

**PORT OF HOOD RIVER COMMISSION**

**Acting as the Local Contract Review Board  
Resolution No. 2009-10-1**

**ADOPTION OF FINDINGS AND AUTHORIZATION TO EXEMPT THE  
CONSTRUCTION OF THE HALYARD BUILDING FROM THE LOW COMPETITIVE  
BID PROCESS AND USE A COMPETITIVE REQUEST FOR PROPOSALS PROCESS**

**WHEREAS**, the Local Public Contract Review Board ("Board") for the Port of Hood River is the Port of Hood River Commission ("Commission"), acting pursuant to ORS 279A.060; and

**WHEREAS**, ORS 279C.330 and 279C.335 permits the Board to grant an exemption from competitive bidding following a Commission public hearing and upon adopting findings that doing so will not diminish competition, will result in cost savings, and will have certain other public or project benefits ("Findings"); and

**WHEREAS**, in the matter of the Halyard Building, a proposed light industrial building on the Hood River Waterfront, the Commission conducted a public hearing on July 21, 2009, adopted Findings and approved a resolution recommending that the Board grant an exemption from the typical public bidding process in order to achieve certain public benefits; and

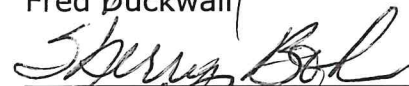
**WHEREAS**, based upon the public hearing, the Findings and the Commission's recommendations the Board concludes that it is beneficial for construction of the Halyard Building to be procured through a competitive request for proposals process, including a preliminary request for qualifications process, rather than by competitive bidding.


**RESOLVED:**

1. The Board hereby approves an exemption from competitive bidding for construction of the Halyard Building pursuant to ORS 279C.330 and 279C.335, and authorizes the construction contract(s) for that project to be procured pursuant to a competitive request for proposals process, including a preliminary request for qualifications process, substantially in conformance with the attached Exhibit "A".

**ADOPTED BY THE PORT OF HOOD RIVER PUBLIC CONTRACT REVIEW BOARD** this 21st day of July 2009.

  
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Fred Duckwall

  
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Sherry Bohn

  
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Hobby Streich

  
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Jon Davies

  
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Kathy Watson



**HALYARD BUILDING  
REQUEST FOR QUALIFICATIONS  
GENERAL CONTRACTOR**

**Issue Date: July 24, 2009  
Submittal Due Date/Time: August 11, 2009 – By 5:00 pm**

**Prepared By:  
The Port of Hood River  
1000 E. Port Marina Drive  
Hood River, Oregon 97031  
(541) 386-1645**

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REQUEST FOR QUALIFICATIONS FOR  
GENERAL CONSTRUCTOR

**HALYARD BUILDING**  
The Port of Hood River

**SECTION 1 – GENERAL INFORMATION & REQUIREMENTS**

1.1 GENERAL INFORMATION: The Port of Hood River (“Owner”) is soliciting Statements of Qualifications (“Qualifications”) for selection of a General Contractor for the Halyard Building (“Project”), in accordance with the terms, conditions, and requirements set forth in this Request for Qualifications.

1.1.1 This Request for Qualifications (“RFQ”) is the first step in a two-step process for selecting a General Contracting firm for the Project as provided by ORS 279C. The RFQ provides the information necessary to prepare and submit contractor qualifications for consideration and initial ranking by the Owner. Based on the initial ranking, the Owner will select up to five (5) of the top ranked qualified respondents to respond to a separate Request for Proposals in the second step of the process.

1.1.2 In the second step of the process, Request for Proposals (“RFP”), the top selected qualified respondents will submit additional information to the Owner, including, but not limited to a bid that identifies the cost of the work, fee proposal and general conditions. The Owner will rank the Proposals in the order that they provide the “best value” for the Owner based on the published selection criteria and on the ranking evaluations.

1.2 PUBLIC INFORMATION: All information, documentation, and other materials submitted in response to this solicitation are considered non-confidential and/or non-proprietary and are subject to public disclosure after the solicitation is completed.

1.2.1 The Owner will strictly comply with all statutes, court decisions, and opinions of the Oregon Attorney General with respect to disclosure of RFQ information.

1.3 TYPE OF CONTRACT: Any contract resulting from this solicitation will be a public work project subject to ORS 279(a) & 279(c) and Chapter 137, Divisions 046 and 049 of the Administrative Rules of the Oregon Department of Justice (OAR).

1.4 CLARIFICATIONS AND INTERPRETATIONS: Any clarifications or interpretations of This RFQ that materially affect or change its requirements will be posted by the Owner as an addendum and provided electronically to all respondents registered with the Port of Hood River. Respondents may request in writing, clarifications of means, or notify Owner of discrepancies. Owner will investigate and determine if an addendum will be issued. If such addenda are issued by the Owner before the proposals are due it will become part of the RFQ and respondents shall acknowledge receipt of and incorporate each addendum in their Qualifications.

1.4.1 Respondents shall consider only those clarifications and interpretations that the Owner issues by addenda five (5) days prior to the submittal deadline. Interpretations or clarifications in any other form, including oral statements, will not be binding on the Owner and should not be relied on in preparing Qualifications.

1.5 SUBMISSION OF QUALIFICATIONS:

1.5.1 DEADLINE AND LOCATION: The Owner will receive Qualifications at the time and location described below:

August 11, 2009; by 5:00 pm P.S.T.  
Port of Hood River  
1000 E. Port Marina Drive  
Hood River, Oregon 97031

1.5.2 Submit six (6) identical copies of the Qualifications. An original signature must be included on at least one of the six copies.

1.5.3 Late received Qualifications will not be accepted.

1.5.4 The Owner will not acknowledge or receive Qualifications that are delivered by telephone, facsimile (fax), or electronic mail (e-mail).

1.5.5 Properly submitted Qualifications will not be returned to respondents.

1.5.6 Qualifications materials must be enclosed in a sealed envelope (box or container) addressed to the Point of Contact designated below. The package must clearly identify the Project name, submittal deadline and the name and return address of the Respondent.

