
ADDENDUM NUMBER 1

1. Changes to the RFP

1.1. SCHEDULE OF EVENTS

| | |
|-----------------------|--|
| <i>March 8, 2019</i> | <i>Questions/Requests for Clarification Due Solicitation Protest Period Ends</i> |
| <i>March 21, 2019</i> | <i>2:00 PM Closing (Proposals Due)</i> |
| <i>March 26, 2019</i> | <i>Notification of Interview Schedule</i> |
| <i>April 15, 2019</i> | <i>Interviews</i> |
| <i>April 16, 2019</i> | <i>Issuance of Notice of Intent to Award (approximate)</i> |
| <i>April 30, 2019</i> | <i>Award Protest Period Ends</i> |
| <i>May 8, 2019</i> | <i>Board Approval</i> |

2. Clarifications to the RFP

2.1. Attachment L – Schedule – This document is intended to be a guide and the District is interested in hearing methods of how the schedule can be improved and what bid dates make the most sense for competitive bidding.

**REQUEST FOR PROPOSAL
FOR
CONSTRUCTION MANAGER /
GENERAL CONTRACTOR [CMGC]**

**Astoria High School,
Astoria Middle School,
&
Astor Primary School**

RFP 2019-314

**Astoria School District No. 1C
Astoria, Oregon**



Issued: February 15, 2019

Proposal Closing Date:
March 21, 2019, 2:00 p.m. PST

Single Point of Contact [SPC]:

Label for Proposal:

Address:

Phone:

Email:

Angela Talley, Administrative Assistant

RFP 2019-314

Construction Manager/General Contractor [CMGC]

785 Alameda Avenue, Astoria, OR 97103

503-325-6441

atalley@astoria.k12.or.us

Request for Proposal

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LEGAL PUBLICATION

**Astoria School District 1C
Request for Proposals
Construction Manager/General Contractor (CM/GC)
Proposals Due 2:00 PM, March 14**

Astoria School District (ASD), will be accepting proposals for Construction Manager/General Contractor (CM/GC) for the following projects, RFP 2019-314: Astoria High School Addition/ Modernization; Astoria Middle School Reconstruction/Modernization; Astor Primary School Renovation/Modernization. Proposals are due on **March 21, 2019 at 2:00 pm PST** at the Astoria School District Office at Gray School 3rd Floor, 785 Alameda Ave, Astoria, OR, 97103. There will be a non-mandatory pre-proposal meeting on **February 25, 2017 at 2:30 pm PST** at the Astoria School District Office at Gray School 3rd Floor, 785 Alameda Ave, Astoria, OR, 97103. Interested firms may obtain a copy of the Request for Proposals (RFP) by emailing Angela Talley, atalley@astoria.k12.or.us expressing interest along with contact information and address. The District Office is open between the hours of 8:00 am and 4:00 pm, Monday-Friday, at Gray School 3rd Floor, 785 Alameda Ave, Astoria, OR, 97103. The District reserves the right to reject any proposal not in compliance with all prescribed public bidding procedures and requirements and may reject for good cause any or all proposals upon a finding of the District it is in the public interest to do so. No proposal will be received or considered by the District unless the bid contains a statement as to whether the proposer is a resident bidder.

SECTION 1 GENERAL INFORMATION

1.1 INTRODUCTION

The Astoria School District serves families with students in grades K-12 and has a student population of more than 2,000. The district has 5 schools and a solid reputation for providing its students with a quality education. The District presented a \$70 million capital bond measure to their patrons and the measure passed November 2018.

The District is seeking to hire one (1) experienced CM/GC Firm for capital construction projects, to be funded by the bond revenues and other sources as they are available. On February 13, 2019, the Astoria School District held a public hearing and authorized the use of a CM/GC for three projects: Astoria High School Addition/ Modernization; Astoria Middle School Reconstruction/ Modernization; Astor Primary School Renovation/Modernization.

