



## **REQUEST FOR PROPOSALS (RFP) # 2019-04F-FP**

### **EOU INLOW HALL PHASE II HAZARDOUS BUILDING MATERIALS CONSTRUCTION ASSISTANCE SERVICES**

ISSUE DATE: MAY 31, 2023

#### **RFP DUE DATE & TIME**

JUNE 13, 2023, 3:00 PM via electronic  
submission to: [ProposalsFP@eou.edu](mailto:ProposalsFP@eou.edu) (see RFP for detailed instructions.)

PROJECT NUMBER 2019-04-FP

Eastern Oregon University is seeking Consultant Services Proposals for the Project described below pursuant to this REQUEST FOR PROPOSALS (“RFP”). By submitting a Proposal, the Offeror represents that they have carefully read the terms and conditions of this RFP, including all attachments and addenda, and agrees to be bound by them.

#### **Contract Administrator**

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**It is the Proposer’s responsibility to continue to monitor the ORPU.org website for Addenda. Failure to knowledge any Addenda in the Transmittal Letter may cause your Proposal to be considered non-responsive.**

**[EOU Policy 3.15.01 – Procurement and Contracting of Goods and Services](#) govern this solicitation unless otherwise referenced in this or stated.**

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## **1. GENERAL PROJECT INFORMATION**

### **A. Introduction**

Eastern Oregon University (EOU) is seeking proposals from firms interested in providing Hazardous Building Materials Construction Assistance services to EOU by submitting a response to this Request for Proposal (RFP) for the Inlow Hall Phase 2 Renovation project (the “Project”).

EOU is in La Grande, Oregon (population 13,200) and educates approximately 1,450 undergraduate students on campus. The campus is approximately 108 acres and is south of downtown La Grande.

Inlow Hall, the administration building was originally the State Normal School for teachers when it opened in 1929 and then became Eastern Oregon College of Education in 1939 and eventually becoming Eastern Oregon University in 1997. Inlow Hall was listed on the National Register of Historic Places in 1980. The site, staked by early settler Daniel Chaplin, was part of La Grande’s first and only burial ground until 1878.

Inlow Hall evokes an Italian Renaissance style, following the main design concept of a renaissance palace on a hill. The Italianate style began in England as part of the picturesque movement, showing up in American houses and buildings in the mid to late 1800’s. Inlow Hall’s mansard roof, pedimented windows, pilasters, balustrades, and architraves combined with its simple rectangular form and minimal decorative detailing evokes the Italian Renaissance. Italian Renaissance defining characteristics include minimal decorative detailing except for the formal window crowns, restrained cornice molding, horizontal belt courses, and corner quoins.

Inlow Hall is the oldest building on the EOU campus and is approximately 44,800 gross square feet in size. Constructed in 1928, its original use included all aspects of campus functions, including classrooms, administration and a library. The building currently houses administrative offices, student services, the Welcome Center, distance learning and the Rural Engagement and Vitality Center.

The Inlow Hall Phase 1 project took place in 2009 and included seismic upgrades to the basement and first floor, partial mechanical upgrades, and improved space utilization on the first floor. Phase II will complete the seismic upgrades, bringing the building into compliance with ASCE 41 standards as well as meet the requirements further described in the Project Purpose and Goals.

### **B. Overall Project Purpose and Goals**

This project is a significant renovation of Inlow Hall. The purpose of this capital project is to upgrade Inlow Hall to meet EOU’s current and future needs over the next several decades.

The goals of the capital project are to:

- Complete the seismic and renovation improvements started in Phase 1.
- Address critical life/safety, access, deferred maintenance, and code issues in and around the building; including mitigating water intrusion in the roof and building envelope.
- Improve energy efficiency and thermal comfort for users:
  - LEED certification is not required but LEED best practices should be implemented to meet energy reduction and efficiency improvements.
- Preserve the internal and external historic integrity of the building.