1.5.7 Properly submitted Qualifications will be opened publicly and the names of the respondents will be read aloud immediately following the submission deadline.

1.6 POINT-OF-CONTACT: The Owner designates the following person as its representative and Point-of-Contact for this RFQ. Respondents shall restrict all contact with the Owner and direct all questions regarding this RFQ, including questions regarding terms and conditions, to the following individual:

Michael McElwee, Executive Director  
The Port of Hood River  
1000 E. Port Marina Drive  
Hood River, Oregon 97031  
Phone: (541) 386-1645  
Fax: (541) 386-1395  
e-mail: porthr@gorge.net

1.7 EVALUATION OF QUALIFICATIONS: The evaluation of the Qualifications submitted by a responsible respondent not otherwise disqualified under OAR 137-049-390 shall be based on the requirements described in this RFQ. All properly submitted Qualifications will be reviewed, evaluated, and ranked by the Owner. Up to five respondents may be selected by the Owner to participate in step two of the selection process. The Owner will evaluate each response using a point system with maximum of 100 points and specific maximum points assigned to each selection criterion as described herein.

1.7.1 Qualifications shall not include any information regarding respondent's fees, pricing, or other compensation. Such information will be solicited from firms qualified by the Owner to participate in step two of the selection process.

1.8 OWNER'S RESERVATION OF RIGHTS: The Owner reserves the right to reject any and all Qualifications and re-solicit for new Qualifications, or to reject any and all proposals and temporarily or permanently abandon the Project. The Owner makes no representations, written or oral, that it will enter into any form of agreement with any respondent to this RFQ for any project and no such representation is intended or should be construed by the issuance of this RFQ.

1.9 ANNOUNCEMENT OF HIGHEST RANKED RESPONDENTS: The Owner will provide written notice of the determination of the the highest ranked respondents ("Announcement") to all Respondents. The determination will be final seven (7) calendar days after the Announcement. The notice may be made by e-mail, fax or letter.

1.10 RIGHT TO PROTEST : Adversely-affected or aggrieved Respondents shall have seven (7) calendar days from the date of the Announcement within which to file a written protest. Protests submitted after that date will not be considered. Protests must specify the grounds upon which the protest is based. Respondents may not protest the Owner's decision not to increase the size of the range set forth in the RFQ.

A Respondent is adversely affected only if the Respondent is responsible and submitted a Responsive Proposal and is eligible for inclusion in the top-ranked respondents; i.e., the protesting Respondent must claim he is eligible for inclusion in the top five if all ineligible, higher scoring Respondents are removed from consideration, and that those ineligible Respondents are ineligible for inclusion in the top ranked proposals because:

- A) Their proposals were not responsive
- B) The Owner committed a substantial violation of a provision in the RFQ or of an applicable Procurement statute or administrative rule, and the protesting Respondent was unfairly evaluated and would have, but for such substantial violation been included in the top five ranked proposals.

1.11 RESPONSE TO PROTESTS The Owner will respond in writing to protests submitted by adversely affected or aggrieved Respondents. The Owner may also respond to Intent-to-Award protests submitted by other Respondents for the purpose of clarification. However, any response made by the Owner is not intended to, and shall not in and of itself constitute, confirmation that the Respondent is, in fact, adversely affected or aggrieved, and therefore entitled to protest an Announcement, or that the protest was timely filed.

1.12 ACCEPTANCE OF EVALUATION METHODOLOGY: By submitting their Qualifications in response to this RFQ, a Respondent accepts the evaluation process and acknowledges and accepts that determination of the "most qualified" firm(s) will require subjective judgments by the Owner.

1.13 NO REIMBURSEMENT FOR COSTS: Respondent acknowledges and accepts that any costs incurred from the respondent's participation in this RFQ process shall be at the sole risk and responsibility of the Respondent. Respondents submit Qualifications at their own risk and expense.

1.14 PRE-SUBMITTAL CONFERENCE: A non-mandatory pre-submittal conference will be held at the time and location described below.

August 3, 2009. 10:30 a.m. P.S.T.  
The Port of Hood River  
1000 E. Port Marina Drive  
Hood River, Oregon 97031

1.14.1 The Project site is available for interested participants to visit at the conclusion of the pre-submittal conference.

1.15 ELIGIBLE RESPONDENTS: Only individual firms or lawfully formed business organizations may submit qualifications. The Owner will contract only with the individual firm or formal organization that submits a Qualification.

## **SECTION 2 – PROJECT OVERVIEW**

2.1 PROJECT DESCRIPTION: The Halyard Building Project will consist of an approximately 20,000 square foot flex-use building to be located on Port property on Portway Avenue near North 8<sup>th</sup> Street. The building will have sustainable features with the goal of meeting LEED Silver standards. Its style and tone will set the standard for future waterfront development. All work will be performed in accordance with construction documents being prepared by the project architect. (See Section 6 for a more complete Project Description)

2.2 PROJECT PLANNING SCHEDULE: Key Project planning schedule milestones are:

July 24, 2009 -	RFQ Issued
August 3, 2009 -	Pre-Submittal Conference
August 11, 2009 -	Owner receives Qualifications
August 18, 2009 -	Owner Announcement of Short List
August 28, 2009 -	Owner issues Request for Proposals (to short-listed firms)
September 16, 2009 -	Owner receives Proposals
September 22, 2009 -	Owner approves Contractor Selection (Notice of Intent to Award)
September 30, 2009 -	Owner executes Agreement
September 30, 2009 -	Owner issues Notice to Proceed for Construction
May 30, 2010 -	Owner accepts Substantial Completion of Construction
June 30, 2010 -	Contractor achieves Final Completion of Construction

2.3 OWNER'S SPECIAL CONDITIONS: The Owner will require full compliance with specification Division 0: Contract Requirements and Division 1: General Requirements.

## **SECTION 3 – REQUIREMENTS FOR STATEMENT OF QUALIFICATIONS**

Respondents shall carefully read the information contained in the following criteria and submit a complete Statement of Qualifications to all questions in Section 3 formatted as directed in Section 4. Incomplete Statements of Qualifications may be considered non-responsive and subject to rejection.