1.2 SCHEDULE OF EVENTS

| | |
|-----------------------|--|
| February 15, 2019 | CM/GC RFP Advertised Daily Journal of Commerce |
| February 25, 2019 | 2:30 PM – Non - Mandatory Pre-Proposal Meeting at the Astoria School District Office at Gray School 3 rd Floor, 785 Alameda Ave, Astoria, OR, 97103 |
| <i>March 8, 2019</i> | <i>Questions/Requests for Clarification Due Solicitation Protest Period Ends</i> |
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| <i>May 8, 2019</i> | <i>Board Approval</i> |

1.3 PROPOSAL DELIVERY

All proposals may be hand-delivered or mailed with the following label or subject heading: "RFP-2019-314 Construction Manager/General Contractor [CMGC]" to the following address:

Astoria School District No. 1C
Attn: Craig Hoppes, Superintendent
785 Alameda Ave
Astoria, OR 97103

1.4 DISTRICT SINGLE POINT OF CONTACT (SPC)

The single point of contact (SPC) during this procurement process for questions concerning the procurement process, change, clarification, award process and any other questions is Angela Talley, Administrative Assistant, Astoria School District No. 1C, 785 Alameda Ave, Astoria, OR 97103, telephone 503-325-6441, email atalley@astoria.k12.or.us or regular mail delivered to: 785 Alameda Avenue, Astoria, OR 97103.

End of Section 1

SECTION 2 AUTHORITY, OVERVIEW, AND SCOPE OF WORK

2.1 AUTHORITY AND METHOD

The Astoria School District (District) is issuing this RFP in accordance with ORS 279C.337.

2.2 PROJECT OVERVIEW AND BACKGROUND

The Astoria School District passed a general obligation bond in the amount of \$70 million for additions, reconstruction and modernization district-wide. The District has hired Cornerstone Management Group as their Owner's Representative and BLRB for design services. Planning and design is currently underway on these projects.

2.3 PROJECT SUMMARY

1. **Astoria High School** – CTE Addition, CTE Renovations, Exterior Improvements, Performing Arts Renovation, Science Renovations, Locker Room Renovations, Building System Repair and Renovations, Interior Renovations and other approved scope.
2. **Astoria Middle School** – New 40,000 3-Story Classroom Wing, Modernization of Existing Building to Remain, Demolition, Site Improvements and other approved scope.
3. **Astor Primary School** – Lower Level/Basement Floor Remodel, Interior Renovations, Exterior Improvements, Building System Repair and Renovations and other approved scope.

See Attachment C – Scope of Work, which describes the project type, estimated construction cost per project [soft costs are in additional to these values], bid schedule for each project and the type of general work associated with each project. All three Projects will be funded by the 2018 Bond.

Please note in your cover letter which project(s) your firm can successfully support with staff, experience and your supporting sub-consultant team.

2.4 SCOPE OF WORK

Refer to Attachment C for a detailed outline of Scope of Work, current schedules and budgets.

End of Section 2

SECTION 3 PROCUREMENT REQUIREMENTS AND EVALUATION

3.1 MINIMUM PROPOSER REQUIREMENTS

The District reserves the right to disqualify proposals failing to meet minimum requirements. To be considered for evaluation, each Proposal must demonstrate how the Proposer meets all requirements of this section:

1. Experience with successful completion of K-12 school addition/renovation projects within the last ten (10) years.
2. Successful experience of your proposed staff in major additions/renovations of K-12 schools that include construction during occupied times during the school year.
3. Demonstrated knowledge in site assessment and systems testing of building equipment, conditions and appropriate solutions to complete needed renovation and repair improvements.
4. Demonstrated understanding of effective project communications, cooperation and services required to successfully prepare documents for similar projects.
5. Knowledge and understanding of the required services as shown by approach to staffing and scheduling needs.
6. Availability to provide project professional services, construction oversight and the ability to provide prompt responses to District inquiries and concerns.
7. Proven ability to obtain competitive sub-contractor bids/quotes in the Portland metro area.

3.2 MINIMUM SUBMISSION REQUIREMENTS

A. Proposal Format

Proposer shall submit its Proposal without extensive art work, unusual printing or other materials not essential to the utility and clarity of the Proposal.

Proposer shall submit an **one (1) original Proposal on white 8 1/2" by 11" paper (11" by 17" folded inserts are acceptable), bearing the Proposer's authorized representative's signature; four (4) paper copies; and one (1) electronic copy** of the Proposal by USB drive, and must be formatted using Adobe Acrobat (pdf), Microsoft Word (docx), or Microsoft Excel (xlsx). Proposal shall not exceed 50 pages and no less than 10 point font.

