



**LANE COUNCIL OF GOVERNMENTS**

**REQUEST FOR PROPOSALS (RFP)**

**Diversity, Equity, Inclusion, and Belonging Education & Coaching**

**for the**

**Lane County Public Safety Coordinating Council**

**Response Proposal Closing: 5:00 PM, August 5, 2022**

**Single Point of Contact (SPOC):**

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# **SECTION 1: GENERAL INFORMATION**

## **1.1 INTRODUCTION**

Lane Council of Governments (LCOG) is a regional planning, coordination, program development and service delivery organization in local communities across Lane County and is the oldest council of governments in the nation. LCOG is dedicated to serving the public interest and enhancing the quality of life for all making their homes in Lane County. LCOG on behalf of Lane County’s Local Public Safety Coordinating Council (PSCC) is looking for a service provider to lead PSCC members and staff in Diversity, Equity, Inclusion and Belonging (DEIB) training and coaching as well as assist in an equity informed visioning, outcomes and goal setting effort.

The initial term of the Contract is anticipated to be August 2022 through December 30, 2023, with options to extend if and as additional funds are secured.

## **1.2 SCHEDULE**

The table below represents a tentative schedule of events. All times are listed in Pacific Standard Time (PST). All dates listed are subject to change. N/A denotes that event is not applicable to this RFP.

<b>Event</b>	<b>Date</b>
RFP Opens	July 8, 2022
Questions/Requests for Clarification Due	July 15, 2022
RFP Closes/Proposal Due	August 5, 2022 (by 5 p.m. PST)
Potential Interviews/Presentations	August 15-19, 2022
Issuance of Notice of Intent to Award (approximately)	August 22-26, 2022

## **1.3 CONTRACTOR REQUIREMENTS**

### **1.3.1 Independent Contractor(s)**

The successful person(s) will operate independently and not as an agent of LCOG or Lane County.

### **1.3.2 Applicable Federal, State, Local Statutes and Rules**

The successful person(s) must comply with all applicable federal, state, local statutes and rules governing the provision of services, including but not limited to:

- The Americans with Disabilities Act of 1990, 42 USC 1201 et seq. As well as ORS 30.670 through 30.685, ORS 659.425 and ORS 659.430, and all rules and regulations implementing those laws
- Federal Code, Title 5 USCA 7201 et seq.: Anti-discrimination in employment
- ORS 659.010, 659.015, 659.020 and, 659.030: Enforcement of Civil Rights.

Upon request, information will be provided to assist in locating copies of these rules.

#### **1.4 SINGLE POINT OF CONTACT (SPC)**

The Single Point of Contact for this RFP is:

Denise Walters, Principal Planner  
 859 Willamette Street, Suite 500  
 Eugene, OR 97401  
 Phone: 541-682-4341  
 Email: dwalters@lcog.org

## **SECTION 2: OVERVIEW, AND SCOPE**

### **2.1 DEFINITIONS AND TERMS**

**Agency** means Lane Council of Governments.

**Behavioral Health** relates to the connection between behavior and health of mind, body, and spirit.

**Body** means Lane County Public Safety Coordinating Council.

**Contract** means the contract or contracts awarded from this RFP.

**Contractor** means the Proposer(s) selected through this RFP to enter into Contracts with Agency to perform the Work described in the Scope of Work.

**Criminal Justice System** means that as shown by the [GAINS Center Sequential Intercept Framework](#).

**Diversity, Equity, Inclusion and Belonging (DEIB)** means the following:

- **Belonging:** Wholly accepted as authentic self in the workplace, organization, program, etc.
- **Diversity:** The representation of all varied identities and differences (race, ethnicity, gender, disability, sexual orientation, gender identity, national origin, tribe, caste, socio- economic status, thinking and communication styles, etc.), collectively and as individuals.

- **Equity:** All people are owners, planners, and decision-makers in the systems that govern their lives. All people have the resources and infrastructure needed to thrive.
- **Inclusion:** Builds a culture of belonging by actively inviting the contribution and participation of all people.

