

BEFORE THE METRO COUNCIL CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION) RESOLUTION NO 98-2612
TO THE COMPETITIVE BIDDING PROCEDURES AND)
PURSUANT TO METRO CODE CHAPTER 2.04.056)
AUTHORIZING A DESIGN/BUILD RFP) Introduced by Mike Burton
FOR CONTRACTING WITH AN EXHIBIT FABRICATOR) Executive Officer
FOR NEW EXHIBIT INTERPRETIVES AT METRO)
WASHINGTON PARK ZOO)

WHEREAS, \$1.2 million of the Oregon project budget has been earmarked in the Capital Fund for the interpretive portion of the exhibit; and

WHEREAS, The purpose of exhibitry is provide an educational message to visitors through the creative development of signs, interpretive panels and interactive visitor experiences, known as interpretive exhibitry; and

WHEREAS, The Metro Code would require that this contract be subject to competitive bidding unless an exemption is obtained from the Metro Contract Review Board; and

WHEREAS, Metro Code Section 2.04.054 (c) authorizes, where appropriate, the use of alternative contracting and purchasing practices to affect real cost savings for the public without compromising competition for public contracts, and

WHEREAS, The most cost effective way of procuring interpretive exhibitry is a design/build RFP process with 40% evaluation based on low bid and 60% evaluation based on adherence to schedule and qualifications of designers; and

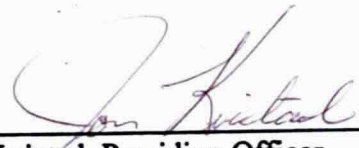
WHEREAS, The alpine exhibit is slated to open in September of 1998, and the interpretive exhibitry for this phase of the project is estimated at \$215,000; and

WHEREAS, Metro's staff will ensure that this contract shall not preclude joint ventures between any general contractors and design professionals; and

BE IT RESOLVED,

1. That the Metro Contract Review Board adopts the findings included in the attached Staff Report.
2. That the Metro Contract Review Board exempts the Zoo Oregon Project exhibit fabricator contract from the sealed bid process and authorizes Metro staff to employ an RFP process that will meet the goal of encouraging competition through alternative contracting and purchasing practices.
3. That the Metro Contract Review Board authorizes the Executive Officer to execute a contract for exhibit fabricator services with the selected proposer which is substantially similar to the one contained in the RFP.

ADOPTED by the Metro Contract Review Board this 5th day of March, 1998.



Jon Kvistad, Presiding Officer

Approved as to Form:



Daniel B. Cooper, General Counsel

REGIONAL FACILITIES COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 98-2612, FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION TO THE COMPETITIVE BIDDING PROCEDURES AND PURSUANT TO METRO CODE CHAPTER 2.04.056 AUTHORIZING A DESIGN/BUILD RFP FOR CONTRACTING WITH AN EXHIBIT FABRICATOR FOR NEW EXHIBIT INTERPRETIVES AT METRO WASHINGTON PARK ZOO.

Date: February 26, 1998

Presented by: Councilor McCaig

Committee Action: At its February 18, 1998 meeting, the Regional Facilities Committee unanimously recommended Council adoption of Resolution No. 98-2612. Voting in favor: Councilors McCaig, Naito and McFarland.

Council Issues/Discussion: John Fraser, Design Coordinator for the Zoo, made the staff presentation. The Zoo is looking for a contractor with special expertise in design as well as installation, primarily related to the Oregon Project exhibits. The contractor will be expected to perform content as well as construction work.

Council members clarified that what is being asked in this resolution, is an exemption from competitive, low bid procedures, which will allow other factors, such as expertise, and prior history to be taken into account.

STAFF REPORT

FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION TO THE COMPETITIVE BIDDING PROCEDURES AND PURSUANT TO METRO CODE CHAPTER 2.04.056 AUTHORIZING A DESIGN/BUILD RFP FOR CONTRACTING WITH AN EXHIBIT FABRICATOR FOR NEW EXHIBIT INTERPRETIVES AT METRO WASHINGTON PARK ZOO

Date: March 5, 1998

Presented by: John Fraser

In September, 1996, voters approved the Oregon Project bond measure and the Metro Council authorized the construction of the Oregon Project at the Metro Washington Park Zoo.

An important part of the overall experience provided by the Oregon Project will be the interpretive elements, which are part of the animal exhibits.

The exhibit "interpretives" help create the themed environment that reinforces the unique educational messages for visitors. This includes signage, audio-visual elements and tactile learning opportunities. These interpretives are usually very unique and specialized in fabrication for the message they intend to convey. Most zoos and museums use a design/build contract to develop interpretives as the most cost effective method.