### **3.1 CRITERIA ONE: RESPONDENT'S STATEMENT OF INTEREST AND PROJECT UNDERSTANDING (*TEN POINTS*)**

3.1.1 Provide a statement of interest for the Project including a narrative describing the respondent's unique qualifications as they pertain to this particular Project.



3.1.2 Provide a statement on the availability and commitment of the respondent, its principal(s) and assigned professionals to undertake the Project.

3.1.3 Provide a signed Execution of Offer as provided in **Exhibit 1**.

**3.2 CRITERIA TWO: RESPONDENT'S FINANCIAL CAPACITY TO PROVIDE CONSTRUCTION SERVICES (TEN POINTS)**

3.2.1 Provide the following information on your firm for the past five (5) fiscal years:

Volume

Annual number, value and percent change of contracts in Oregon per year;

Annual number, value and percent change of contracts nationally per year;

Revenues

Annual revenue totals and percent change per year;

Bonding

Total bonding capacity;

Available bonding capacity and current backlog;

3.2.2 Attach a letter of intent from a surety company indicating your firm's ability to bond for the entire construction cost of the project. The surety shall acknowledge that the firm may be bonded for each stage/phase of the project, with a potential maximum construction cost of **\$3,500,000**.

3.2.3 Identify if your firm is currently for sale or involved in any transaction to expand or to become acquired by another business entity. If so, please explain the impact both in organization and company direction.

3.2.4 Provide details of any past (five years) or pending litigation, or claims filed, against your firm that may affect your performance under a Contract with the Owner.

3.2.5 Identify if your firm is currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity. If so, specify date(s), details, circumstances, and prospects for resolution.

3.2.6 Does any relationship exist by relative, business associate, capital funding agreement, or any other such kinship between your firm and any Owner employee or officer? If so, please explain.

**3.3 CRITERIA THREE: QUALIFICATIONS OF CONTRACTOR'S TEAM (TEN POINTS)**

3.3.1 Provide resumes, including key project experience, of the construction team members that will be directly involved in the management of the Project, including their experience with similar projects, the number of years with the firm, and their city(s) of residence. Please include the principal-in-charge, project manager and project superintendent.

3.3.2 Describe, in graphic and written form, the proposed Project's lines of authority and communication for each team member to be directly involved in the Project. Indicate the estimated percent of time these team members will be involved in the Project.

3.3.3 Identify any sub-contractors that are included as part of the proposed team, their role(s) and related experience for this Project. List key projects for which the sub-contractor has worked with the Respondent.

#### 3.4 CRITERIA FOUR: RESPONDENT'S PAST PERFORMANCE ON REPRESENTATIVE PROJECTS (TEN POINTS)

3.4.1 Identify and describe the proposed Respondent's past experience providing Construction Services that are MOST RELATED TO THIS PROJECT within the last five (5) years. List the projects in order of priority, with the most relevant project listed first.

Provide the following information for each project listed:

- Project name, location, contract delivery method, and description
- Color images (photographic or machine reproductions)
- Final construction cost
- Final project size in gross square feet
- Type of construction (new, renovation, or expansion)
- Project Manager
- Project Superintendent
- The Owner's name and representative who served as the day-to-day liaison during the design and construction phases of the project, including current telephone number
- Architect/Engineer's name and representative who served as the day-to-day liaison during the construction phase of the project, including current telephone number
- Length of business relationship with the Owner.

References shall be considered relevant based on specific project participation and experience with the Respondent. The Owner may contact references during any part of this process. The Owner reserves the right to contact any other references at any time.

3.4.2 Identify a maximum of three (3) completed projects, of any type, for which your firm has received an award for construction excellence from a recognized organization and provide descriptive information for each.

#### 3.5 CRITERIA FIVE: RESPONDENT'S PAST PERFORMANCE ON SUSTAINABLE PROJECTS (TEN POINTS)

3.5.1 Identify and describe the proposed Team's past experience for providing Construction Services on sustainable projects including any LEED projects within the last five (5) years.

Provide the following information for each project listed:

- Project name, location, contract delivery method, and description
- Sustainable features of the project including any LEED certifications
- Color images (photographic or machine reproductions)
- Final construction cost
- Final project size in gross square feet
- Type of construction (new, renovation, or expansion)
- Name of Project Manager
- Name of Project Superintendent

### 3.6 CRITERIA SIX: RESPONDENT'S ABILITY TO MANAGE CONSTRUCTION SAFETY RISKS (*TEN POINTS*)

3.6.1 Briefly describe the firm's approach for anticipating, recognizing and controlling safety risks and note the safety resources that the firm provides for each project's Safety program.

3.6.2 Describe the level of importance for Enforcement and Support of Project Safety that the firm includes in performance evaluations for Superintendents and Project Managers.

3.6.3 For all projects that the firm has managed (or co-managed) in the past five (5) years, list and describe all events or incidents that have reached any of the following levels of severity:

- Any occupational illness or injury that resulted in death or total and permanent disability
- Three occupational illnesses or injuries that resulted in hospital admittances
- Explosion, fire or water damage that claimed 5% of the project's construction value
- Failure, collapse, or overturning of a scaffold, excavation, crane or motorized mobile equipment when workers were present at the project

3.6.4 Does the firm or any other company within the same holding group of companies self-perform any work beyond General Conditions?

3.6.5 Identify the firm's Experience Modification Rate (EMR) for the three (3) most recent annual insurance-year ratings.

3.6.6 Identify the firm's annual OSHA Recordable Incident Rates (RIR) for all work performed during the past three (3) calendar years.

3.6.7 Identify the firm's annual OSHA Lost Workday Case Incident Rates (LWCIR) for all work performed during the past three (3) calendar years.

### 3.7 CRITERIA SEVEN: RESPONDENT'S ABILITY TO ESTABLISH BUDGETS AND CONTROL COSTS ON PAST PROJECTS (*TEN POINTS*)

3.7.1 Describe your fiduciary responsibility as a General Contractor for publicly funded projects.

3.7.2 Describe your cost estimating methods. From any of three (3) projects listed in response to Section 3.4 or 3.5 of this RFQ, describe how the estimates were developed, how often they were updated and the degree of accuracy achieved.