In addition, if Proposer believes any of its Proposal is exempt from disclosure under Oregon Public Records Law (ORS 192.410 through 192.505), proposer shall complete and submit the Affidavit of Trade Secret (Attachment G) and a version of its Proposal with redactions clearly shown and the redacted Proposal clearly identified.

Proposer shall submit its Proposal in a sealed package addressed as provided in Section 1.3 of this RFP.

B. Authorized Representative

The Proposer Certification Form (Attachment A) shall be signed with ink as follows or the bid will be rejected.

- In the case of an individual Proposer, by the individual Proposer.
- In the case of a partnership, the name of the partnership must be listed and the proposal shall be signed in the name of the partnership by at least one general partner. In addition, the names of all general and limited partners must be listed.
- In the case of a corporation, the corporate name shall be subscribed by the president or other managing officer and, under the signature of such officer, the name of the office such individual holds or the capacity in which he or she acts for the corporation.

3.3 PROCUREMENT PROCESS

A. Public Notice

Notice of the RFP has been advertised in the *Daily Journal of Commerce* and *The Daily Astorian*. The RFP, including all Addenda and attachments, is available by contacting Angela Talley, Administrative Assistant, at atalley@astoria.k12.or.us.

B. Questions / Requests for Clarification

All inquiries, whether relating to the RFP process, administration, deadline or method of award, or to the intent or technical aspects of the RFP must:

- Be delivered to the SPC via email, mailed or hand-delivered in writing
- Reference the RFP name
- Identify Proposer's name and contact information
- Be sent by an authorized representative
- Refer to the specific area of the RFP being questioned (i.e. page, section and paragraph number); and
- Be received by the due date and time for Questions/Requests for Clarification identified in the Schedule of Events in subsection 1.2 above.

Inquiries requiring clarification or modification from the District will be sent to all Proposers in the Form of an addendum to this RFP.

C. Pre-Proposal Conference

A non-mandatory pre-proposal conference has been scheduled as noted in Section 1.2 of this RFP.

D. Solicitation Protests

Prospective Proposers may submit a written protest of anything contained in this RFP, including but not limited to, the RFP process, Specifications, Scope of Work, and the terms and conditions of the proposed Contract/Price Agreement. This is a prospective Proposer's only opportunity to protest the provisions of the RFP, except for protests of Addenda or the terms and conditions of the proposed Contract/Price Agreement, as provided below.

Protests to Addenda: A Prospective Proposer may submit a written protest of anything contained in the respective Addendum. Protests of matters not added or modified by the respective Addendum will not be considered.

Protests must:

- Be delivered to the SPC via email, facsimile, hard copy.
- Reference the RFP name.
- Identify prospective Proposer's name and contact information.
- Be sent by an authorized representative.
- State the reason for the protest, including: the grounds that demonstrate how the Procurement Process is contrary to law, unnecessarily restrictive, legally flawed, or improperly specifies a brand name; and evidence or documentation that supports the grounds on which the protest is based.
- State the proposed changes to the RFP provisions or other relief sought.
- Protests to the RFP must be received by the due date and time identified in the Schedule of Events in subsection 1.2 above.
- Protests to Addenda must be received by the due date identified in the respective Addendum.

The District will respond timely to all protests submitted by the due date and time listed per the Schedule in Section 1.2. Protests that are not received timely or do not include the required information will not be considered.

E. Proposal Submission Options

Proposer is solely responsible for ensuring its Proposal is received by the SPC in accordance with the RFP requirements. The District is not responsible for any delays in mail or by common carriers or by transmission errors or delays or mistaken delivery. A Proposal submitted by any means not authorized will be rejected.

The Proposal may be hand-delivered, or submitted through the mail or via parcel carrier, and must be clearly labeled as provided in Section 1.3 and submitted in a sealed envelope, package or box.

Proposals will be accepted during the District's normal Monday-Friday business hours of 8:00 am to 4:00 pm Pacific Time, except during District holidays and other times when the District office is closed.

F. Proposal Modification or Withdrawal

Any Proposer who wishes to make modifications to a Proposal already received by the District shall submit its modification in one of the manners listed in the Proposal Submission Options section and must denote the specific change(s) to the Proposal submission.