Development of interpretives is unlike other capital improvements because the construction methods, materials and delivery techniques may vary widely to achieve the desired effect.

The material used in the design and assembly methods require special skills, knowledge and creativity in the final installations.

The specialization of this kind of work and the coordination required from its inception to placement in the zoo exhibit make the design/build method of contracting the most cost effective. The chimp climbing structure is an example of where the design/build method was used with outstanding results through the collaboration of a local architect and contractor. This method of contracting encourages the widest competitive bidding for a very unique projects.

Staff will evaluate this process after it is complete and provide the Contract Review Board with a briefing on this evaluation

FINDINGS

1. The use of an RFP process to procure the design and installation of interpretive exhibitry will provide the most cost effective method of delivering interpretive programming to the Metro community and all visitors to its zoo.
2. The use of an RFP process to procure a design/build method for interpretive exhibitry will ensure the widest possible competitive market because it allows for the joint venture of general contractors not experienced in exhibits and environmental designers in creating the zoo's public programming.
3. Use of an RFP rather than a bid process will ensure effective time and quality management by the project management team currently in place at the zoo. Pursuant to ORS 279 the budget for this project is clearly defined and estimates have been received for the design component of this project. This has been defined through bids and estimates by two different firms, allowing staff to track directly the cost savings achieved by Metro.
4. This project requires specialized expertise of design and installation of interpretive exhibitry including working with the artist community and fragile material.
5. A design/build RFP benefits the public by assuring only qualified, experienced exhibit fabricators are selected for this important public display.

BUDGET IMPACT

\$215,000 has been set aside in the Oregon Project budget for the Exhibit Fabrication Consultant, including liaison with the artists working with the Percent for Arts program for the alpine exhibit and the main entry.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No.98-2612.

**REQUEST FOR PROPOSALS TO
EXHIBIT FABRICATION FIRMS
FOR INTERPRETIVES FOR THE
METRO WASHINGTON PARK ZOO'S NEW EXHIBITS**

I. INTRODUCTION/PROJECT BACKGROUND

The Metro Washington Park Zoo is constructing new exhibits featuring Oregon habitats which will include animal exhibits, new retail, food and banquet areas and a new entrance to be relocated across from the West Side Light Rail Zoo Station. Metro is requesting proposals from exhibit fabricators with a minimum of five years experience working in the field of interpretive exhibits to create design and fabrication of exhibits meeting the intent shown for the entry plaza and alpine exhibit.

The Metro Washington Zoo seeks to convey specific educational objectives and concepts through the exhibit. These concepts have been identified through a discussion process with regional and national experts, educators and artists. The basic concept is that alpine ecosystems show, in a very clear fashion, the relationship of plants to their environment.

As the entry experience for the zoo's guests, the alpine exhibit will be the most prominent exhibit in the zoo and will establish the tone and quality for the rest of the guest's zoo experience.

Metro reserves the right to amend any of the following descriptions or costs to the interpretive packages, and to omit items should any discrepancies exist between the proposal documents and the cost for fabrication. Proposals are due no later than 12:00 noon, March 24, 1998, to the Design Coordinator, Metro Washington Park Zoo, 4001 SW Canyon Road, Portland, OR 97221-2799. Details concerning the project and proposal are contained in this document.

A contract will be let as a Design/Build Contract, inclusive of, but not limited to, all necessary meetings, materials, submittals, shipping and installation, to the satisfaction of Metro Washington Park Zoo. A budget of \$215,000 has been established for this project.

Through a separate selection process Metro Washington Park Zoo will be commissioning artists to provide interpretive artworks within the alpine exhibit area. The successful exhibit fabrication firm will be expected to coordinate installation and support for these artworks.

II. PROPOSED SCOPE OF WORK/SCHEDULE

A. Proposed Scope of Work

1. Metro is seeking proposals from qualified exhibit fabricators to perform the following services and to deliver the products described. The selected firm shall be contracted and shall base their work on the descriptions and media messages in Appendices A and C, and coordinate installation of those described in Appendix B.

2. All elements must be designed with the Americans with Disabilities Act in mind, so that the installations are safe and accessible, and so that wherever possible they

incorporate elements that will have appeal to persons who are hearing or sight impaired, or physically or mentally disabled.

3. All work shall be durable and guaranteed for a minimum of ten year's use in an outdoor Zoo setting. Any proposed changes in materials or in length of life of the artwork shall be approved in writing by Metro prior to any work proceeding on the exhibitry in question.

4. Metro will contract with artists described in Appendix B independently, to provide the needed artwork at locations throughout the exhibit. Some artwork will be installed by this exhibit fabricator. Individual items are identified in Appendix A and a schedule is attached as Appendix B. These Exhibits identify the general intent of the artwork and how it relates to the exhibit, although the artist's interpretation and delivery mechanisms are within the purview of the artist.