**Equity Lens** is a tool used to improve planning, decision-making, and resource allocation leading to more equitable policies and programs. An “Equity Lens” often includes a set of principles, reflective questions, and processes for advancing equitable outcomes at the individual, institutional, and systemic levels.

**Key Person(s)** means the Proposer(s) if the Proposer is an individual or group of individuals, or any person or persons on the Proposer’s employ, including any subcontractors, to whom Proposer will assign the Work if Contractor is awarded a Contract.

**Proposer** means each individual, group of individuals, a firm or non-profit, or collective.

**Public Safety Coordinating Council (PSCC)** is the advisory body to the Lane County Board of Commissioners on Public Safety and assists with the coordination of Public Safety partners.

**RFP** means this Request for Proposal issued by Agency.

**Work** means the required processes, activities, tasks, reporting, invoicing and deliverables described in the Scope of Work.

## **2.2 OVERVIEW AND PURPOSE**

### **2.2.1 Body Overview and Background**

Local Public Safety Coordinating Councils were established by the Oregon Legislature (Oregon Revised Statute 423.560) in 1995 by Senate Bill (SB)1145. SB 1145 established an ongoing partnership between the state and counties recognizing that counties are in the best position for management, oversight, and administration of local criminal justice matters and for determining local resource priorities. Lane County’s Local Public Safety Coordinating Council (PSCC) is an advisory body to the Lane County Board of Commissions and planning body for the adult and juvenile criminal justice systems in Lane County. Planning includes but is not limited to developing recommendations to the Lane County Board of Commissioners on programming and budget for Justice Reinvestment Grant funding and Community Corrections Act Grant-in-Aid funding.

ORS 423.560 defines PSCC responsibilities as:

(3) The local public safety coordinating council shall, at a minimum:

(a) Develop and recommend to the county board of commissioners a plan for use of:

(A) State resources to serve the local offender population; and

(B) State and local resources to serve the needs of that part of the local offender population who are at least 15 years of age and less than 18 years of age, which plan must provide for coordination of community-wide services involving prevention, treatment, education, employment resources and intervention strategies; and

(b) Coordinate local criminal justice policy among affected criminal justice entities

The second major piece of legislation related to PSCC work is the 2013 House Bill (HB) 3194 - Justice Reinvestment Act. The Act was adopted in response to Oregon's exceptionally high incarceration rate. HB 3194 created the Justice Reinvestment Grant Program to advance the goals of reducing prison populations, reducing recidivism, increasing public safety, and holding offenders accountable. The Oregon Legislature continues substantial work on the criminal justice and behavioral health (including substance use) systems affecting the work of and opportunities for PSCC.

The PSCC currently has 22 members. PSCC membership includes seats defined by Statute and additional seats defined by the Lane County Board of Commissioners. Statutorily defined members include:

- Police Chief
- County Sheriff
- District Attorney
- State Court Judge
- Public Defender or Defense Attorney
- Director of Community Corrections
- County Commissioner
- Juvenile Department Director
- Health Director
- Mental Health Director
- one (1) Lay Citizen
- City Councilor or Mayor
- City Manager or Other City Representative
- Oregon State Police (non-voting)
- Oregon Youth Authority (non-voting)
- Community Based Victim Services Director

Additional members defined by Lane County: City Councilor or Mayor from Eugene or Springfield, two (2) Lay Citizens, Lane County Administrator (non-voting), Reentry Service Provider, Police Chief of Eugene or Springfield.

The PSCC utilizes committees to advance the work of the full Body and can form ad hoc committees whenever needed to address issues of concern. The following committees are currently active:

1. Juvenile Justice Committee (standing)
2. Workplan Workgroup (standing)
3. Budget Committee (standing)
4. Mental Health Summit (Behavioral Health & Criminal Justice System intersect)
5. Reentry Task Force

## **2.2.2 Project Overview and Background**

The PSCC is in a unique position to affect public safety as it is the one place representatives of the entire criminal justice (including health) gather. 2020 shone an undeniable and sustained light on the many equity, diversity, inclusion and belonging issues in the community public safety system. The COVID-19 pandemic exacerbated these and compounding issues, thus warranting a concerted look at processes, resources and outcomes.

