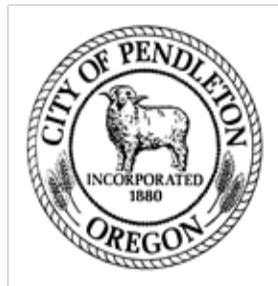


CITY OF PENDLETON

REQUEST FOR PROPOSALS/ STATEMENT OF QUALIFICATIONS

QUALIFICATION BASED SELECTION

-Labor Standards Administration-



May 2023

City of Pendleton
Public Works Department
500 SW Dorion Avenue
Pendleton, OR 97801
541.966.0202
Fax 541.966.0251
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City of Pendleton
2023 RFP/SOQ for Labor Standards Administration

Introduction

City of Pendleton, herein the City, invites Proposals for Labor Standards Administration. City needs assistance with labor standards oversight for its utilities Capital Improvement Program (CIP) projects.

City is finishing up its current Labor Standards Administration through June 30, 2023. City desires to establish a 3-year contract, renewable for 2 additional years, based on time and materials for this assistance. Basic focus of the work will be to conduct review of Certified Payroll Reports (CPR) and conduct necessary field interviews for compliance purposes. Target for services is City projects with State and/or Federal funding associated to construction work.

City is nearing completion of work under an \$18.885 million Safe Drinking Water Revolving Loan Fund (SDWRLF) administered by Business Oregon. Work is anticipated to be completed by October 31, 2023, and loan close-out to occur by December 31, 2023.

City has recently secured another \$6.9 million in Safe Drinking Water Revolving Loan Funds and just over \$10.0 million in a Special Public Works Fund loan also administered by Business Oregon. The work under these loans is expected to commence summer 2023 and be underway for up to 2- to 3-years.

City may also have work through a reimbursement district using a Congressionally Directed Spending (CDS) award of \$1.5 million. These Federal Funds are expected to be available at the local level by summer 2024. These funds are targeted to a phase of construction for a new arterial road.

In 2015, City adopted Master Plans for water, sewer, and storm systems. These plans can be found on the City's website: <https://pendleton.or.us/publicworks/page/documents>. Recommended rate increases for water and sewer were implemented in December 2015. City Council also adopted System Development Charges (SDC) methodology in July 2015, but did not implement SDCs. This is due, in part, to market conditions at the time showing little growth deflecting incorporation of SDCs into housing purchases. Stormwater System Master Plan overall financial recommendations has yet to be implemented. Funding of this plan is being revisited with City Council in spring 2023. Consultant will be updating the Master Plans with a 10-year benchmark starting in 2014 to 2015.

City is gathering information to commence National Pollution Discharge Elimination System (NPDES) permit discussion in 2024. These discussions with Department of Environmental Quality will lead to future project(s) associated with the City's discharge to the Umatilla River. Clean Water SRF may be a source of funding for consideration and projects in a few years.

Outline of Projects

The following is a brief Statement of identified City Staff projects for each utility for which professional service assistance is desired:

City of Pendleton
2023 RFP/SOQ for Labor Standards Administration

Water Utility:

Water System Master Plan CIP Project:

- 10-year benchmark update for 2015 Master Plan, including new financial assessment, which will include summary for Water Filtration Plant consideration not included in 2015 Master Plan.
- Telemetry system upgrades.
- Complete construction of Airport Reservoir and Booster Pump Station.
- Construction of arterial roadway to subgrade.
- Replacement of 1910s gravity concrete transmission main with construction of about 5,000 lineal feet of 30-inch transfer water line.
- Construction of about 6,000 lineal feet of 18-inch domestic water line.
- Construction of new East End Booster Pump Station at new location near Water Filtration Plant.
- Construction of new Well 11B well house.
- Assessment of North Hill Reservoir and hydraulic model for new North Hill Booster Pump Station.
- Construction of new North Hill Booster Pump Station and possible modifications of North Hill Reservoir or new reservoir(s).
- Abandonment of Skyline Reservoir.
- Upgrades to NW 12th Booster Pump Station.
- Water line(s) installation for capacity.
- Aging water line replacement.

Sewer Utility:

Sewer Collection System CIP Projects:

- 10-year benchmark update for 2015 Master Plan, including new financial assessment.
- Telemetry upgrades.
- Other projects to be determined for State and/or Federal financial assistance.

