compliance and applicable federal and state regulations for City facilities. The Plan will cover four main areas: public rights of way (ROW), programs, services, and buildings. The Consultant will work with the City to define standards, conduct and/or assist in an evaluation identifying deficiencies limiting accessibility, and prioritize projects with a schedule and rough cost estimate to achieve compliance. The Consultant will also facilitate the public outreach necessary for the successful adoption of the plan.

The Proposer is asked to identify additional tasks and deliverables that the Proposer believes should be included in order to achieve the goal of producing an ADA Transition Plan in an orderly, efficient, and transparent process.

Scope Elements include:

a) **PROJECT DEVELOPMENT DELIVERABLES**

- Provide the agenda, meeting materials and facilitate meetings.
- Provide City staff with planning project announcements and updates for the web page throughout the duration of the project.
- Project Schedule

b) **ADA POLICY, PROCESSES & PROGRAM EVALUATION & REPORT DELIVERABLES**

- Provide the program questionnaire online.
- Provide a report with the policies, processes and programs review and recommendations.
- Provide a report with recommended infrastructure details and standards.

- c) ADA FACILITY EVALUATIONS DELIVERABLES
- Facility diagrams for incorporation into the facility reports.
 - Site evaluations.
 - Facility reports in PDF format.
 - Prepare ROW and Facility Reports.
- d) PREPARE THE ADA TRANSITION PLAN DELIVERABLES
- Materials, including presentation, graphics and agenda and meeting summary
 - GIS data for right-of-way barriers, and an Excel worksheet of all barriers.
 - Prepare Staff Draft, Public Review Draft, and Final ADA Self-Evaluation and Transition Plan in Word and PDF format for distribution.
 - Tagged PDF and Word document of the Draft and Final Plans for posting to the City's website and distribution at highly used public locations.
 - Summary of public comments and responses.
 - Word and PDF format of the Final ADA Transition Plan for distribution.

SECTION 3 – PROPOSAL REQUIREMENTS AND EVALUATION

1) Proposal Submittal

To receive consideration, submit proposals in accordance with the following instructions:

Proposals should be prepared simply and economically, providing a straightforward, concise description of proposer's capabilities to satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of the content.

The City, at its sole discretion, has the right to negotiate with any or all proposers regarding their proposals. Additionally, the City may reject or accept any or all proposals or parts thereof, submitted in response to this RFP.

The City recognizes that in the submittal of proposals, certain information is proprietary to the proposer and that the safeguarding of this information is necessary. Accordingly, the City will make every effort to prevent any disclosure of data supplied by any proposer where the proposer identifies those portions of its proposal that are proprietary. See **Section 1.11, Public Records**.

The proposal is due by the date and time identified in Section 1.1. Proposals submitted after this time will not be accepted.

2) Incurred Costs

The City is not liable for any costs incurred by proposers in the preparation and/or presentation of their proposals.

3) Content of Proposals and Evaluation Criteria

All proposals shall include the information identified in the following table and be presented in the order as indicated. The total number of pages for the proposal shall not exceed 15 pages, including supplemental information. The supplemental information can include key individual resumes and should not exceed five (5) pages. The evaluation criteria and maximum possible points are noted for each item of information. An explanation of each item appears immediately in the following sub-sections.

CONTENT AND EVALUATION CRITERIA		MAXIMUM SCORE
1.	Introductory letter	5
2.	Capabilities and Approach	20
3.	Key Personnel and Qualified Staff	30
4.	Project schedule	20
5.	References and Past Experience	20
6.	Cost	5
TOTAL =		100

All supplemental information shall be presented in a separate section at the end of the proposal. Front and back covers, as well as section dividers are not counted in the page limit requirements. Each page shall be 8-1/2" x 11", unless otherwise noted. When using double-sided printing, each side of the page is counted as one page.

4) **Introductory Letter**

The introductory letter shall include, but need not be limited to, the following information:

- The name of the firm, as well as, the signature, printed name and title, telephone and fax number of the officer authorized to represent the Consultant in any correspondence, negotiations and sign any contracts that may result.
- The address of the office that will be providing the service, a project manager's name, telephone number, fax number, and e-mail address.
- The Federal and State tax identification numbers, and the State of incorporation, if applicable, must also be included.
- Indicate whether the proposer is a "Resident Bidder" as defined in ORS 279A.120 and provide a statement that the proposal is valid for sixty (60) days after the submission deadline.
- The proposer may use this section to introduce the proposal or to summarize the key provisions of the proposal.

5) **Capabilities and Approach**

Proposers are encouraged to provide clear, concise proposals that contain only the information required to respond to the needs of this project. Identify and discuss:

- Services that may not have been mentioned and that should be considered for inclusion in a final Scope of Work for the benefit of the project.
- Your firm's approach to planning and producing an ADA Title II Transition Plan for the identified Facilities and ROW.
- Strategies that could be employed to meet project goals and objectives on time and within budget. Key points may include the availability of key personnel immediately and throughout the project, ability to control project schedule and cost and internal quality control procedures.
- Identify major issues in completing the Work, and based upon existing information, how the Proposer would resolve any major identified issues.

6) **Key Personnel Qualifications**

Identification of the Proposer's key personnel and staff who will be involved with each major task element of the project, and their experience in regard to the Project. Describe each of the labor classifications of the personnel assigned to each task

7) **Project Schedule**

The City anticipates issuing a Notice to Proceed in September 2022. Based upon the proposed Scope of Work, include a preliminary project schedule that identifies critical paths and milestones for major task elements

8) **References and Past Experience**

The Proposer should include specific examples of relevant work completed in the last five years that best demonstrate Proposer's qualifications and abilities to accomplish the work in a professional, timely, and cost-effective manner. Provide specific examples of work experience and products from projects of similar complexity and scope. References will be contacted as part of the evaluation.

9) **Cost**

Based on the proposed Scope of Work, include a fee proposal that coincides with the major milestones and tasks necessary to complete the work, and identifies the estimated full cost of services. The bid must be stated as a Not-To-Exceed Amount, with the hourly rate of personnel and unit costs or hourly rates of equipment stated to accomplish the work, along with the estimated number of hours of each person or item.