- Address underutilized and ineffective spaces, optimize classroom capacities and distance education technology.
- Strictly adhere to the project budget of \$18.8M, which includes all soft and hard costs, including Owner and Contractor contingencies.
- Identify and determine required steps & approaches to minimize disruptions to student and administrative services and staff productivity during construction activities. EOU has very limited “swing spaces”.
- Develop a common understanding of how to address the hierarchy of needs and minimize conflict from competing interests with limited resources.
  - When budget constraints occur, how scope is reduced/modified for strict adherence to the project budget
    - During design phase services
    - During construction phase services
- Develop project delivery system(s) and/or construction package(s) to minimize construction costs, minimize disruption of services, and meet or beat the grant agreement’s Project Closeout Deadline.

The project scoping document approved by the Sponsor Team is provided in Appendix I.

### **C. HBM Construction Assistance Services**

The selected HBM Consultant firm will assist EOU to construction observation and testing of abated work areas and final project reporting.

## **2. PROJECT SCHEDULE**

The project schedule is tentatively as follows and may be subject to change based on EOU’s needs.

Advertise Request for Proposals	May 31, 2023
<b>Written Proposals Due</b>	<b>June 13, 2023, 3:00 pm</b>
Rank Proposers	June 13, 2023
Consultant Selection & Notification	June 14, 2023
Contract Execution	June 15, 2023
Anticipated Start Abatement Construction Activities	July 1, 2023
Anticipated End of Abatement Construction Activities	November 30, 2023

## **3. PROCUREMENT PROCESS**

This request for proposal (RFP) follows procurement per EOU Policy 3.15.01 and will be a two-step process for the selection of the Construction Manager/General Contractor this project. The RFP responses will be evaluated for completeness and compliance with this RFP by a selection committee. On the basis of this evaluation, the selection

committee will make its best efforts to limit the field of finalists to at least three (3), but not more than five (5), firms to be selected for final consideration, if needed interviews will be conducted for each finalist and further investigation of references will occur by Eastern Oregon University. Eastern Oregon University will utilize this RFP process to obtain information to enable selection of the most qualified proposer through evaluation of:

- a) The proposers' responses to questions contained in this document;
- b) If needed, information obtained during an interview of the proposers by the selection committee;
- c) The results of discussions with the proposers' references and others.

The RFP also requires reference information from the Proposer's firm. Eastern Oregon University will utilize this information and any other independently obtained references that can provide background on the Proposer's firm. This information will not be separately scored, but results obtained from these and/or other reference checks will be utilized in evaluating and scoring in the other criteria and in the final ranking.

If needed, the RFP response will be used in preparation for interviews of the finalists. The proposers that are chosen to participate in the interviews may be asked to respond to additional questions designed to clarify and/or expand on their proposals. If interviews are needed, the interviews will include a presentation period for the proposers to highlight their original Proposal as well as respond to additional questions or information that may be requested in advance by the evaluation committee, and then a separate Q&A session. If interviews are needed, all of the interviews/discussions are completed, the evaluation committee will select the Apparent Successful Proposer by ranking the interviewed proposers based on all information received, presented, found and heard.

#### **4. ANTICIPATED SCOPE OF SERVICES**

The Consultant shall anticipate the following scope of services and assumptions to base a fee estimate upon:

##### **A. Pre and Post Work Submittal Review**

Consultant shall review pre-work submittals and post-work submittals for completeness. Pre-work submittals typically include contractor specialty license documentation, copies of applicable worker and supervisor certifications, certificates of insurance, necessary permits/notifications, proposed disposal location acceptability, proposed air monitoring analytical laboratory qualifications, and abatement workplan. Post-work submittals typically include supervisor daily logs, air monitoring results, clearance sampling results, waste shipment records, waste manifests, or recycling confirmation receipts. Consultant shall provide a memorandum summarizing the pre- or post-work submittal review.

##### **B. Abatement Observation and Testing Phase Services**

Professional services for abatement project task consist of the following tasks:

- Review contractor's pre-work submittals for the specification sections prepared by Consultant. For budgetary purpose, Consultant shall anticipated one initial review and a second review following which no defects in the submittals remain.
- HBM abatement will occur during two phases, an 8-week phase during which all interior materials are addresses and a 4-week phase for exterior features. Consultant shall anticipate that the interior work will occur in 2023 and the exterior work in 2024.
- Complete pre-abatement phase contrast microscopy (PCM) air sampling to document air quality prior to abatement contractor start of work. Pre-abatement air samples are not required for outdoor work areas.