5. Metro Washington Park Zoo will provide access to the zoo, and background material on the project animals.

6. All work shall be installed by the Interpretive Exhibit Fabricator using a submittal and review process, and shall be approved by Metro Washington Park Zoo.

B. Project schedule

1.	Request for proposals advertised	3/6/98
2.	Site visit, 1:00 p.m.	3/10/98
3.	Proposals due for exhibit fabrication	3/24/98
4.	Metro awards interpretive exhibit project	3/26/98
5.	Metro awards artwork projects	3/5/98
6.	First design submission	5/1/98
7.	Fabrication commences	6/1/98
8.	1st Alpine Exhibit installation starts	8/1/98
9.	Interpretive exhibitry and artwork installation and mechanical installation begins	8/7/98
10.	Mechanical installation complete	8/28/98
11.	Trouble shooting period	9/1-17/98
12.	Alpine exhibit opens	9/18/98

III. QUALIFICATIONS/EXPERIENCE

A. The firm must have a minimum of five years experience, under the same name, constructing exhibits for public museums and attractions in the United States.

B. The firm must have experience organizing, coordinating and installing exhibits in projects of equivalent size and scope to this contract.

C. The project lead proposed by the applicant will have previous experience working in a collaborative team on a minimum of three projects of a similar scale.

D. The successful firm shall demonstrate through previous work the ability to ascertain project cost, to provide exhibitry on time and on budget, while reflecting the integrity of the exhibit as a whole.

IV. PROJECT ADMINISTRATION

Metro's contact for this project is John Fraser, Metro's Zoo Design Coordinator.

V. PROPOSAL INSTRUCTIONS

A. Pre-proposal meeting:

Proposers are invited to attend an optional site visit at 1:00 p.m. on March 10, 1998. Meet at the zoo's main entrance/reception area.

B. 1. Mail or deliver one original and three copies all contained in one envelope of a proposal by noon on March 24, 1998 to:

Metro Washington Park Zoo
4001 SW Canyon Road
Portland, OR 97221-2799
Attn: Design Coordinator

2. The proposal should be submitted on recyclable, simply bound, double-sided recycled paper. No waxed paper dividers, plastic covers nor non-recyclable materials should be included in the proposal. Where color or photographs are desired, provide one copy with the original and include black and white copies in all other sets.

C. Metro Washington Park Zoo or its representatives will let a contract to a single company. Any individuals or joint ventures shall name the contracting firm in their proposal.

D. RFP as Basis for Proposals:

This Request for Proposals represents the most definitive statement that Metro will make concerning the information upon which Proposals are to be based.

E. Minority and Women-Owned Business Program

In the event that any subcontracts are to be utilized in the performance of this agreement, the proposer's attention is directed to Metro Code provision 2.04.100.

Copies of that document are available from the Risk and Contracts Management Division of Administration Services, Metro, Metro Center, 600 NE Grand Avenue, Portland, OR 97232, or call (503) 797-1717.

VI. PROPOSAL CONTENTS

Contents of the Proposal shall be limited to the following.

A. Letter of Transmittal: A statement that the Proposal will be valid for sixty (60) days. Indicate the receipt and review of any addendum, if relevant.

B. Approach/Project Work Plan: A Design Statement no longer than 350 words which explains how the proposer works with its clients to ensure the exhibitory delivers the

intended message on time and within budget. Specific reference to approvals process and submittal expectations should be included in this section.

- C. A Project Schedule outlining required meetings, copy review schedule, and graphic production and installation for each of the major exhibit components outlined.
- D. Staffing/Project Manager: A summary list of team members including project manager, designers, fabricators, copywriters and graphic artists and a short portfolio (not to exceed ten pages) illustrating samples of work for the project manager, exhibit fabricator, copywriter(s) and graphic artist(s). Identify specific personnel assigned to the work required, percent of their time on the project, and special qualifications they may bring to the project. Attach resumes of individuals proposed for this contract.

Metro intends to award this contract to a single firm to provide the services required. Proposals must identify a single person as project manager to work with Metro. The consultant must assure responsibility for any subconsultant work and shall be responsible for the day-to-day direction and internal management of the consulting effort.

- E. Proposed Cost: Present the proposed cost of the project, if different than that outlined in the Appendix, and the proposed method of compensation. List hourly rates for personnel assigned to the project, total personnel expenditures, support services, and subconsultant fees (if any). Requested expenses not covered in this contract should be listed as well.
- D. Exceptions and Comments: To facilitate evaluation of proposals, all responding will adhere to the format outlined within this RFP. Persons wishing to take exception to, or comment on, any specified criteria within this RFP are encouraged to document their concerns in this part of the proposal. Exceptions or comments should be succinct, thorough and organized.