If a Proposer wishes to withdraw a submitted Proposal, it shall do so prior to Closing. The Proposer shall submit a written notice signed by an authorized representative of its intent to withdraw its Proposal. The notice must include the RFP name and be submitted to the SPC.

G. Proposal Due

The Proposal and all required submittal items, as well as any modification or withdrawal of a Proposal, must be received by the SPC on or before Closing. Original or modified Proposals received after Closing are considered late and non-responsive, and will be returned unopened or destroyed.

H. Proposal Rejection

The District may reject a Proposal for any of the following reasons:

- Proposer fails to substantially comply with all prescribed RFP procedures and requirements, including but not limited to the requirement that Proposer's authorized representative sign the Proposal in ink.
- Proposer fails to meet the responsibility requirements of ORS 279B.110.
- Proposer makes any contact regarding this RFP with other District employees or officials other than the SPC or those the SPC authorizes.
- Proposer attempts to inappropriately influence a member of the Evaluation Committee.

I. Opening of Proposal

Proposals will be publicly opened immediately following the Closing, and the names of all Proposers will be disclosed at that time. However, Proposals received will not be available for inspection until after the evaluation process has been completed and the Notice of Intent to Award is issued.

3.4 PROPOSAL CONTENT REQUIREMENTS

A. Proposal Content

Proposers must respond to the following request for information, and in the order listed. The Proposal must be separated with section dividers [TABS] as noted follows:

1. COVER LETTER:
Include cover letter expressing the firm's interest and understanding of the District's request for proposal and identify the project for which the Proposer is interesting in being considered. The letter should name all of the persons authorized to make representations for the Proposer and be signed by an authorized representative. In addition please provide the following:
2. PROPOSAL CERTIFICATION FORM (Attachment A):
Include signature of authorized representative. A proposal certification shall bind the Proposer to perform the services for the fees stated in their proposal and to complete the project within the scheduled dates proposed. Failure to submit a signed proposal certification form will result in disqualification of the proposing firm.
3. TAB 1 - FIRM BACKGROUND:
Please provide the following:
 - a. Construction Contractors Board License Number
 - b. Brief history of your firm
 - c. Current bonding capacity
 - d. General description of your safety program and drug and alcohol program
 - e. Description of process you use to ensure workers and subcontractors on the worksite have background security clearances
 - f. Most recent worker's compensation insurance experience modifier

4. TAB 2 – PROJECT APPROACH:

Provide your strategic project approach summary: discussion of your firm’s approach to the specific conditions of the proposed projects, the successful CM/GC services based on prior experience. Describe your firm’s approach for managing bidding requirements, budgets, schedules and quality control. Describe any value-added services.

The District is committed to providing opportunities for local contractors. Describe in detail how you would provide outreach to keep local contractors informed of bidding opportunities.

5. TAB 3 – PROJECT SUPPORT – PRE-CONSTRUCTION SERVICES:

Describe your firm’s methodology and experience during the design and documentation phases, including particularly successful experiences and/or unique services in this area.

Provide your firm’s fee for scope described in ATTACHMENT D – SAMPLE TERMS AND CONDITIONS and Construction Contract / SECTION 3.a.

6. TAB 4 – K-12 EXPERIENCE ON OCCUPIED SITES

Describe the relevant experience the CM/GC firm has as it relates to the planning, design, and construction of occupied educational facilities. What other projects of similar size and complexity have the key individuals proposed completed.

Provide a listing, in chronological order and in chart format, recently completed projects that are similar in size and scope executed by the key individuals proposed for these projects. Information should include the following:

- a. Name of Owner, contact person, and current phone number.
- b. The architect of record, contact person, and current phone number.
- c. Brief description and location of the project and role in the project
- d. Completion date
- e. Final contract amount.
- f. Project related claims going to litigation/arbitration

Provide ten (10) professional references from the listed projects, including the project name, the name of the design team members for whom this reference is relevant, a contact name and phone number. At least two (2) of these references must be subcontractors. At least two (2) of these references must be owners. Every key project team member must be represented in at least two (2) of the provided references.

7. TAB 5 – SCHEDULING/ EXPEDITING:

Describe how you will ensure the project schedule will be met, and identify key challenges, specific to these projects. Discuss any opportunities you see for expediting the work. Identify how your team will connect with North Coast Contractors and experience bringing subcontractors from the Portland Metro area if needed.