- Complete regular inspection of the abatement contractor's work, including impact to lead containing materials, documenting conditions of compliance and notifying the abatement contractor of concerns, questions, and areas of potential non-compliance with project specifications and applicable regulations.
- Conduct clearance inspections upon abatement contractor notification of completed work in a portion of the building as provided in the project specifications. For budgetary purposes, Consultant shall anticipate that HBM abatement will require the following number of clearance events for interior building components/work areas:
  - Five visual inspection and TEM air sampling clearance events for areas of non-friable abatement by aggressive means or where friable ACMs are present.
  - Three visual inspection and PCM air sampling for areas of non-friable abatement or where asbestos is abated in areas that do not have a large volume of friable non-ACM materials.
  - Five exterior visual inspection only events to complete post abatement clearances of abatement during window removal and built-up roofing removal.
  - Two visual inspection only events to complete punch list inspections for abatement of other HBM such as LEC and RCS components.
- Complete a punch list at the conclusion of abatement in each work area, including confirming removal of all florescent lamps, high intensity discharge lamps, fluid containing ballasts, refrigerants, and refrigerant system oils.

Professional HBM related professional services fee estimate should be based on the following assumptions:

- Laboratory analytical for PCM air samples will be completed at an 8-hour turnaround time commencing with laboratory receipt of samples.
- Lead containing materials will not result in demolition debris characterizing as dangerous waste, but will be managed as general demolition debris.
- Pre-work and post-work submittals will be received from the contractor in a timely manner and be substantially complete, within 10 days of the final HBM punch list inspection per the project specifications.
- Attend one pre-work meeting at the start of the project.
- Attend construction meetings remotely during abatement activities (i.e. up to one 1-hour meeting per week).
- A final project report will be prepared summarizing the HBM abatement work completed under Consultants' observation.

At the conclusion of the project, the Consultant shall prepare a final abatement report to gather into a single publication of all records documenting the methods of the work and the final disposition of all HBM removed during the project.

Should newly discovered suspect HBM be identified during demolition, EOU may elect to schedule Consultant to complete a limited inspection, sample collection, laboratory analysis, and reporting associated with the newly identified materials on a time and materials basis.

### **C. Project Summary Report**

Consultant shall prepare a summary report to document the abatement of asbestos containing materials during the Inlow Hall Phase II. The final abatement report will be used to gather

into a single publication all records documenting the methods of the work and the final disposition of all HBM removed during the project.

## **5. GENERAL PROVISIONS**

EOU reserves the right to reject any and all Proposals received as a result of this RFP. EOU's Procurement Policy 3.15.01 govern the procurement process for EOU.

**A. Modification or Withdrawal of Proposal:** Any Proposal may be modified or withdrawn at any time prior to the closing deadline, provided that a written request is received by the Facilities & Planning Department, prior to the closing deadline. The withdrawal of a Proposal will not prejudice the right of a Proposer to submit a new Proposal.

**B. Requests for Clarification and Request for Change:** Proposer may submit questions regarding this RFP. All questions or contacts with Eastern Oregon University with regards to this RFP must in writing to Facilities Capitol Project Manager Sarah Hollenbeck email [shollenbeck@eou.edu](mailto:shollenbeck@eou.edu) within 4 calendar days prior to the RFP due date and time

Request for clarifications and/or changes shall be emailed to the contact person and must include the reason for the change and any proposal changes to the requirements.

The purpose of this requirement is to permit EOU to correct, prior to the opening of Proposals, the RFP terms or technical specifications that may be unlawful, imprudent, or unjustifiably restrict competition.

EOU will consider all requested changes and, if appropriate, amend the RFP. EOU will provide reasonable notice of its decision to all Proposers on the Public University Procurement website ([www.orpu.org](http://www.orpu.org)) and the Oregon Buys website.