Facility Plan:

Wastewater Treatment and Resource Recovery Facility CIP Projects:

- Telemetry upgrades.
- Secondary digester complex.
- Clarifier upgrades.
- Chlorine contact chamber upgrade.
- NPDES permit negotiations and future project(s) in regards to temperature of discharge.

Storm Utility:

Storm Drainage System CIP Projects:

- 10-year benchmark update for 2015 Master Plan.
- Other projects to be determined for State and/or Federal financial assistance.

Street Utility:

Road design work related to subgrade for extended water and sewer utilities:

- Extensions to large parcels within future arterial and/or collector road alignments to assist with development of work force housing;
- Potential RAISE Federal Grant for Exit 209 Interchange Area Management Plan North Improvements, including SW Perkins extension. ODOT will be lead agency if awarded.
- Potential CDS (Federal) for SW Perkins extension separate from RAISE consideration.

City of Pendleton
2023 RFP/SOQ for Labor Standards Administration

Summary of Expected Work for Labor Standards Administration

With delivery and completion of at least \$20 million in projects through 2028, City desires to retain a professional to assist with labor standards administration:

Pre-Construction Conference

Attend pre-construction conferences, present Labor Standards to the prime contractor, and answer questions related to Federal and State prevailing wage rate compliance.

Review All Certified Payroll Reports (CPRs)

Review all CPRs as to compliance with Federal and State laws regarding wages and fringe benefits paid, zone pay, work classification, hours worked, overtime pay if applicable, proper pay of apprentices, and proper filling out of the CPR with all required information.

Work with prime contractor if discrepancies/errors are found to make sure that CPRs are revised to correct discrepancies or errors and ensure that wage restitution is made to any workers who have been found to have been underpaid.

Review All Required Subcontractor Documentation

Review Contractor/Subcontractor Contract Agreement for each subcontractor before the subcontractor begins work on the project. Fill out the Labor Standards Checklist for each subcontractor to make sure all required information is contained in the submitted documents.

Work with the prime contractor to obtain any missing documentation or to resolve problems with documentation.

Review required apprentice documentation to ensure all necessary information has been supplied regarding apprenticeship program, training agent status of the contractor, apprentice status, apprentice completion rate and journeyman/apprentice ratio.

Prepare Reports and Documents Required for Labor Standards

Prepare wage rate and classification requests to submit to the US DOL for any work classifications necessary for the completion of this project which are not listed in the wage determination.

Prepare required reports for documentation of wage restitutions as required by the US DOL.

Investigate Complaints Received from Workers

Act as point of contact for workers who believe they may have been underpaid or who have questions about their pay rate, overtime pay, hours of work or correct work classification.

Investigate any worker complaint and coordinate with prime contractor and the recipient to remedy any Davis Bacon violations that may be found. This includes underpayment of wage and fringe benefit rates, violations of the Copeland Act (anti-kickback law), and violations of CWHSSA (overtime). Prepare necessary documentation and/or reports to submit to the US DOL regarding results of investigations.

City of Pendleton
2023 RFP/SOQ for Labor Standards Administration

Worker Interviews

Conduct worker interviews in accordance with the guidelines of the Safe Drinking Water Revolving Loan Fund program. Conduct additional worker interviews if necessary to ensure compliance with State and Federal law.

Completed worker interview forms will be cross checked against CPRs to verify that workers were correctly classified and paid the required wages and fringe benefits for the work they performed.

Labor Standards Monitoring

Participate at the mid-project monitoring conducted by IFA Regional Coordinator and provide answers and documentation for the Labor Standards portion of that monitoring.

Maintenance of Files

All files related to the Labor Standards on the project to be maintained in an organized manner throughout the project.

General

Be available to answer questions and provide information to the contracting agency, contractors, workers, the IFA Regional Coordinator, and State and Federal agencies, regarding the labor standards on the project and facilitate resolution of any issues or concerns as quickly as possible.

Instructions to Proposers

All communications regarding this proposal **MUST** be directed to Jutta Haliewicz, Public Works Secretary, 500 SW Dorion Avenue, Pendleton, OR 97801, jutta.haliewicz@ci.pendleton.or.us, 541 966-0240.