In response, the PSCC established a significant work plan for the 21-23 biennium and beyond. In addition to the standard Community Corrections Act Plan and Justice Reinvestment Program, the current biennial work program includes the following:

- A. Vision update and establishment of Outcome Measurement Framework (including process)
- B. Community Outreach and Engagement
- C. Diversity, Equity, Inclusion & Belonging Training
- D. Hate and Bias Incident and Crime Prevention & Response
- E. 10 Year Public Safety Plan Reformat and Update
- F. System Funding Strategy

## **2.2.3 Purpose**

Agency is looking for Key Person(s) to provide equity education and coaching to advance development of equity informed PSCC Vision, Outcomes and Goals (Component A in Section 2.3.2 above). A successful proposal should, at a minimum:

- A. Develop and deliver equity, diversity, inclusion and belonging training and coaching for members and relevant member staff.
- B. Develop recommendations for next phases of training and coaching;
- C. Establish foundations for increasing engagement of under-represented communities in defining and actualizing Public Safety vision, outcomes, goals and strategies.

## **2.3 SCOPE OF WORK**

Respondents are asked to provide a scope of work that will:

1) Provide in-person and/or virtual diversity, equity, and inclusion training for the PSCC, approximately 22 members and 10 staff. Training should be designed in such a manner that is safe for all participants to engage as their full selves.

- A. The goal for training is to establish a baseline understanding to facilitate conversations, dismantle institutionalized barriers and create more equitable, inclusive and effective programs, practices, and policies.

- B. Knowledge, awareness and experience with historical and current inequities and marginalization varies greatly from person to person, so a range of training and coaching options is needed.

2) Provide analyses and recommendations on how PSCC can establish and grow engagement with un/under-represented communities in planning and implementation of community safety goals.

3) Coach members and staff on implementation/praxis of concepts learned.

Proposers may want to include a phasing plan for the work.

### **2.3.1 Dates/Timing**

While aspects of the work are flexible, the contractor should be aware work funded under this initial phase must be completed by December 31, 2023 given the funding source of the effort. Should additional funding be available, the Agency may consider extending the contract period of performance.

## **SECTION 3: PROCUREMENT REQUIREMENTS**

### **3.1 MINIMUM QUALIFICATIONS**

Proposer(s) should demonstrate the following minimum qualifications. **Note:** Multiple Key Persons' qualifications may be combined to meet these minimum Proposer requirements. A team approach is supported.

- Experience developing and delivering training to policy advisory body and staff who are at different places in their DEIB journey.
- At least three (3) years of experience working to advance Diversity, Equity, Inclusion, and Belonging.
- At least three (3) years of experience providing services similar to those requested in this RFP to government entities with an engagement period of one or more years with each entity.
- At least three (3) or more years of experience providing services similar to those requested in this RFP to community-based organizations (CBO) with an engagement period of one or more years with each CBO.
- Knowledge of Oregon cultural communities and Tribal Sovereignty.
- Experience delivering training and facilitating meetings both in person and via virtual formats.
- Experience with participatory planning and evaluation or similar processes.
- Demonstratable experience of strength in diverse communications and facilitation methods.



- Understanding of intercultural communications and/or cross-cultural psychology.
- Established history working with diverse and varied individuals and organizations.
- Ability to work with multiple individuals and organizations on system level issues.
- Ability to design and facilitate implementation of non-deficit processes.
- Ability to analyze issues and develop recommendations for individual as well as collective outcomes.
- Ability to identify and shift, if and as needed, group dynamics.
- Flexibility to adapt to changing situations.

To be considered for evaluation, Proposal must demonstrate how Proposer(s) meets all requirements of this section.

### **3.2 MINIMUM SUBMISSION REQUIREMENTS**

#### **3.2.1 Proposal Elements**

To be considered for evaluation, Proposal must contain each of the following elements:

- Cover letter referencing Key Persons and summarizing their experience(s);
- Project Implementation Plan for Scope of Work;
- Budget Estimate;
- Key Person(s) Resumés;
- Samples of Work;
- Provide two (2) example materials, experiences, curriculum, etc. which illustrate how you approach work similar to that outlined in this RFP;
- Three references (see 3.3.1 for more information); please provide on a single page.