8. TAB 6 – OCCUPIED SITE SAFETY AND LOGISTICS:

Describe how you will ensure the students and staff will be separated from the construction project(s). Provide logistics plans for each project and company best practices showing how your firm has been successful keeping school operations continuous during a construction project. Provide an example project where you have been successful in separating construction on active campuses.

9. TAB 7 – KEY INDIVIDUAL EXPERIENCE:

List the key individuals who will make up the team for this work, identify their roles, and

describe their relevant qualifications and experiences with the CM/GC process. This information is required in addition to any detailed resumes the proposer submits. The contract will require that the CM/GC commit these individuals to the project for its duration.

10. TAB 8 – HISTORY OF CLAIMS:

List all Liens/Claims that have been placed on projects completed in the last five [5] years. Include date the Lien/Claim notification was received and date each was resolved. Provide background information related to why these occurred and how they were resolved, including who paid to clear the Lien/Claim. Describe the process your firm will apply to ensure that Lien/Claims will not occur on District projects.

11. TAB 9 – COST PROPOSAL/FEES:

Provide your firm's fee proposal as noted on **Attachment B – COST PROPOSAL FORM**. In addition, provide your firm's hourly rates for Senior Project Managers, Project Manager, Project Engineer, Project Superintendent, Foreman, Journeyman and Apprentice (rates shall include all labor burdens and mark-ups) for any required minor work element. The CM/GC fee is in addition to this rate.

B. Public Record/Confidential or Proprietary Information

All Proposals are public records and are subject to public inspection after the District issues the Notice of the Intent to Award. If a Proposer believes that any portion of its Proposal contains any information that is a trade secret under ORS Chapter 192.501(2) or otherwise is exempt from disclosure under the Oregon Public Records Law (ORS 192.410 through 192.505), Proposer shall complete and submit an Affidavit of Trade Secrets (Attachment G) and a fully redacted version of its Proposal. [See section 3.2.A above.]

3.5 EVALUATION PROCESS

A. Responsiveness and Responsibility Determination

Proposals will be reviewed for Responsiveness to all RFP requirements, including timely submission, compliance with Minimum Requirements and Proposal Content Requirements. If the Proposal is unclear, the SPC may request clarification from Proposer. However, clarifications may not be used to rehabilitate a non-Responsive Proposal. If the SPC finds the Proposal non-Responsive, the Proposal may be rejected, however, the District may waive mistakes in accordance with OAR 137-047-0470.

At any time prior to award, the District may reject a Proposer found to be not Responsible.

C. Evaluation Criteria

Proposals meeting Proposal Content Requirements will be evaluated by an Evaluation Committee using criteria and priorities as defined by the District. The Evaluation Committee will determine which Proposal or Proposals taken as a whole, and in the District sole judgment, are in the best interest of the organization. Proposals should address the evaluation criteria listed below.

The SPC may request further clarification to assist the Evaluation Committee in gaining additional understanding of Proposals. A response to a clarification request must be to clarify or explain portions of the already submitted Proposal and may not contain new information not included in the original Proposal.

| | EVALUATION CRITERIA | POINTS |
|----------|--|---------------|
| 1 | Firm Background | 10 |
| 2 | Project Approach | 20 |
| 3 | Project Support – Pre-Construction Phase Services | 15 |
| 4 | K-12 Experience on Occupied Sites | 20 |
| 5 | Scheduling / Expediting Approach | 20 |
| 6 | Occupied Site Safety and Logistics | 20 |
| 7 | Key Individual Experience / Team Availability | 20 |
| 8 | History of Claims | 10 |
| 9 | Cost Proposal / Fees | 15 |
| | TOTAL | 150 |

D. Selection Process

The Evaluation Committee may invite the recommended finalist or finalists for an interview based solely upon its evaluation of the proposals and the evaluation criteria. If the Committee elects to interview finalists, the final recommendation will be based on the majority opinion of the interview panel. The Evaluation Committee at its sole discretion may forego the interview process.

After evaluation, and interviews if necessary, the Evaluation Committee will recommend one finalist to the District's Board of Directors for consideration of award. The contract award will be entirely at the discretion of the District. The District reserves the right to waive minor irregularities in the selection process and to reject any and all proposals and cancel this solicitation.