It is the responsibility of each firm to visit the website and download any addenda to this RFP. No information received in any manner different than as described herein shall serve to change the RFP in any way, regardless of the source of the information.

**C. Protest of the RFP/Specifications:** Protests must be in accordance with EOU Procurement Policy 3.15.01. Protests of the RFP/specifications must be received via email on or before 5:00 PM within three business days of issuance of any addenda, at the email address listed in the Contact Information. Protests may not be faxed. Protests of the RFP/specifications must include a reason for the protest and any proposed changes requirements.

**D. Addenda:** : If any part of this RFP is amended, addendum will be provided on the Public University procurement website ([www.orpu.org](http://www.orpu.org)) and the Oregon Buys website.

**E. Post-Selection Review and Protest of Award:** EOU will name the highest ranked Proposer the apparent successful Proposer via a Notice of Intent to Award. Identification of the apparent successful Proposer is procedural only and creates no right in the named Proposer to award the contract. Competing proposers will be notified via email of the selection of the apparent successful Proposer and shall be given three (3) calendar days from the date on the Notice of Intent to Award to file a written protest of award, pursuant to with EOU Procurement Policy 3.15.01. Any award protest must be in writing and delivered by hand, mail, or email to the address listed in the Contact Information.

EOU will consider any protest received and;

- (a) Reject all protests and proceed with the final evaluation and/or contract negotiations with the apparent successful Proposer and, pending the satisfactory outcome of any final evaluation and negotiation, enter into a contract with the named Proposer; or

- (b) Sustain a meritorious protest(s) and reject the apparent successful Proposer as nonresponsive, if such Proposer is unable to demonstrate that its Proposal complied with all material requirements of the solicitation and EOU procurement policy; thereafter, EOU may name a new successful Proposer; or
- (c) Reject all Proposers and cancel the procurement.

The EOU Vice President for Finance and Administration or Director of Facilities & Planning will timely respond to the protest after receipt. Their decision shall be final.

**F. Acceptance of Contractual Requirements:** Failure of the selected Proposer to execute a contract and deliver required insurance certificates within ten (10) calendar days after notification of an award may result in cancellation of the award, and EOU will then commence negotiations with the next highest ranked Proposer. This time period may be extended at the option of EOU.

**G. Public Records & Proprietary Information:** Proposals are deemed confidential until the Notice of Intent to Award is issued. This RFP and one copy of each original Proposal received, together with all copies of all documents pertaining to the award of a contract, will be kept and made part of a file or record which will be open to public inspection. Any information submitted through this RFP process shall be a public record. However, during the evaluation period, the proposals shall be considered confidential information. If any proposal contains information that is considered a trade secret under ORS 192.501(2), each sheet containing proprietary information shall be marked as follows:

*"This data constitutes a trade secret and shall not be disclosed except in accordance with Oregon Public Records Law, ORS chapter 192."*

EOU 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 consultant's expense.

Identifying the proposal in whole as a trade secret is not acceptable. Failure to identify a portion of the proposal as a trade secret shall be deemed a waiver of any future claim of that information as a trade secret.

**H. Investigation of References:** EOU reserves the right to investigate all references in addition to those supplied references and will investigate past performance of any Proposer with respect to its successful performance of similar services, its compliance with specifications and contractual obligations, its completion or delivery of work products on schedule, its lawful payment of subconsultants and employees and any other factor relevant to this RFP. EOU may postpone the award or execution of the contract after the announcement of the apparent successful Proposer in order to complete its investigation.

**I. RFP Proposal Preparation Costs and Other Costs:** All costs for preparing the Proposals, attendance at interviews (if applicable and/or requested by EOU), and other efforts and materials in pursuit of this RFP are the responder's responsibility, and will not be reimbursed in any manner by EOU.

**J. Clarification and Clarity:** EOU reserves the right to seek clarification of each Proposal, or to make an award without further discussion of Proposals received. Therefore, it is important that each Proposal be submitted initially in the most complete, clear, and favorable manner possible.

**K. Right to Reject Proposals:** EOU reserves the right to reject any or all Proposals, if such rejection would be in EOU's best interest, as determined by EOU.