#### **3.2.2 Proposal Format and Quantity**

Proposal should follow the format and reference the sections listed in the Proposal Requirements section. Responses to each section and subsection should be labeled to indicate the item being addressed.

No page limit has been established to allow Proposer(s) to utilize the space they need. Proposers should be aware of the potential volume reviewers will examine, consider

reviewers' abilities to digest content, and that reviewers understand sometimes less can be more.

Proposer shall submit either an electronic copy of the proposal through email with the SPC or via hard copy on white 8 1/2" x 11" Recycled Paper.

Electronic proposals must be formatted using Adobe Acrobat (pdf), Microsoft Word (docx), or Microsoft Excel (xlsx). Email attachments must not exceed 5 megabytes. If your file exceeds this size, contact SPC for alternative transmission option.

Proposals submitted in response to this RFP become public records under Oregon law and, following contract award, will be subject to disclosure to any person or organization that submits a public records request. Proposers are required to acknowledge that any proposal may be disclosed in its entirety to any person or organization making a records request, except for such information as may be exempt from disclosure under the law.

If Proposer believes any of its Proposal is exempt from disclosure under Oregon Public Records Law (ORS 192.311 through 192.478), Proposer shall submit a fully redacted version of its Proposal, clearly identified as the redacted version.

If choosing to deliver the Proposal via hard copy, Proposer shall submit its Proposal in a sealed package addressed to the SPC with the Proposer's name and the RFP Title clearly visible on the outside of the package.

### **3.2.3 Authorized Representative**

Failure of the authorized representative to sign the Proposal may subject the Proposal to rejection by Agency.

## **3.3 PROPOSAL REQUIREMENTS**

Proposal must address each of the items listed in this section and all other requirements set forth in this RFP. Proposer shall describe the Services to be performed. A Proposal that merely offers to provide the services as stated in this RFP may be considered non-Responsive to this RFP and will not be considered further.

Proposal should not include extensive artwork (so as to lead to assumption of meaning) or difficult to read printing. Please do not include marketing or advertising material in the Proposal, unless requested. Proposal should directly address the requests of the RFP. Proposal containing unsolicited marketing or advertising material may receive a lower evaluation score if specific information is difficult to locate.

### **3.3.1 References**

Provide three (3) references from current or former clients for similar projects performed for any clients within the last two (2) years. References must be able to verify the quality of previous, related Work.

Agency or designee may check to determine if references provided support Proposer's ability to be successful in meeting the requirements of this RFP. Agency may use references to obtain additional information, or verify any information needed. Agency may contact any reference (submitted or not) to verify Proposer's qualifications.

Proposer shall submit reference names and contact information. Agency or designee will make three attempts to contact each of the references provided by the Proposer. If these attempts are unsuccessful, the Proposer will receive a score of zero for that reference.

### **3.3.3 Budget Estimate/Price Proposal**

For each activity described in the Scope of Work, the Price Proposal must include identifiable costs and a summary of all proposed costs.

The Price Proposal must include separate line items for personnel, travel, supplies, and other costs as relevant. For all personnel costs, the Price Proposal must include the name and title of all positions for each individual staff person who will perform the Work. An example can be found in Attachment A – Budget Example. Proposers may vary from the example, but all requested information must be included.

### **3.3.4 Key Person(s) and their Resumé(s)**

Specify Key Person(s) to be assigned to this project. Include a current resume (not to exceed two pages each) for each referenced individual that demonstrates qualifications and experience for the Work described.

### **3.3.5 Project/Scope of Work Implementation Plan**

Provide a comprehensive Implementation Plan describing how Proposer would carry out the major activities of this project to fulfill the Scope of Work; how the plan will serve to coordinate and accomplish the Work; and timeline for the major activities identified in the Implementation Plan.