3.7.3 Describe your cost control methods during construction and how you procure subcontracts, confirm scope, amount, and ensure proper payment. From any three (3) projects listed in response to Section 3.4 or 3.5 of this RFQ, provide examples of how these techniques were used and the degree of accuracy achieved.

3.7.4 Describe your methodology for working with the Project Architect/Engineer and their consultants to deliver and maintain a project budget throughout the construction process.

3.7.5 Provide a sample of a cost estimate used to establish a contract amount from any project listed in Section 3.4 or 3.5 of this RFQ.

3.7.6 Describe your process for ensuring that the 100% Construction Documents align with the project scope and budget and how you transmit this to the Owner and project team.

3.7.7 Provide a change order summary for the three projects listed. Indicate, by percentage, changes in scope, design errors and unforeseen conditions.

### 3.8 CRITERIA EIGHT: RESPONDENT'S ABILITY TO MEET SCHEDULES ON PAST PROJECTS (TEN POINTS)

3.8.1 Describe how you will develop, maintain and update the project schedule during design and construction.

3.8.2 Describe your approach to assuring timely completion of this project, including methods for schedule recovery, if necessary. From any three (3) of the projects listed in response to Section 3.4 or 3.5 of this RFQ, provide examples of how these techniques were used, including specific scheduling challenges/requirements and actual solutions.

3.8.3 Describe your experience with CPM scheduling. From any of three (3) of the projects listed in response to Section 3.4 or 3.5 of this RFQ, provide a sample of the monthly schedule reports, including identified milestones and schedule recovery plans.

### 3.9 CRITERIA NINE: RESPONDENT'S KNOWLEDGE OF CURRENT CONSTRUCTION METHODOLOGIES, TECHNOLOGIES, AND BEST PRACTICES (TEN POINTS)

3.9.1 Describe your quality assurance program. Explain the methods used to ensure quality control during the Construction phase of a project. Provide specific examples of how these techniques or procedures were used from any three (3) projects listed in response to Section 3.4 or 3.5 of this RFQ.

3.9.2 Describe your procedures for implementing industry's "best practices" as defined by the

- Construction Industry Institute and similar organizations for:
- Establishing and tracking project objectives
- Using project scope definition resources (i.e. Project Definitions Rating Index (PDRI)) in order to obtain complete and accurate design and construction documents from the A/E
- Partnering
- Cost tracking
- Change (order) management systems
- Total quality management for each phase, including close-out and commissioning

3.9.3 Provide an example of a successful constructability program used to maintain project budgets without sacrificing quality.

3.9.4 Describe your methodology for advertising, evaluating and selecting trade contractors for public projects.

3.9.5 Describe your relationship with the local subcontracting community.

3.9.6 Provide any other details regarding special services, products, advantages or other benefits offered to the Owner by the Respondent.

### 3.10 CRITERIA TEN: RESPONDENT'S ABILITY TO IDENTIFY AND RESOLVE PROBLEMS ON PAST PROJECTS (TEN POINTS)

3.10.1 Describe your understanding of the administrative challenges and opportunities associated with providing construction services for the Port of Hood River on this project, and your strategy for resolving these issues.

3.10.2 Understanding the schedule limitations, provide an analysis of the Owner's project planning schedule in Section 2.5 of this RFQ and describe your plan for communicating constructability, phasing, value engineering and other budget options in a form that will quickly facilitate the Owner's decision making.

3.10.3 For any combination of three (3) projects listed in response to Section 3.4 or 3.5 of this RFQ, describe any conflicts with the Owner, Consultants, Architect/Engineer, or subcontractors and describe the methods used by the Respondent to resolve those conflicts.

## **SECTION 4 – FORMAT FOR STATEMENT OF QUALIFICATIONS**

### 4.1 GENERAL INSTRUCTIONS

4.1.1 Qualifications shall be prepared SIMPLY AND ECONOMICALLY, providing a straightforward, CONCISE description of the respondent's ability to meet the requirements of this RFQ. Emphasis shall be on the QUALITY, completeness, clarity of content, responsiveness to the requirements, and an understanding of Owner's needs.

4.1.2 Qualifications shall be a MAXIMUM OF THIRTY (30) PRINTED PAGES. The cover, table of contents, divider sheets, resumes and Execution of Offer do not count in the limit of printed pages.

4.1.3 Respondents shall carefully read the information contained in this RFQ and submit a complete response to all requirements and questions as directed. Incomplete Qualifications will be considered non-responsive and subject to rejection.

4.1.4 Qualifications and any other information submitted by respondents in response to this RFQ shall become the property of the Owner.

4.1.5 Qualifications that are qualified with conditional clauses, alterations, items not called for in the RFQ documents, or irregularities of any kind are subject to rejection by the Owner, at its option.

4.1.6 The Owner makes no representations of any kind that an award will be made as a result of this RFQ, or subsequent RFP. The Owner reserves the right to accept or reject any or all Qualifications, waive any formalities or minor technical inconsistencies, or delete any item/requirements from this RFQ when deemed to be in Owner's best interest.

4.1.7 Qualifications shall consist of answers to questions identified in Section 3 of the RFQ. It is not necessary to repeat the question in the Qualifications; however, it is essential to reference the question number with the corresponding answer.

4.1.8 Failure to comply with all requirements contained in this Request for Qualifications may result in the rejection of the Qualifications.

#### 4.2 PAGE SIZE, BINDING, DIVIDERS AND TABS:

4.2.1 Qualifications shall be printed on letter-size (8-1/2" x 11") paper and assembled with spiral-type bindings or staples. Font size shall be no smaller than 12 pt. DO NOT USE METAL-RING HARD COVER BINDERS.

4.2.2 Additional attachments MAY be included with the Qualifications. However, only the responses provided by the respondent to the questions identified in Section 3 of this RFQ will be used by the Owner for evaluation.

4.2.3 Separate and identify each criteria response to Section 3 of this RFQ by use of a divider sheet with an integral tab for ready reference.