Requests for additional information or clarifications must be made in writing by email to Jutta Haliewicz no later than **5:00 pm local time, Thursday, June 8, 2023**. City will issue written addenda via email and will publish notice of addenda on their website: <https://pendleton.or.us/rfps> and the OregonBuys website: <https://oregonbuys.gov/bsa/view/login/login.xhtml>.

Proposal Submittal

One original and three (3) copies of the signed proposal must be received at the Public Works Director's Office **no later than 2:00 pm on Tuesday, June 13, 2023**. **Emailed proposals will not be accepted.**

Proposal shall be addressed as follows:

**Proposal for Labor Standards Administration Services
City of Pendleton
Attn: Bob Patterson, Public Works Director
500 SW Dorion Avenue
Pendleton, OR 97801**

It is the responsibility of the Proposer to verify the Proposal and copies have been received by email confirmation to jutta.haliewicz@ci.pendleton.or.us, or by contacting 541.966.0240.

City of Pendleton
2023 RFP/SOQ for Labor Standards Administration

Proposal Contents

The Proposal shall be prepared and presented using the following outline:

- Letter of Transmittal
 - Experience
 - Availability
 - References
 - Resume(s)
 - Fee Schedule
- 1) Transmittal letter of 1 to 2 pages:
 - Company name and brief description of technical expertise and professional experience relevant to this project.
 - Address and phone number of the office from which the work will be managed.
 - Name of point of contact for the Proposer and the Project Manager for each category of work.
 - 2) Experience:
 - Include a brief description of past relevant work experience.
 - Provide a description of how the project will be managed and past experience working with municipal projects with owner, consultant, and contractor relationships.
 - 3) Availability:
 - Describe availability on behalf of different size projects and timelines.
 - 4) References:
 - Provide descriptions of at least two (2) similar projects conducted within the last five (5) years and related references. Include name of contacts and their respective phone numbers and email contact information.
 - 5) Resumes:
 - Provide resume(s) stating qualifications related to work.
 - 6) Fee:
 - Fee schedule and annual adjustment consideration for 3-year window, renewable for 2 additional years:
 - July 1, 2023 to June 30, 2026
 - July 1, 2026 to June 30, 2027, renewed
 - July 1, 2027 to June 30, 2028, renewed
 - Include anticipated price for July 1, 2023, to June 30, 2024, of service based on \$12 million in construction related work.

Proposal Selection Criteria

City reserves the right to interview qualified Proposers before recommending a selection. City reserves the right to determine if, in the City's interest and sole discretion, the work should be awarded to more than one Proposer based on the evaluation of the strengths of a Proposer. In such instance this will be discussed with the Proposers before award is recommended to City Council.

City Council meets on the 1st and 3rd Tuesday of each month with Staff's recommendation and report filed no later than the previous Wednesday at noon for the Council package.

City of Pendleton
2023 RFP/SOQ for Labor Standards Administration

The City will evaluate and weigh the Proposal based on the following criteria:

- 30%: Technical Competence of the Proposer and their experience related to the complexity of this Request for Proposals and previous work in each of the four utility areas. This will include, but is not limited to:
 - Previous experience with Oregon Administrative Rule compliance.
 - Previous experience with State Revolving Loan Fund compliance.
 - Previous experience with owner, consultant, and contractor related projects.
 - Other, as listed by the Proposer.
- 40%: Experience, Understanding, and Approach. City will evaluate the Proposer's experience and understanding of the City's project goals and objectives. Proposer shall explain their approach to coordination of work with other selected Proposer(s) and City staff. Examples should be provided from past experience.
- 10%: Availability. City will evaluate the Proposer's capacity to perform the work, including any specialized services, within the time limitation presented by the City and the Proposer's planned and current workload for each category of work proposed. Proposer shall demonstrate an understanding of the project and project constraints through presentation of their proposed project schedule(s).
- 5%: References. Proposer shall provide, at a minimum, two (2) references to document the Proposer's performance related to labor standards administration. References shall be for work in which the Proposer was associated within the last five (5) years.

References shall include the name of project or facility, name of the contact, contact phone number, contact fax number, and contact e-mail address (if available).

- 10%: Resume(s). Proposer experience and capabilities related to this request. City shall evaluate each project team member's experience and capabilities. Point of contact shall be included of more than one team member.
- 5%: Fee. Proposer fee schedule and annual adjustment consideration for 5-year window.