## **SECTION 4: SOLICITATION PROCESS**

### **4.1 PUBLIC NOTICE**

The RFP and attachments are published in Oregon Buys at <https://oregonbuys.gov/>, on Agency website, and sent to interested parties' distribution lists. Hard copy RFP documents will not be mailed to prospective Proposers.

Modifications, if any, to this RFP will be made by written Addenda published in Oregon Buys and Agency website. Potential Proposers who have downloaded or received a copy of this RFP will only be alerted to the existence of any Addenda by monitoring and downloading Addenda from the above referenced sources, or by checking with the SPC for this RFP. LCOG is not responsible to notify potential Proposers of Addenda, nor for sending Addenda to any potential Proposer. Receipt of Addenda must be acknowledged in submitted Proposals.

## **4.2 QUESTIONS / REQUESTS FOR CLARIFICATIONS**

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 or hard copy;
- Reference the RFP title;
- Identify Proposer's name and contact information;
- 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.

## **4.3 PROPOSAL DELIVERY OPTIONS**

Proposer is solely responsible for ensuring its Proposal is received by the SPC in accordance with the RFP requirements before Closing. Agency is not responsible for any delays in mail or by common carriers or by transmission errors or delays, or for any mis-delivery for any reason. A Proposal submitted by any means not authorized below will be rejected.

### **4.3.1 Delivery through Email (preferred)**

A Proposal may be submitted through email to the SPC. Proposal should have the RFP title in the header.

### **4.3.2 Delivery through Mail or Parcel Carrier**

A Proposal may be submitted through the mail or via parcel carrier and must be clearly labeled and submitted in a sealed envelope, package or box. The outside of the sealed submission must clearly identify the Proposer's name and the RFP title. It must be sent to the attention of the SPC at the address listed on the Cover Page.

### **4.3.3 Delivery in Person**

Proposers may deliver hard copy responses to:

Lane Council of Governments  
Attn.: Denise Walters (SPOC)  
859 Willamette Street, Suite 500  
Eugene, OR 97401

The front desk is closed from noon-1:00 pm Pacific Standard Time (PST).

#### **4.4 PROPOSAL MODIFICATION OR WITHDRAWAL**

If a Proposer wishes to make modifications to a submitted Proposal it must submit its modification in one of the authorized methods listed in the Proposal Delivery Options section. To be effective the notice must include the RFP number and be submitted to the SPC prior to Closing.

If a Proposer wishes to withdraw a submitted Proposal, it must submit a Written notice signed by an authorized representative of its intent to withdraw to the SPC via email, fax, hard copy prior to closing in accordance with OAR 125-247-0440. To be effective the notice must include.

#### **4.5 PROPOSAL DUE**

A Proposal (including all required submittal items) must be received by the SPC on or before Closing (August 5, 2022 by 5:00 pm PST). All Proposal modifications or withdrawals must be received prior to Closing.

A Proposal received after Closing is considered LATE and will NOT be accepted for evaluation. A late Proposal will be returned to the Proposer or destroyed.

#### **4.6 PUBLIC OPENING**

There will be no public Opening of Proposals.

#### **4.7 PROPOSAL REJECTION**

Agency may reject a Proposal, in part or in whole, 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.
- Proposer makes any contact regarding this RFP with Agency representatives such as PSCC members, staff or officials other than the SPC or those the SPC authorizes, or inappropriate contact with the SPC.
- Proposer attempts to influence a member of the Evaluation Committee.
- Proposal does not meet highest need and full purpose of RFP.
- Proposal is conditioned on Agency's acceptance of any other terms and conditions or rights to negotiate any alternative terms and conditions that are not reasonably related to those expressly authorized for negotiation in the RFP or Addenda.

Agency reserves the right to cancel this solicitation, or the proposals received may be considered with opportunity for supplemental submission. If there is partial rejection, the Agency may solicit supplemental information only from those proposers who submitted

proposals, on the condition that it is unlikely that re-advertising would lead to greater competition.

## **4.8 AWARD**

### **4.8.1 Notice of Intent to Award**

Agency will provide written notice of its intent to award to a given proposer or proposer(s) on or around August 15-19, 2022.