VII. GENERAL PROPOSAL/CONTRACT CONDITIONS

- A. Limitation and Award: This RFP does not commit Metro to the award of a contract, nor to pay any costs incurred in the preparation and submission of proposals in anticipation of a contract. Metro reserves the right to accept or reject, in whole or in part, any and all proposals received as a result of this request, and to cancel all or part of this RFP.
- B. Contract Type: Metro intends to award a design/build agreement to an individual or group for the services requested. A copy of this standard agreement which the successful Proposer will be required to execute is attached as Appendix D.
- C. Billing Procedures: Contractor will be compensated for each phase of the project according to the lump sum fees established in the contract. Contractor may invoice Metro monthly for the percentage of completion mutually agreed upon by Contractor and the Zoo Design Coordinator. Each invoice shall be supported by a general description of the individuals performing services or such other evidence of Contractor's right to payment as Metro may direct.
- D. Validity Period and Authority: Proposals shall be considered valid for a period of at least sixty (60) days and shall contain a statement to that effect. Proposals shall contain the name, title, address, and telephone number of an individual or individuals with authority to bind any company contracted during the period in which Metro is evaluating the proposal.
- E. Minority and Women-Owned Business Program

In the event that any subcontracts are to be utilized in the performance of this agreement, the proposer's attention is directed to Metro Code provisions 2.04.100 and 200.

Copies of that document are available from the Risk and Contracts Management Division of Administration Services, Metro, Metro Center, 600 NE Grand Avenue, Portland, Or 97232 or call (503) 797-1717.

F. Prevailing Wage

The contractor, and all subcontractors and suppliers, shall be required to comply with ORS 279.350 through 279.354 and ensure that all workers are paid not less than, and in accordance with, the Prevailing Wages published by the Oregon Bureau of Labor and Industries.

The contractor is required to pay a fee equal to one-tenth of one percent (.1 percent) of the price of the contract, but not less than \$100 nor more than \$5,000, under ORS 279.352 (2) and section 5 (1), ch 594, 1995 Oregon Laws. The fee shall be paid on or before the first progress payment or 60 days from the date work first began on the contract, whichever comes first. The fee is payable to the Bureau of Labor and Industries at the following address:

Bureau of Labor and Industries
Wage and Hour Division
Prevailing Wage Unit
800 NE Oregon Street, #32
Portland, OR 97232

VIII. EVALUATION OF PROPOSALS/CONTRACT AWARD

A. Evaluation Procedure: Proposals will be evaluated by a selection committee consisting of zoo personnel. Metro intends to award a design/build contract to the Proposer which, after considering the recommendations of the selection committee, Metro finds best meets the criteria specified in the RFP.

B. Evaluation Criteria: Criteria which will be used to evaluate proposals submitted to accomplish the work defined in the RFP are:

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| 1. | Project Work Plan/Approach | 20% |
| | a. Demonstration of understanding project objectives | |
| | b. Performance methodology | |
| 2. | Project Staffing Summary | 35% |
| | a. Project lead | |
| | b. Designers | |
| | c. Copywriters | |
| | d. Fabricators | |
| 3. | Budget/Cost Proposal | 40% |
| | a. Projected cost/benefit of proposed work plan/approach | |

4. MBE/WBE/ESB subcontractors

5%

IX. INSURANCE REQUIREMENTS

A. The Contractor shall purchase and maintain, at the Contractor's expense, the following types of insurance covering the Contractor, its employees and agents:

1. Broad form comprehensive general liability insurance covering bodily injury, property damage, and personal injury with automatic coverage for premises and operations and product liability. This policy must be endorsed with contractual liability coverage.
2. Automobile bodily injury and property damage liability insurance.

This insurance coverage shall be a minimum of \$500,000 per occurrence. If coverage is written with an annual aggregate limit, the aggregate limit shall not be less than \$1,000,000. Metro, its councilors, departments, employees and agents shall be named as an additional insured. Notice of any material change of policy or policy cancellation shall be provided to Metro thirty (30) days prior to the change or cancellation.

B. The Contractor shall comply with ORS 656.017 for all employees who work in the state of Oregon for more than ten (10) days. The Contractor shall provide Metro with certification of Workers' Compensation Insurance including employers liability.

C. The Contractor shall provide professional liability insurance covering personal injury and property damage arising from errors, omissions, or malpractice. Coverage shall be a minimum of \$500,000. Metro shall receive thirty (30) days notice of a material change or cancellation.

END OF RFP DOCUMENT