#### 4.3. TABLE OF CONTENTS:

4.3.1 Submittals shall include a "Table of Contents" and give page numbers for each part the Qualifications.

#### 4.4 PAGINATION:

4.4.1 Number all pages of the submittal sequentially using Arabic numerals (1, 2, 3, etc.).

### SECTION 5 – HALYARD BUILDING DESIGN NARRATIVE

#### **5.1 Architectural Design**

The Halyard Building will be the first of a series of light industrial buildings within an industrial subdivision along the Columbia River for the Port of Hood River. The site is approximately 1.22 acres and is located at the corner of North 8th Street and Portway Avenue. The building will occupy a prominent location across the street from the Hood River Waterfront Park, now under construction, and will be visible to recreational traffic to and from the windsurfing and kiteboarding activities along the river.

#### **Building Design**

The Halyard Building has been designed to respond to vehicular traffic and pedestrian activity to the north with wood-clad canopies, recessed entries, and storefront windows to address passersby. The east and west ends of the building feature storefront windows to the north with secondary tenant entries to the south. The parapet parallels the slope of the roof to a downspout on the east and a cistern on the west. A band of windows on the north, east and west elevations provides diffuse north light to the interior and viewing opportunities from a mezzanine level which may serve as office space. The south elevation is more utilitarian, in response to the planned truck lane within the block, but integrates a photovoltaic array as a wall cladding and protective canopy above the doors.

#### **Sustainability**

As the first building in this new industrial subdivision the Halyard Building has the opportunity to establish a precedent for further development and will be seeking LEED Silver certification. Many of the features of this core and shell building have been designed to demonstrate sustainable objectives. The intent is to create a durable, efficient, insulated shell that incorporates strategies for natural ventilation in the form of louvers and roof-top turbine ventilators, skylights for daylighting, photovoltaic panels for energy production, and a cistern for rainwater harvesting to be used for irrigation.

## **5.2 Civil Design**

### **Sanitary Sewer**

Sanitary sewer from the building will be connected to the civil at the west wall. Site sanitary will route from west building wall to connect to existing sanitary sewer near North 8th Street. Pipe materials will be PVC (ASTM D 3034).

### **Fire Protection and Domestic Water Service**

There is an existing water main along North 8th Street. Water services will tap this line and be routed through a buried precast concrete vault system that will house domestic and fire system backflow prevention valves. The vault will include a small sump pump requiring power from the building, in addition to an above grade fire department connection riser with twin Siamese ports. Pipe materials will be either ductile iron, or PVC (AWWA C900).

### **Storm System**

The storm system includes roof drainage and overland parking area flow to a series of low impact development stormwater planters. These planters are sized to provide requisite water quality and no detention. The planters will consist of 18-inches of imported topsoil growing medium. The stormwater planters are piped with overflow drains and connected to an existing onsite storm system, location yet to be confirmed. Pipe materials will be corrugated HDPE. Overflow drains will be trapped steel area drains.

### **Site Improvements**

Public frontage improvements on Portway Avenue will be done by others in advance of this project and will include a new sidewalk, street trees, ornamental street lights and a driveway closure. Improvements on North 8th Street to be completed as part of this project include a driveway closure and relocation. Site improvements may include pervious pavement at the western parking lot, and both light and heavy asphalt thickness for other areas. Standard full depth curbing is proposed due to industrial nature of project.

## **5.3 Landscape Design**

### **NW Garden**

Landscaping on the NW corner of the site is designed as a simple viewing garden highlighting the site's sustainable stormwater features including the cistern and stormwater planters. The garden will have interpretive signage explaining the stormwater system. At the garden's center is a flagstone paving area mixed with boulders. Drought tolerant groundcover plantings will grow between the loose joints of the stone. An evergreen hedge lines the space to block views of the parking lot. On either side of the stone paved area are stormwater planters that have plantings which absorb and treat site runoff.

### **The Cistern**

The 10,650 gallon cistern, centered on the west side of the building, collects water from the west half of the roof. Once the cistern is full, the water will overflow into a stormwater garden to the north.

### **East End Downspout**

Water from the eastern half of the roof will flow down a downspout centered on the east face of the building and into a stormwater swale. This stormwater swale flows north and under the sidewalk into larger planting area at the NE corner of the site.

## **Irrigation**

The entire site will be irrigated. To meet LEED requirements the site will utilize a 'smart' irrigation controller which adjusts water application according current weather conditions and shuts off when it rains. Irrigation will be a combination of Drip Irrigation and MP Rotator irrigation heads, both which use less water than conventional spray heads. The bulk of the site will run off city water. Irrigation for the garden at the NW corner of the site will be fed by the cistern. A pump will be installed to pressurize the water to run the irrigation system.

## **Trees and Planting**

General shrubs and groundcover will be low maintenance, low water use plantings adapted to the climate of Hood River. Stormwater garden planting areas will be densely planted with a variety of water loving plants. Trees will be 3 inch caliper and will be well staked to prevent leaning from high winds. Shrubs will be a minimum of eighteen inches in height and spaced no more than four feet apart. Groundcover shall be in one gallon containers, spaced on a maximum of eighteen inches on center. New planting areas will require 12 inches of import topsoil.

## **5.4 Structural Design**

The building is constructed of non-composite, load bearing concrete tilt-up walls. The structural layer will most likely be 6.5 to 7.25 inches thick. This layer will be located on the interior face to provide bearing for roof and diaphragm load transfer. The insulation layer thickness is to be determined but will range from 2.0 to 4.0 inches. The exterior face has deep reveals in the upper portion requiring a total thickness of 4.5 inches. Panels will bear on continuous perimeter spread footings with some additional pad footings required at jambs of larger openings. Some interior grade beams within the slab may be added to reduce the risk of potential lateral spread noted in the geotechnical report.

There are four spandrel panels in the current design requiring special erection and bracing considerations. Panels will also be used to support PV arrays and north entry canopies.

The main roof system consists of two bays of open web steel joists at 6 foot spacing spanning from the perimeter panels to a single girder truss line at the center of the building. Diaphragm is 1.5 inch metal deck. Girder trusses are supported by 7x7 tube columns and interior spread footings. We will likely provide some spread footings at the future mezzanine line to reduce the disruption should floor framing be added in tenant improvements. There will be a secondary steel roof structure to support rooftop PV panels. The ground floor is 6 inch concrete slab on grade.