## **SECTION 5: EVALUATION PROCESS**

### **5.1 RESPONSIVENESS AND RESPONSIBILITY DETERMINATION**

#### **5.1.1 Responsiveness Determination**

A Proposal received prior to Closing will be reviewed to determine if it is Responsive to all RFP requirements including compliance with Minimum Qualifications section and Minimum Submission Requirements section. 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, Agency may waive mistakes in accordance with OAR 125-247-0470.

### **5.2 EVALUATION COMMITTEE**

A committee of five (5) Body members, Agency staff, and/or community partners will evaluate Proposals.

### **5.3 EVALUATION METHOD**

Proposals meeting the requirements outlined in the Proposal Content Requirements section (Section 3.3) will be evaluated by the Evaluation Committee.

The Evaluation Committee may interview and/or request a presentation to gain additional clarity on Proposals.

### **5.4 EVALUATION POINTS AND SCORING**

#### **SCORE SUMMARY EXPLANATION**

95-100% Outstanding - Response meets all the requirements, demonstrates qualifications and plan in a clear manner, and demonstrates thorough knowledge and understanding of the subject matter and project. The Proposer provides insight into its expertise, knowledge, and understanding of the subject matter.

80-94% Very Good - Response provides useful information, while showing experience and knowledge within the category. Response demonstrates above average knowledge and ability with no apparent deficiencies noted.

50-79% Adequate - Response meets all requirements in an adequate manner. Response demonstrates an ability to comply with guidelines, parameters, and requirements with no additional information put forth by the Proposer.

10-49% Fair - Proposer meets minimum requirements, but does not demonstrate sufficient knowledge of the subject matter or project.

0-9% Does Not Meet - An unacceptable response that does not meet the requirements set forth in the RFP. Proposer has not demonstrated knowledge of the subject matter.

## **5.5 EVALUATION CRITERIA**

Each Proposal meeting all Responsiveness requirements will be independently evaluated by members of an Evaluation Committee. Evaluation Committee members may change between publication of RFP and proposal review. Evaluators will assign a score for each evaluation criterion listed below in this section up to the maximum points available in the Point and Score Calculation section.

The Evaluation Committee may interview Proposers and/or request presentation to gain a deeper understanding of Proposals.

### **5.5.1 Project Implementation Plan (up to 50 points)**

The focus of the Proposal should be describing the Project Implementation Plan. Considerations include but are not limited to:

- How well does the Proposal Describe the Plan?
- How well does the Proposed Plan align with requirements and purpose?
- Soundness of methodology and theoretical framing of the approach.

### **5.5.2 Experience (up to 45 points)**

While describing the Project Implementation Plan, the Proposer should describe how prior experience as related to minimum qualifications and additional relevant experiences defined by Proposer(s) will inform and enhance elements of the plan. Considerations include but are not limited to:

- Developing and delivering trainings: How well does Proposal explain the trainings this Proposer has developed and delivered?
- Working with staff and advisory bodies: How well does Proposal describes the relationships developed with advisory bodies and staff members in prior work?
- DEIB experience: How well does Proposal describe the experience and knowledge base Proposer(s) would bring to help Body grow its capacity and develop DEIB aligned outcomes and goals?

- Experience working with government entities: Does Proposal describe prior experience working with government entities? Does the Proposal describe how this experience will enhance the Proposer working with this Body?
- Experience working with community-based organizations (CBO): Does Proposal describe prior experience working with CBOs? Does the Proposal describe how this experience will enhance the Proposer working with this Body?
- Experience delivering training in virtual and in-person formats. Does the Proposal describe how this experience is of value to working with the Body?
- Experience with participatory planning and evaluation. Is/are Key Person(s) familiar with participatory planning and evaluation or similar processes?
- Strong background in large and small group facilitation. Does Key Person(s) have demonstrable strength using diverse communications and facilitation methods? An established history working with diverse and varied individuals and organizations? Ability to design and facilitate implementation of non-deficit processes? Ability to identify and shift, if and as needed, group dynamics?
- Results from discussion with references.