**L. Cancellation:** EOU reserves the right to cancel or postpone this RFP at any time or to award no contract.

**M. Oral Presentation:** At EOU's sole option, Proposers may be required to give an oral presentation of their Proposals to EOU, a process which would provide an opportunity for the Proposer to clarify or elaborate on the



Proposal but will in no material way change the Proposer's original Proposal. If the evaluating committee requests presentations, the Facilities & Planning Department will schedule the time and location for the presentation. Any costs of participating in such presentations will be borne solely by the Proposer and will not be reimbursed by EOU. Note: Oral presentations are at the discretion of the evaluating committee and may not be conducted; therefore, *written Proposals should be complete.*

**N. Constructions Contracts:** Submission of a Proposal in response to this RFP indicates the Proposer's willingness to enter into a contract containing substantially the same terms listed in this RFP. Reasonable modifications may be considered during the contract negotiation phase.

**O. Review for Responsiveness:** Upon receipt of all Proposals, the Issuing Office or designee will determine the responsiveness of all Proposals before submitting them to the evaluation committee. If a Proposal is incomplete or non-responsive in a significant part or in whole, it will be rejected and will not be submitted to the evaluation committee. EOU reserves the right to determine if an inadvertent error is solely clerical or is a minor informality, which may be waived, and then to determine if an error is grounds for disqualifying a Proposal. The Proposer's contact person identified on the Proposal will be notified, identifying the reason(s) the Proposer is non-responsive. One copy of the Proposal will be archived and all others discarded.

**P. Rejections and Withdrawals:** EOU expresses the right to:

1. Reject any and all Proposals.
2. To assign any work to any respondent that it enters into price agreement with based on EOU's discretionary determination as to which responder is best suited to perform the work.

Publishing this proposal does not commit EOU to any contract, project award, or financial obligation to any of the respondents. EOU reserves the right to use whatever means it considers appropriate and prudent when selecting which firm is selected or determining when subsequent proposals are deemed necessary.

**Q. RFP Incorporation into Contract:** This RFP will become part of the contract between EOU and the selected Proposer(s). The Proposer(s) will be bound to perform according to the terms of this RFP, their Proposal(s), and the and contracting.

**R. Communication Blackout Period:** Except as called for in this RFP, Proposers may not communicate with members of the evaluation committee about the RFP until the apparent successful Proposer is selected, and all protests, if any, have been resolved.

**S. Prohibition on Commissions:** EOU will contract directly with the persons/entities capable of performing the requirements of this RFP. Entities must be represented directly. Participation by brokers or commissioned agents will not be allowed.

**T. Ownership of Proposals:** All proposals in response to this RFP is the sole property of EOU, and subject to the provisions of Oregon Revised Statutes ORS 192.410 – 192.505 (Public Records Act).

**U. Clerical Errors in Awards:** EOU reserves the right to correct inaccurate awards resulting from clerical errors.

**V. Rejection of Qualified Proposals:** Proposals may be rejected in whole or in part if they attempt to limit or modify any terms, conditions, or specifications of the RFP or the EOU sample contract.

**W. Collusion:** By responding, the Proposer states that the proposal is not made in connection with any competing Proposer submitting a separate response to the RFP, and is in all aspects is fair and without collusion or fraud. Proposers certifies that no officer, agent, or employee of EOU has a pecuniary interest in this Proposal.

**X. Evaluation Committee:** Proposals will be evaluated by a committee consisting of representatives from EOU. EOU reserves the right to modify the Evaluation Committee make-up in its sole discretion. The committee recommendations will be forwarded to the Director of Facilities, Vice President of Finance & Administration, or designee for final approval.

**Y. Commencement of Work:** The selected Proposer shall commence no work until all insurance requirements have been met, the Protests of Awards deadline passes, any protests have been decided, a contract has been fully executed, and a Notice to Proceed has been issued by EOU. Any visits, scoping efforts, etc. by the successful Proposer prior to a fully executed contract is at the sole discretion of the Proposer, is considered pre-contract services and is not reimbursable.