## **5.5 Mechanical Design**

The mechanical design of the Halyard Building must be flexible and cost effective. It is not known who the tenants will be, what their mechanical load requirements are, or how much space they will need. The project has a very tight budget for core and shell. The constraints of these two factors lead us to believe that the best mechanical design would be a variable air volume (VAV) system. VAV systems are flexible, allowing zones to be added and changed as tenants change and as the building space is adjusted. They are cost effective and have been used in the industry for many years. A passive night flush system is being considered. The system will not handle the total cooling load of the building because the mass to floor area ratio is not great enough. There is also concern that the tenants would divide the building into small spaces that would make it difficult to ensure adequate air circulation. The night flush system will be investigated further along in the design process.



Preliminary load calculations show the need for approximately 35 tons of cooling using 20,000 CFM of air. This equates to approximately 580 SF/ton and 1 CFM/SF.

The load calculations use the following assumptions:

Wall R-value 22

Roof R-value 39

Window U-value 0.35

Window Shade Coeff 0.6

Skylight U-value 0.35

Skylight Shade Coeff 0.6

People 30

Equipment Load 9000 watts

30% increase of ventilation rates above ASHRAE 62.1-2007

The following equipment will be required:

- Two 10,000 CFM VAV rooftop air handling units sized to handle 17.5 tons of cooling, 100 MBH of heating. Each with full economizer and exhaust fan.
- Tenant 1N – three 800 CFM VAV boxes
- Tenant 1S – three 800 CFM VAV boxes
- Tenant 2 – five 950 CFM VAV boxes
- Tenant 3 – five 950 CFM VAV boxes
- Tenant 4N – three 800 CFM VAV boxes
- Tenant 4S – three 800 CFM VAV boxes
- Eight 8500 cfm wind turbine ventilators

## **ATTACHMENTS TO THE RFQ**

1. Execution of Offer Form

## Attachment 1

### EXECUTION OF OFFER FORM

NOTE TO RESPONDENTS: SUBMIT ENTIRE SECTION WITH RESPONSE. THIS EXECUTION OF OFFER MUST BE COMPLETED, SIGNED, AND RETURNED WITH THE RESPONDENT'S QUALIFICATIONS. FAILURE TO COMPLETE, SIGN AND RETURN THIS EXECUTION OF OFFER WITH THE QUALIFICATIONS MAY RESULT IN REJECTION OF THE QUALIFICATIONS. SIGNING A FALSE STATEMENT MAY VOID THE SUBMITTED QUALIFICATIONS OR ANY AGREEMENTS OR OTHER CONTRACTUAL ARRANGEMENTS, WHICH MAY RESULT FROM THE SUBMISSION OF RESPONDENT'S QUALIFICATIONS, AND THE RESPONDENT MAY BE REMOVED FROM ALL PROPOSER LISTS. A FALSE CERTIFICATION SHALL BE DEEMED A MATERIAL BREACH OF CONTRACT AND, AT OWNER'S OPTION, MAY RESULT IN TERMINATION OF ANY RESULTING CONTRACT OR PURCHASE ORDER.

By signature hereon, Respondent acknowledges and agrees that (1) this RFQ is a solicitation for Qualifications and is not a contract or an offer to contract; (2) the submission of Qualifications by Respondent in response to this RFQ will not create a contract between the Owner and Respondent; (3) the Owner has made no representation or warranty, written or oral that one or more contracts with the Owner will be awarded under this RFQ; and (4) Respondent shall bear, as its sole risk and responsibility, any cost which arises from Respondent's preparation of a response to this RFQ.

By signature hereon, Respondent offers and agrees to furnish to the Owner the products and/or services more particularly described in its Qualifications, and to comply with all terms, conditions and requirements set forth in the RFQ documents and contained herein.

By signature hereon, Respondent affirms that he has not given, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with the submitted Qualifications.

By signature hereon, Respondent represents and warrants that:

- Respondent is a reputable company regularly engaged in providing products and/or services necessary to meet the terms, conditions and requirements of the RFQ;
- Respondent has the necessary experience, knowledge, abilities, skills, and resources to satisfactorily perform the terms, conditions and requirements of the RFQ;
- Respondent is aware of, is fully informed about, and is in full compliance with all applicable federal, state and local laws, rules, regulations and ordinances;
- Respondent understands (i) the requirements and specifications set forth in this RFQ and (ii) the terms and conditions set forth in the Contract under which Respondent will be required to operate;
- Respondent, if selected by the Owner, will maintain insurance as required by the Contract;
- All statements, information and representations prepared and submitted in response to this RFQ are current, complete, true and accurate. Respondent acknowledges that the Owner will rely on such statements, information and representations in selecting the successful Respondent. If selected by the Owner as the successful Respondent, Respondent will notify the Owner immediately of any material change in any matters with regard to which Respondent has made a statement or representation or provided information.

By signature hereon, Respondent certifies that the individual signing this document and the documents made part of the RFQ is authorized to sign such documents on behalf of the company and to bind the company under any agreements, or other contractual arrangements, that may result from the submission of Respondent's Qualifications.

By signature hereon, Respondent affirms that no compensation has been received for participation in the preparation of the specifications for this RFQ.

Respondent represents and warrants that all articles and services quoted in response to this RFQ meet or exceed the safety standards established and promulgated under the Federal Occupational Safety and Health Law (Public Law 91-596) and its regulations in effect or proposed as of the date of this solicitation.

By signature hereon, Respondent signifies his compliance with all federal laws and regulations pertaining to Equal Employment Opportunities and Affirmative Action.

By signature hereon, Respondent certifies that no member, employee or commissioner of the Port of Hood River System has a financial interest, directly or indirectly, in the transaction that is the subject of the contract.

The Respondent must complete, sign and return this Execution of Offer as part of their submittal response. The Respondent's company official(s) who are authorized to commit to such a submittal must sign submittals. Failure to sign and return this form will subject the submittal to disqualification.