### **5.5.3 Price (up to 5 points)**

Agency will be using a subjective price evaluation. As the maximum points indicate, more weight will be given to quality of Proposal and experience of Proposer.

Evaluators will evaluate the Price Proposal portion to ensure the proposed costs are clear and reasonable.

### **5.6 POINT AND SCORE CALCULATIONS**

Points for each component, Project Implementation Plan, Experience, and Price to determine an overall percentage and response valuing as established in Section 5.4.

At the conclusion of the rated criteria evaluation process of written proposals and prior to selection, LCOG may continue the evaluation process with the responsive Proposers who have the highest criteria ratings (the Short List). LCOG may expand or decrease the Short List if it is the opinion of the selection review committee that the number and/or quality of warrants an increase or decrease in the number of responsive Proposers on the Short List. LCOG may decide to forego evaluation of a Short List and award the contract to the highest rated proposer from evaluation of written proposals, subject to satisfactory agreement as to preliminary design, budget and remaining unresolved contract issues. Evaluation of the Short List will be based on criteria developed by the Evaluation Committee prior to the commencement of Short List evaluation. These criteria and procedures for evaluation will be issued out as an addendum to the Proposers on the Short List. Criteria used as



evaluation methods may include interviews, work samples, demonstrations, or other assessments.

## **SECTION 6: AWARD PROCESS**

### **6.1 AWARD**

The Agency will provide written notice of intent to award to a given proposer or proposers at least seven (7) days before the award, unless the County determines that a shorter notice period is more practicable.

### **6.2 PROTEST OF AWARD**

In accordance with ORS 279B.410, any adversely affected Proposer has seven (7) calendar days from the date of the written notice of intent to award to file a written protest. The protest shall be addressed to Brendalee S. Wilson, Executive Director, Lane Council of Governments, 859 Willamette Street Suite 500, Eugene, Oregon 97401 and shall specify the grounds upon which the protest is based. The Executive Director will issue a written decision within five (5) days of receipt of the written protest.

### **6.3 RESERVATION IN EVALUATION**

Agency upon advisement of the Evaluation Committee reserves the right to either: a) request "Best and Final Offers" from the two highest scoring vendors and award to the lowest priced; or b) to reassess the proposals and award to the vendor determined to best meet the overall needs of Agency and Body.

## **SECTION 7: CONTRACT GENERAL TERMS AND CONDITIONS**

### **7.1 GENERAL REQUIREMENTS**

All proposers are required to comply with the provisions of the LCOG Public Contracting Rules. LCOG reserves the right to reject any and all proposals received as a result of this request for proposal, or to negotiate separately with any source whatsoever in any manner necessary to serve the best interest of the LCOG. The contents of the proposal of the successful vendor(s) will become the contractual obligation, if a contract ensues. Failure of the successful vendor(s) to accept these obligations may result in cancellation of the award. The selected vendor(s) will be required to assume responsibility for all services offered in their proposal whether or not produced by them. Further, the vendor will notify LCOG of the designated person who will be the sole point of contact with regard to contractual matters, including payment of any and all charges resulting from the contract.

### **7.2 ORDINANCES, PERMITS, and LICENSES**

The contractor shall keep fully informed of local ordinances, state and federal laws in any manner affecting the work herein specified. The proposer shall comply with said ordinances, laws, regulations, and protect and indemnify LCOG, its officers, and agents against any claim or liability arising from, or based upon, the violations of any such laws,

ordinances, or regulations. All permits, licenses, and inspection fees necessary for the manufacture and delivery of the requested items shall be secured and paid for by the proposer.

### **7.3 WAIVER of PROVISIONS**

Contractor agrees that the waiver, acceptance, or failure by LCOG to enforce any provisions, terms or conditions of this contract shall not operate or be construed as a waiver of prior or subsequent breaches or the right of LCOG to thereafter enforce such provisions.

### **7.4 CANCELATION**

This contract may be terminated by either party upon not less than sixty (60) calendar days written notice should the other party fail substantially to perform in accordance with the terms and/or conditions of this contract or any supplements thereof. This contract may also be terminated by LCOG in the event that the project is permanently abandoned.

