

City of John Day
Request for Proposals – Grant Administration, Environmental Review, and Related Services
February 18, 2019

City of John Day (“City”) is soliciting proposals (“Proposal(s)”) from firms and consultants to provide certain grant administration, environmental review, and related services for and on behalf of City, all as described in this Request for Proposals (this “RFP”).

INTRODUCTION AND FUNDING

City is issuing this RFP to select a consultant to provide certain grant administration, environmental review, and related services concerning City’s wastewater system improvement project. The grant administration services arise out of funding from the Oregon Community Development Block Grant (“CDBG”) program administered by the Oregon Business Development Department (“OBDD”) Infrastructure Finance Authority.

City has applied for CDBG funding for wastewater design services for City’s wastewater system improvement project (the “Project”). Notwithstanding anything contained in this RFP to the contrary, (a) City’s award of a contract under this RFP is contingent upon City’s receipt of CDBG grant funds, and (b) the Services (as defined herein) will be performed subject to and in accordance with applicable CDBG requirements.

The selected consultant will meet with the city manager prior to the commencement of Services to discuss the planned approach to the Services needed, including, without limitation, specific deliverables. The consultant will work with, and report directly to, the city manager and council. The Services will commence upon City’s execution of a grant agreement concerning the CDBG funds and will be completed on or before September 30, 2019.

SCOPE OF SERVICES

The selected consultant will provide the following Grant Administration Services (as defined below) and Environmental Review Services (as defined below) for and on behalf of the City (collectively, the “Services”):

A. Grant Administration Services. The selected consultant will provide the following grant administration and related services associated with the CDBG grant for and on behalf of City and as delineated in the appropriate grant handbook and other agency specified publications (collectively, the “Grant Administration Services”):

1. Coordinate the Following Grant Administration Activities:
 - Serve as central contact for local, state, and federal people involved in the Project.
 - Possess knowledge of state and federal laws/requirements affecting the Project.
 - Coordinate all grant activities and administer all grant related contracts.
 - Monitor Project progress against the Scope of Work and Budget, providing the results to City and OBDD.
 - Ensure grant recipients(s) meets all conditions of the grant contract and that contractors fulfill contractual obligations.

- Procure (or coordinate with the procurement of) architect/engineering services and construction contractors:
 - Possess knowledge of state law for procurement of materials and services.
 - Comply with state and local procurement laws and ordinances.
 - Prepare Requests for Proposals and/or Requests for Qualifications.
 - Coordinate drafting and reviewing of contracts to ensure compliance with federal requirements.
 - Prepare scope of services for each contract and obtain approval by appropriate regulatory authorities.
 - Ensure state review of all Project-related contracts.
 - Prepare contract amendments or requests to state for grant contract amendments, when needed.
- Ensure that all the exhibits and conditions of the grant contract are fulfilled.
- Label all correspondence and other required documents with the appropriate project ID number(s).
- Obtain copies of all project contracts and agreements and provide copies to OBDD.
- Submit Women and Minority Business Enterprise outreach efforts and document the same.
- Prepare budgets, schedules, and amendments as needed.
- Establish and maintain grant files during the Project, which upon project completion will be given to City for City's records.
- Prepare cash requests, progress reports and other documents on an "as needed basis".
- Participate in visits from the various State and Federal agencies to monitor the project. Prepare any responses to "Findings" of these visits after consulting with the City.
- Prepare and (after review by City) submit reports as needed, including the Project Completion Report.
- Provide financial information on the grants for any audits performed to include the City of John Day Annual Audit.
- Other duties as assigned/needed.

2. Complete "first draw" Requirements Prior to Requesting a Drawdown of Grant

Funds:

- Ensure preparation and signing of *Finding of Exemption from Part 58 Environmental Review Requirements* for grant administration, engineering, architectural and other "exempt" activities.
- Ensure that the appropriate environmental review process occurred and was completed BEFORE any construction contract is awarded. This includes:
 - Preparation of the Environmental review record.
 - Publication of appropriate notice.
 - *Request for Release of Funds* submitted to Business Oregon.
- Obtain review of plans, specification and all bid documents, including the advertisement (call) for bids, at least ten days before anticipated advertisement date.
- Ensure adoption and publication of a Fair Housing Resolution.

- Ensure compliance with the State of Oregon’s *Residential Anti-displacement and Relocation Assistance Plan*, if applicable.
- Ensure completion of Self-Evaluation for Compliance with Section 504 Handicap Accessibility Checklist and related requirements.
- For participants with 15 or more employees, assure a current *Policy of Nondiscrimination on the Basis of Handicapped Status* and related grievance procedures are in place.
- Complete an OBDD reviewed Section 3 Plan.
- Complete OBDD reviewed Limited English Proficiency Language Access Plan (LAP).
- Ensure procurement of federal labor standards compliance services.

3. Complete “final draw” Requirements and Project Closeout:

- Submit a completed *Minority, Women and Emerging Small Business Activity Report*.
- Submit a completed Section 3 Summary Report, if applicable.
- Provide evidence of actions to further Fair Housing.
- Ensure holding of Second Public Hearing and submission of all necessary documentation.

City Responsibilities. The following services will be the responsibility of City (and not the selected consultant):

1. Initial procurement of grant administration services which includes, without limitation, legal review of contract and agreements, and monitoring the performance of the selected consultant and provide support.
2. Initial procurement of the architect/engineering services which includes, without limitation, coordinating with selected consultant to procure these services, reviewing and approving procurement documents, selecting the contractor for these services, and legal review of contracts and agreements
3. City will be the fiscal agent for these grants, receiving and dispersing the grant funds after the selected consultant has reviewed and approved the requests.