Respondent's Name \_\_\_\_\_

If a Corporation:

Respondent's State of Incorporation \_\_\_\_\_

Construction Contractor Board No. \_\_\_\_\_

Respondent's State of Residency \_\_\_\_\_

Identify each person who owns at least 25% of the Respondent's business entity by name:

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

Submitted and Certified By:

\_\_\_\_\_  
(Respondent's Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(Fax Number)

\_\_\_\_\_  
(Authorized Signature)

\_\_\_\_\_  
(Date)



Port of Hood River  
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Findings

Exemption from the Competitive Bidding Process and  
Approval of the Alternate Contracting Method known as Request for Qualifications/Proposal

1. Background:

The findings herein support a resolution authorizing the Port of Hood River (Port), Commission (the Commission), acting as the Local Contract Review Board, to exempt the Halyard Building Project (Project) from the low competitive bid process and instead use a Request for Qualifications/Proposal (RFQ/RFP) competitive procurement process to select a General Contractor (Contractor) to construct the Project.

The Project is located on the Port's property at Portway Avenue near North 8<sup>th</sup> Street. The Project includes the design and construction of a new 20,000 square foot flex-use building. The building, being designed by architect Richard Brown, will have sustainable features, with a goal of meeting LEED silver standards. Its style will set the tone for future waterfront development. All of the work will be performed in accordance with construction documents (drawings and project manual) to be prepared by the architect and its consultants. Funding for the Project was obtained from Port operating funds. There will not be any grant revenues associated with this project.

2. Statutory Requirements:

Oregon Revised Statutes (ORS) 279C.330 and 279C.335 provide that the Port may exempt certain public contracts from the low competitive bidding process based upon the following findings:

- A. That it is unlikely that such exemption will encourage favoritism in the award of the contract or substantially diminish competition for the contract; and
- B. The awarding of public contract by exemption will result in substantial cost savings to the agency.

ORS 279C.330 and 279C.335 require that in granting exemptions the Local Contract Review Board, in this case the Commission, shall direct the use of alternate contracting practices that take into account modern or innovative contracting methods, which are consistent with the public policy of encouraging competition.

3. Findings:

The Port staff makes the following findings in support of the exemption and in compliance with statutory requirements described above.

A. Alternate Contracting Practice, the Qualifications based RFP process:

The qualifications based RFQ/RFP process for selecting a Contractor is consistent with the criteria of ORS 279C.330 and 279C.335 because the process is competitive and a Contractor will be selected based not only on price but also upon who is best qualified to perform the job. The selection of a Contractor by this process is widely used and recognized as a preferred alternative approach, particularly where, as here, the Project has sustainable goals and must be completed within a limited amount of time. The Commission adopted the Attorney General's Model Public Contracting Rules, and those rules specifically list the RFQ/RFP method as an accepted alternative project delivery method under these circumstances.

B. No Favoritism or Diminished Competition:

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In order to assure the Commission that this exemption does not encourage favoritism or substantially diminish competition, a well-defined, competitive procedure as described below will be followed:

1. The Project will be formally advertised in the Daily Journal of Commerce, The Hood River News and The Dalles Chronicle thereby maximizing exposure and interest in the Project.
2. The Port anticipates that many of the same Contractors who would bid the Project under a traditional method will compete in the RFQ/RFP process.
3. An Evaluation Committee will be formed that will review the Contractors' qualifications and proposals in detail, conduct interviews if desired, and recommend to the Commission a qualified Contractor based on specific evaluation criteria provided in the RFQ and RFP. The Committee members will not include any person with an affiliation or conflict with any proposing Contractors.
4. The evaluation criteria include considerations of the Project's cost, Contractor's background, references, experience, capacity, personnel, client relations, schedule, quality control and problem/solution identification. It is the Port's intent to include the following individuals on the Evaluation Committee:
  - Port Commission representative (s)
  - A representative of the Design Team
  - A member of the public-at-large
  - Others who have relevant experience or expertise

A scoring system will be utilized to help quantify the Committee's review of each criterion for each Contractor. Each evaluation criteria will be weighted according to its significance. Upon completion of the evaluation process, the Committee will recommend a Contractor to the Commission who may then award the Project to the recommended Contractor. Port staff believes this selection and award process will not encourage favoritism or substantially diminish competition. Moreover, the Port may, at the Port's option, negotiate the contract price with the approved best proposer. If such negotiations fail, the Port may still award the contract to this proposer or open negotiations with the next apparent best proposer. The Port will continue this process until the desired contract price is obtained with a qualified contractor.

C. Substantial Cost Savings:

Port staff believes that using the qualifications based RFQ/RFP process will result in substantial cost savings on the Project for the reasons identified below. The public may also receive a long-term benefit associated with the quality of the completed work resulting from the selection of a Contractor using the qualifications based RFQ/RFP.

1. Cost of the Work:

Cost will be one of the major criteria used to select a Contractor. The selection process is competitive and Contractors will have every incentive to offer the lowest base proposal.

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amount and alternate prices. In addition to the competitive Contractor proposals, the same competitive process will occur for the Subcontractor's scope of work. The only unique aspect of this qualification based RFQ/RFP process is that the cost of the work will not be the sole criterion used to select a Contractor.

2. Construction Schedule:

General Schedule Information:

- The RFQ is scheduled to be released in July 2009.
- Responses to the RFQ are scheduled to be submitted early in August 2009.
- An RFP will be issued to a select number of proposers who will be asked to submit a proposal together with costs later in August.
- The review of the responses, identification of a short list of firms to interview, completion of interviews and the selection of a firm is scheduled to occur by the end of August 2009
- The Selection Committee will make its recommendation to the Commission at its September 1, 2009 meeting
- Negotiations of a GMP will proceed with approval scheduled for the Commission's September 15, 2009 meeting.
- The release of a Notice to Proceed, authorization for the Contractor to start construction, is scheduled to occur late in September 2009.
- Substantial Completion, scheduled to occur in May 2010, is the date the Project can be utilized for its intended purpose with only inconsequential punch list items remaining outstanding.
- Final Completion, completion of the Contractor's entire scope of work, including closeout documentation and final payment is scheduled to occur in June 2010.