End of Section 3

SECTION 4 AWARD AND NEGOTIATION

4.1 AWARD NOTIFICATION PROCESS

A. Intent to Award Notice

The District, if it awards a contract, shall award to the highest ranking Responsible Proposer based upon the evaluation criteria described in Section 3. The District may award less than the full scope defined in this RFP. The District will notify all Proposers in writing of its intent to award a contract to the selected Proposer subject to successful negotiation of any negotiable provisions.

B. Protest of Notice of Intent to Award

An affected Proposer shall have seven (7) calendar days from the date of the intent to award notice to file a written protest and specify the grounds for the protest as set forth in ORS 279B.410(1).

Protests must be delivered to the SPC via email or hardcopy, reference the RFP name, identify the Proposer's name and contact information, be signed by an authorized representative, and specify the grounds for the protest. The District will address all timely submitted protests within a reasonable time and will issue a written decision to the respective Proposer.

4.2 APPARENT SUCCESSFUL PROPOSER SUBMISSION REQUIREMENTS

A. Insurance

Prior to the execution of the Contract, the apparent successful Proposers shall secure and demonstrate to Agency proof of insurance coverage meeting the requirements identified in the RFP or as otherwise negotiated.

B. Taxpayer Identification Number

The apparent successful Proposer shall provide its Taxpayer Identification Number (TIN) and backup withholding status on a completed W-9 form. District will not make any payment until a properly completed W-9 form is received.

C. Contract Negotiation

After selection of a successful Proposer, the District may negotiate the statement of work, pricing, methods of payment, inclusive of additional services. If an agreement cannot be reached, the District may open negotiations with the next ranked Proposer.

By submitting a Proposal, the Proposer agrees to comply with the requirements of the RFP, including terms and conditions of the Sample Contract (Attachment D & E). Proposer shall review the attached Sample Contract and note exceptions. Unless Proposer notes exceptions in its Proposal, the District intends to enter into a Contract with the successful Proposer substantially in the form set forth in Sample Contract.

Pursuant to OAR 137-049-0640(3), at the District's discretion, terms that may be negotiated in

the RFP consist of details of Contract performance, methods of construction, timing, assignment of risk in specified areas, fee, and other matters that could affect the cost or quality of the Work, as well as the specific scope of pre-construction services, the GC Work, any Early Work and other construction Work to be performed by the CM/GC.

In any case, the District reserves the right to negotiate with the highest-ranked Proposer regarding the:

- A. Statement of Work; and
- B. Contract Price as it is affected by negotiating the statement of Work.

End of Section 4

SECTION 5 ADDITIONAL INFORMATION

5.1 GOVERNING LAWS AND REGULATIONS

This RFP is governed by the laws of the State of Oregon. Venue for any administrative or judicial action relating to this RFP, evaluation and award is the Circuit Court of Clatsop County for the State of Oregon.

5.2 OWNERSHIP/PERMISSION TO USE MATERIALS

All Proposals submitted in response to this RFP become the property of the District. By submitting a Proposal in response to this RFP, Proposer grants the District a non-exclusive, perpetual, irrevocable, royalty-free license for the rights to copy, distribute, display, prepare derivative works of and transmit the Proposal solely for the purpose of evaluating the Proposal, negotiating an Agreement, if awarded to Proposer, or as otherwise needed to administer the RFP process, and to fulfill obligations under Oregon Public Records Law (ORS 192.410 through 192.505). Proposals, including supporting materials, will not be returned to Proposer unless the Proposal is submitted late.

5.3 CANCELLATION OF RFP

Pursuant to ORS 279C.395, the District may reject any or all Proposals in whole or in part, or may cancel this RFP at any time when the rejection or cancellation is in the best interest of the District. The District is not liable to any Proposer for any loss or expense caused by or resulting from the delay, suspension, or cancellation of the RFP, award, or rejection of any Proposal.

5.4 COST OF PROPOSAL

Proposer shall pay all the costs in submitting its Proposal, including, but not limited to, the costs to prepare and submit the Proposal, costs of samples and other supporting materials, costs to participate in demonstrations, or costs associated with protests.

5.5 CONTRACT

All specifications, terms and conditions contained in the Request for Proposal shall be incorporated by reference and made a part of a contract awarded to the successful bidder. A copy of the District's sample contract is attached to this document.

End Section 5