### **7.5 CONTRACT BREACH**

In the event of a breach by the proposer of any of the provisions of this contract, LCOG reserves the right to cancel and terminate this contract forthwith upon giving oral or written notice to the contractor.

### **7.6 DAMAGES**

The proposer shall be liable for any damage to LCOG resulting from their refusal or failure to complete the work under this contract. Damages shall be those actually incurred and include the cost to obtain the contracted work elsewhere.

### **7.7 HOLDS HARMLESS and INDEMNIFICATION**

The proposer shall indemnify, defend, and hold LCOG, its officers, agents, and employees, harmless from any loss, claims, actions, liability, or costs, including attorney fees and other costs of defense, arising out of or in any way related to furnishing of supplies and/or services under this agreement and arising from the sole or joint negligence of the proposer, including any claim, loss or liability contributed to by LCOG's own negligence. This right of indemnification and to be held harmless shall be in addition to, and not in replacement of any other right that LCOG may have under any statute, under the common law, or under this contract.

### **7.8 INSURANCE**

The proposer shall be required to maintain in force for the duration of this agreement a Professional Errors and Omissions Liability policy with limits not less than \$1,000,000, naming LCOG, its employees, officials and agents as an additional insured as respect to work or services performed under this agreement. This insurance will be primary to any insurance LCOG may carry on its own. Evidence of the above coverage issued by a company satisfactory to LCOG shall be provided to LCOG by way of a certificate of insurance before

any work or services commence. A 30-day notice of cancellation or material change in coverage clause shall be included. Failure to maintain the proper insurance shall be grounds for immediate termination of this contract.

**Workers' Compensation:** The proposer shall provide and maintain workers' compensation coverage for its employees, officers, agents, or partners as required by applicable workers' compensation laws. If applicable, the proposer shall provide a certificate of insurance to LCOG as evidence of coverage containing a 30-day notice of cancellation clause prior to all parties signing any contract resulting from this RFP process.

**Equipment and Material:** The proposer shall be responsible for any loss, damage, or destruction of its own property, equipment, and materials used in connection with the work.

**Exception or Waivers:** Any exception or waiver of these requirements shall be subject to review and approval from LCOG's Executive Director.

**Attachment A- Budget Example**

**IMPLEMENTATION PLAN COMPONENT 1**

<b>Personnel</b>	<b>Hrs.</b>	<b>Rate</b>	<b>Total</b>
J. Braxton, Facilitator	80	\$ 90.00	\$ 7,200.00
M. Singh, Curriculum Planner	120	\$ 100.00	\$ 12,000.00
T. Swann, Project Coordinator	10	\$ 90.00	\$ 900.00
<b>Personnel Subtotal</b>			\$ 20,100.00
<b>Travel</b>			
NA - Virtual			
<b>Travel Subtotal</b>			\$ -
<b>Supplies</b>	<b>Units</b>	<b>Cost</b>	<b>Total</b>
NA			
<b>Supplies Subtotal</b>			\$ -
<b>Other Costs</b>			
Curriculum and content (ex. books, video) purchase costs	1	\$ 100.00	\$ 100.00
<b>Other Costs Subtotal</b>			\$ 100.00
<b>COMPONENT 1 SUBTOTAL</b>			\$ 20,200.00

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**IMPLEMENTATION PLAN COMPONENT 2**

<b>Personnel</b>			
J. Braxton, Facilitator	8	\$ 90.00	\$ 720.00
<b>Personnel Subtotal</b>			
<b>Travel</b>			
240 miles x.625 per mile	240	0.625	\$ 150.00
<b>Travel Subtotal</b>			\$ -
<b>Supplies</b>			
NA			
<b>Supplies Subtotal</b>			\$ -
<b>Other Costs</b>			
NA			
<b>Other Costs Subtotal</b>			\$ -
<b>COMPONENT 2 SUBTOTAL</b>			\$ 870.00

<b>PROJECT TOTAL</b>			\$ 21,070.00
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