The primary reasons for utilizing the RFQ/RFP method are as follows:

- A. The need to select a Contractor as early as possible to provide as much time as possible before the scheduled completion in May 2010. With work starting in late September, it is very important to get the slab on grade poured and cured before the rainy season. This will help the Port obtain competitive prices if contractors are provided sufficient time durations to construct the elements of the project and can be assured quality won't be affected by the schedule.
- C. Start of work on the Halyard Building cannot proceed until the final construction costs are negotiated. Currently construction pricing is very competitive but will undoubtedly rise as the recession recedes. The cost of the work is likely to increase dramatically each month, based on cost escalations anticipated in the construction industry. Delays during construction will result in additional costs to the Project. These types of additional costs to the Port would most likely result in the loss of funds from some other project contained in the overall Port Budget.

3. Construction Complexities and Uncertainties:

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The following complexities and uncertainties present unique technical challenges associated with the Project and it is vital to the success of the Project that the best Contractor be selected. The RFQ/RFP process helps the Port consider many different factors which will help anticipate and avoid Project problems and result in substantial cost savings over the traditional low bid procedure where the bid price is the only factor.

- A. An objective contemplated for the project is to obtain a Silver LEED Rating. the Contractor responsible for the Halyard Building will need to be experienced in the US Green Building Council requirements for obtaining a LEED rating.
  - B. The Project is located in an existing and occupied Port area being utilized on a daily and evening basis. Individuals and area infrastructure must be adequately protected and maintained without interruptions. For example, utility shutdowns and cutovers must be accomplished without impact to any existing Port or tenant operations.
  - C. Starting a project of this magnitude does not represent the typical challenges associated with a project in this budget range. The firm selected to construct the Halyard Building must possess sufficient resources and have an established track record of completing projects on schedule. The completion of this work needs to occur within budget and with quality of work expectations promulgated by the Port. The quality of the work cannot be diminished and/or reduced to achieve the cost and schedule expectations.
  - D. Selecting a Contractor without the experience, skills, and resources described above could expose the Port to claims, without merit, for additional compensation and extensions to the Project schedule. Utilizing the typical competitive bid process would force the Port to award a contract based solely upon price without consideration of the contractor's ability to provide construction services for a LEED rated building. The selection of a Contractor with these types of Project circumstances can best be accomplished by providing specific criteria, in addition to price, for evaluation to determine which Contractor has the requisite skills to complete the project successfully, on schedule and within budget. The opportunity to select the best overall Contractor, considering many factors, will help avoid problems and, as a result, realize substantial cost savings over the traditional low competitive bid process where price is the only factor. The RFQ/RFP process will allow the Port to give appropriate weight to the Contractor who is both reasonably priced and most capable in providing the type of construction associated with the Project.
4. For public improvement projects, ORS 279C.330 and 279C.335 provide that the agency findings include information regarding the following:
- A. Operational, Budget and Financial Data: The Project consists of a variety of complex tasks to be performed by the Contractor. The right Contractor is needed to ensure the Project's success.
  - B. Public Benefits: The public benefit from using the competitive RFQ/RFP process includes the following items:
    - 1. Cost savings – The information supporting this item is described in previous sections of this document.



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2. **Safety and Security** – The safety and security of users and adjacent Port facilities, equipment and information is a concern for the Port. Using the RFP process will allow the Port to select a Contractor, with similar experience in completing construction work in an occupied area. A Contractor selected solely on the basis of initial cost is likely to have limited interest in addressing safety and security issues.
  - C. **Value Engineering:** The Contractor will be asked to provide value engineering studies and thereby the Port will receive the best materials and products for the specific circumstances at the lowest possible cost.
  - D. **Specialized Expertise Required:** The information supporting this item is described in previous sections of this document. Moreover, the RFQ/RFP process provides schedule advantages because the cost and contract negotiation activities are seamless and contained within one organization.
  - E. **Public Safety:** Safety is one of the primary concerns of the Port. Using the RFP process will allow the Port to select a Contractor, with experience in completing construction work on a site populated with workers, recreation-seekers and the general public. The Contractor will be required to assist in establishing temporary traffic and pedestrian routes resulting from the construction activities. A Contractor selected solely on the basis of initial cost is likely to have a limited interest in addressing safety.
  - F. **Market Conditions:** Market conditions have changed in the past year with significant increases in material prices and equipment costs (e.g., equipment with steel components) and to a limited extent labor prices. This type of market can lead to higher than anticipated pricing. A competitive RFP process which requires competitive bidding as a significant element of the selection process will help to reduce the project costs.
  - G. **Technical Complexity:** The work is complex with regard to: 1) schedule requirements; 2) scope of work coordination issues; and, 3) LEED rating. A low bid procurement process does not typically evaluate a Contractor's technical qualifications. Failure to perform the work in accordance with the expectations of the Port will likely result in significant adverse cost impacts to the Port.
  - H. **Funding Sources:** Funding for this project was obtained from Port Operating Funds.
5. **Public Hearing:**

ORS Sections 279C.330 and 279C.335 require notice of and an opportunity to comment at a public hearing before an exemption from low bidding can occur. Accordingly, the public hearing is scheduled for July 21, 2009. This process fully complies with the statutory requirements regarding the request for an exemption. A separate advertisement for the Request for Qualifications/Proposal will be advertised in a paper in accordance with the Attorney General's Model Public Contracting Rules.
  6. **Contract Terms and Conditions**

The issues associated with this Project make it critical to enter into a contract with specific terms and conditions that will increase efficiency and result in reduced costs. The contract will contain, among other things, provisions for insurance, indemnification, bonding and compliance with the

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Attorney General's Model Public Contracting Rules. Legal Counsel will review all draft documents prior to release.

7. **Recommendation**

Adopt a resolution exempting the Project from low competitive bidding procedures and authorizing the use of an alternative Request for Qualifications/Proposal process. A separate recommendation will be provided and resolution requested to award / contract with the successful Proposer under a follow up Request for Proposal.