**Z. Local, State, and Federal Requirements:** Work under this contract may be funded in part, or in its entirety, with federal, state, and EOU funds. The selected respondent(s) shall comply with all federal, state, and local laws, executive orders and ordinances applicable to work under this contract, including, without limitation to ORS 279 A, B, & C. In addition, the responders agree to comply with: (i) Title VI of the Civil Right Act of 1964; (ii) Section V of the Rehabilitation Act of 1973, (iii) the Americans with Disabilities Act of 1991 and ORS 659.425, (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules, and regulations. Responder is subject to the Oregon Worker's Compensation Law and shall comply with ORS 656.017, which requires provisions of Worker's Compensation coverage for all employees working under any contract resulting from this RFP. 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.

**AA. Tax ID Numbers:** Proposers must provide their Federal and State of Oregon Taxpayer ID Number

**BB. Certification of Compliance with Tax Laws :** By submission of the proposal, the undersigned hereby certifies under penalty of perjury that the undersigned is authorized to act on behalf of CM/GC, that CM/GC, as part of its proposal, has not discriminated against minority, women or emerging small business enterprises in obtaining any required subcontracts, and that CM/GC is, to the best of the undersigned's knowledge, not in violation of any Oregon or Federal Tax Laws.

**CC. Project Termination:** Eastern Oregon University is seeking to award a contract to a Construction Manager/General Contractor for the preconstruction and all construction phases; however, Eastern Oregon University reserves the right to terminate the Project or contract during any phase in the Project.

## **6. INFORMATION REQUIRED FROM PROPOSERS**

### **A. Length and Format**

All proposers responding to this RFP are directed to provide relevant information that will be useful to the evaluation committee in **ten (10) single sided pages 8-1/2 x 11** including pictures, charts, graphs, tables, and text. No supplemental information beyond the 10 page proposal will be allowed.

The information presented in the request for proposal should be presented in the same order as the evaluation criteria following. The response to this request for proposal should follow the format outlined below and signed by an officer of the company with the authority to commit the firm.

Proposals should be prepared economically and simply using a minimum font size of 10 point. No considerations will be given to special bindings, color displays, promotional materials, etc. Emphasis should be on brevity, completeness, relevance, and clarity of content.

Eastern Oregon University may reject any proposal submission not in compliance with Eastern Oregon University's procurement procedures and may cancel this solicitation or reject for good cause.

*Telephone or fax proposals will not be accepted. Responses received after the closing date and time will not be considered.*

## **B. Scoring Breakdown**

The scoring breakdown for the proposal content and requirements is as follows:

Item I.	SOW and Fee Proposal	40 points
Item VI.	Project & Client References	<u>60 points</u>
TOTAL =		100 points

## **C. Proposal Content and Requirements**

The proposal shall include the following sections.

### **I. SOW and Fee Proposal**

Submit SOW and Fee Proposal to conduct the Scope of Work provided in Section 4. The firm with the most competitive fee will be awarded the maximum points available, with the other firms receiving a proportional score.

### **II. Project & Client References**

Provide three (3) similar project references. The references should include at least one of the following: owners, subcontractors, and architects. List the size, scope, and complexity of each project used as a reference. Similarity to the Inlow Hall Project is preferred.

## **C. Submittal Information**

All Proposals must be submitted pursuant to the instructions below. The Proposal shall be emailed in searchable PDF format, to Lowann Vanleuven, [ProposalsFP@eou.edu](mailto:ProposalsFP@eou.edu), (office 541-962-3020) and must be electronically received by **3:00PM Pacific Time, June 13, 2023**. The email subject line must include **"Inlow Hall Phase II: RFP #FP-2019-04F"**

Offerors should telephone and confirm electronic receipt of the email document before the time and date above. Proposals delayed or lost by email filtering systems or failures, may be considered at EOU's sole discretion.

## **7. APPENDICIES**

This RFP contains the following integral appendices.

Appendix A – Consultant Services Agreement

Appendix B - Inlow Hall Hazardous Building Materials Inspection Report

Appendix C – Inlow Hall Board Room Limited ACM Report

Appendix D – Inlow Hall HBM Specifications