B. Environmental Review Services. The selected consultant will provide the following environmental review and related services for and on behalf of City (collectively, the “Environmental Review Services”):

1. Work with City to identify all areas of assessment.
2. Prepare the Environmental Assessment.
 - Analyze environmental conditions and potential project impacts to biological and natural resources including, without limitation, the following: Endangered Species, wetlands, noise pollution, floodplains, air quality, water quality, and protected Farmland.
 - Consult, in a timely manner, with relevant State and Federal cross-cutters, including, without limitation, the following: NOAA, USFWS, and SHPO/THPO.

- Work with City's selected engineer to provide project details to relevant agencies for review.
3. Ensure City's project complies with relevant Federal and State environmental, cultural, historical, and other related Environmental Review Record cross-cutters.
 4. Assist City with public involvement steps, including: public notice publication, necessary public hearings, and other public involvement.
 5. Coordinate with City to procure Cultural Assessment services if Cultural Monitoring or Archaeological Survey is needed to fulfill requirements.
 6. Prepare Request for Release of Funds and Notice of Intent to Request Release of Funds.
 7. Ensure City has a final and complete copy of the Environmental Assessment.

City Responsibilities. The following services will be the responsibility of City (and not the selected consultant):

1. Designating a Certifying Officer who will attest to the Responsible Entity's (the "RE") compliance with HUD's environmental procedures.
2. Fulfilling the roles of the RE and assisting the Environmental Reviewer with any tasks that must be completed by the RE.
3. Completing any historic (State or Tribal) preservation requirements which must be completed by the RE.
4. Providing public access to the completed ERR and other requirements of the public involvement process, which may involve hosting public hearing(s).
5. Submitting the final draft of the Environmental Assessment to Oregon Infrastructure Finance Authority personnel.

PROPOSAL FORMAT

The following minimum requirements as to the form and manner of submitting Proposals must be strictly observed; variance from these requirements may result in rejection of the Proposal as unresponsive. A consultant interested in performing the Services must submit a signed and dated written proposal to City containing the following information:

1. Contact Information. Consultant's name, address, contact information, and the name of the primary contact in reference to the proposal.
2. Firm Information; Availability. Brief information concerning the consultant (e.g., background, size, types of services provided, experience, and types of similar governmental engagements). Please also identify no less than two references. Please also identify availability to perform the Services.
3. Specific Experience; Key Staff. Identification of the consultant's experience

administering CDBG grant funds. Identification of the person(s) who will be assigned and responsible to perform the Services and who will serve as the project manager.

4. Rates. Identification of the proposed hourly rate(s) the consultant desires to receive for performance of the Services. Identify the respective not-to-exceed amounts for the Grant Administration Services and Environmental Review Services.

5. Insurance. Sufficient evidence to demonstrate the consultant's compliance with the insurance required under the Agreement.

PROPOSAL SUBMISSION

To be considered, please submit your Proposal to Nick Green, City Manager, via email at green@grantcounty-or.gov, or by mail or hand delivery to City of John Day, 450 East Main Street, John Day, Oregon 97845.

Please clearly label the outside of the envelope (or fill in the email subject line with) "John Day Grant Administration Services Proposal." Proposals must be received by City on or before **Monday, March 4, 2019 at 2:00 p.m., Pacific Time**. Proposals received after the deadline date/time will not be considered. City will make a decision to award the contract for the Services after OBDD's CDBG award announcement. Notwithstanding anything contained in this RFP to the contrary, if in City's best interest, City reserves the right to, in accordance with applicable law, (a) amend and/or revise this RFP in whole or in part, (b) cancel this RFP, (c) extend the submittal deadline for responses to this RFP, (d) waive minor informalities and errors in such Proposals, and/or (e) reject all Proposals for any reason and/or without indicating reasons for rejection. Further, City reserves the right to seek clarification(s) from any consultant and/or require supplemental information from any consultant. This RFP does not obligate City to award a contract and/or to procure the Services described herein. Without otherwise limiting the generality of the immediately preceding sentence, City will not award a contract (and/or procure the Services) if City is not awarded grant funding through the Oregon Community Development Block Grant program.

AWARD OF CONTRACT

If a contract is awarded, City will award the contract to the consultant whose Proposal will best serve City's interests, taking into consideration factors, including, without limitation, price, experience, specific expertise, key staff and personnel, availability, and consultant capacity. Consultants responding to this RFP do so at their own expense; City is not responsible for any costs and/or expenses associated with the preparation and/or submission of any Proposal. City reserves the right to enter into one or more contracts concerning the Services.

If a contract is awarded, City and the selected consultant will enter into City's form professional services agreement substantially in the form attached hereto as Exhibit A (the "Agreement"). The Agreement will contain terms and conditions required under applicable law and will otherwise be in form and content satisfactory to City. Without otherwise limiting the generality of the immediately preceding sentence, the Agreement will include terms and conditions concerning, among other things, acceptable standards of performance, compensation, minimum insurance requirements, compliance with laws, indemnification, representations and warranties, and City's right to terminate the Agreement.

If you have any questions regarding this RFP, please contact Mr. Green via email (provided above) or telephone (541-575-0028).

Exhibit A
City's Professional Services Agreement
(attached)