



City of Seattle

REQUEST FOR QUALIFICATIONS

Consultant Contract

Project Title: Terry Pettus Park Renovation

Procurement Schedule

Table 1: Procurement Schedule

Schedule of Events	Date/Time
Solicitation Release	January 28, 2020
Optional Pre-Submittal Conference 300 Elliot Ave W, Suite 100, Seattle, WA 98119	February 3, 2020 1:30 – 2:30 PM
Deadline for Questions	February 11, 2020 4:00 PM
Response Deadline	February 18, 2020 4:00 PM
Interviews (if needed)	February 20-21, 2020
Announcement of Successful Proposer(s)	February 24, 2020
Anticipated Negotiation Schedule	February 24- March 6, 2020
Anticipated Contract Execution	March 31, 2020

*The City reserves the right to modify this.
Changes will be posted on the City website or as otherwise stated.*

Procurement Contact Information

Procurement Contact: Libby Hudson, Planner, Libby.Hudson@seattle.gov, (206) 256-5988

Table 2: Delivery Address

It is important to use the correct address for the delivery method you chose.

Fed Ex & Hand Delivery - Physical Address	US Post Office - Mailing Address
Seattle Parks & Recreation ATTN: Libby Hudson, Planner Planning and Development Division 300 Elliot Ave. W, Suite 100 Seattle, Washington, 98119	Seattle Parks & Recreation ATTN: Libby Hudson, Planner Planning and Development Division 300 Elliot Ave. W, Suite 100 Seattle, Washington, 98119

Unless authorized by the Procurement Contact, no other City official or employee may speak for the City regarding this solicitation until award is complete. Any Proposer contacting other City officials or employees does so at Proposer’s own risk. The City is not bound by such information.

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1. Purpose and Background.

Seattle Parks and Recreation (SPR) is seeking the services of a creative, multi-disciplinary design team led by a Landscape Architect registered in the State of Washington to provide design and engineering services for the redevelopment and expansion of a waterfront pocket park that is located along the eastern shore of Lake Union. The project includes redevelopment of existing overwater recreational structures, incorporating shoreline restoration, and anticipates utilizing softshore/green development techniques. Much of the park is situated within Seattle Department of Transportation (SDOT) rights-of-way. Public utilities are also located within these rights-of-way, which are managed by the Seattle Public Utility Department (SPU). As a result, close coordination with these two city departments.

The project incorporates a small parcel of property (approx. 4,000 sq. ft.) that is situated directly south of the existing park. Project goals include replacing failing wood park features (stairways/retaining walls) and overwater structures (including bulkhead, boardwalk, pier, and float) with more durable, sustainable and low-maintenance facilities; incorporating the new parcel, which offers an opportunity to enhance access to Lake Union by creating a path that meets the standards of the Americans with Disability Act (ADA) and also an opportunity for shoreline restoration. The project will also encompass new, ecologically responsive shoreline treatments (e.g., bulkhead, soft-shore protection), as appropriate, while maintaining the same area of overwater structure coverage.

Location: 2001 Fairview Ave E

Construction budget estimate: \$930,000

Source: Seattle Parks District

2. Performance Schedule.

Planning Now through Summer 2020

Design Spring 2020 through Fall 2021

Construction 2022- Summer 2023

3. Solicitation Objectives.

The consultant team should have experience and demonstrated knowledge of public park development, shoreline development, shoreline regulations and permitting requirements, and sustainable site development techniques including softshore/green development techniques; be able to implement the principles of crime prevention through environmental design; include expertise in engineering of stormwater and drainage management systems and permitting; and include expertise in equitable and inclusive community engagement with demonstrated experience in effective community outreach as part of a public shoreline development, successfully addressing multiple community desires. The team should also include experience coordinating project design and development with multiple city departments to successfully accomplish the project goals.

The project is expected to meet City of Seattle development standards, go through an appropriate community involvement public process and extensive permit review process for in-water and shoreline development, including obtaining all federal, state and local permits. Coordination with the City's Department of Transportation (SDOT) and Seattle Public Utility (SPU) is required since most of the property is street-end right-of-way (ROW) and extensive utilities are located within the ROW.

4. Minimum Qualifications.

1. The consultant firm must possess demonstrated experience in successfully realizing projects of similar size and type, with expertise in design and construction of recreational shoreline development within the City of Seattle and/or the State Washington, with extensive experience and understanding of construction methods and permit requirements for recreational shoreline development regulated under the Washington State Shoreline Management Act.
 - a. The consultant Project Manager or consultant team must include:
 - Consultant(s) with a minimum of 5 years continuous experience during which design and engineering services have been the primary business;
 - Consultant(s) with a landscape architect registered in the State of Washington that possesses a minimum of 5 years of experience in shoreline recreational design and development;
 - Consultant(s) must have successfully performed at least five contracts with a public or private agency that included services similar to those expected for this contract; and
 - Consultant(s) must have a local office within 200 miles of the greater Seattle area.
 - b. The consultant team must also include:
 - designer(s) with a minimum of 5 years of experience in shoreline restoration of industrial shoreline properties and retrofitting facilities for accessible routes of travel to meet ADA standards.
2. Minimum qualifications are required for a Consultant to be eligible to submit a proposal response. Your submittal response must show compliance to these minimum qualifications. Those that are not responsive to these qualifications shall be rejected by the City without further consideration:

5. Scope of Work.

The scope of consultant work includes providing professional engineering and design services, from schematic design through construction administration, including design development, construction documents, permitting and contract administration of the described project - within the identified budget. The project includes analysis, design and construction oversight services. The project will undergo internal Seattle Parks and Recreation Department review (Proview and Proview tech design reviews).

This shoreline park is primarily located within the rights-of-way of E Newton Street and Fairview Ave E and within the shoreline jurisdiction of Lake Union and will require coordination with the Seattle Department of Transportation (SDOT) and Seattle Public Utilities (SPU), and will need to meet the permitting requirements of the Shoreline Master Program and other applicable federal, state and city permits to address the in-water development and shoreline modifications anticipated with the park redevelopment and expansion to include an adjacent undeveloped waterfront parcel of approximately 4,000 square feet in area. The new parcel is currently being acquired by the City of Seattle and additional federal, state and city permits may apply, including remediation to address low-level soil contamination and unknown sediment condition.

Crime Prevention Through Environmental Design (CPTED) principles apply to design aspects of this project, as well as the standard of the Americans with disabilities Act (ADA). The project includes designing critical routes of travel to ADA standards, connecting the Chesiahud Lake Union Trail with the over-water recreational structures and designing new ADA parking stalls to specifically serve the park

users. Enhancements to the park entry is needed to improve sightlines and visibility from connecting right-of-way and parking area. Technical engineering services for stormwater and utility relocation design will be required. Additional professional services of required technical engineering team are to be determined at final scope for the design contract.

The project will be required to go through an appropriate public process and through federal, state development approvals for shoreline development and in-water construction, and City of Seattle development review process approvals, including SEPA, Shoreline Master Program development review, stormwater drainage review, Seattle Department of Transportation street improvement permit, and any ADA parking proposed in the street right-of-way. Close coordination with Seattle Public Utilities will be required to address existing utilities located within the ROW.

The project estimated schedule includes design through Spring 2021 and construction during 2022 through Summer 2023.

5.1 Project Elements

Development of a creative design to renovate and expand Terry Pettus park that incorporates a 4,000 square foot waterfront parcel located directly south of the existing park.

Project Objectives:

- a. Renovate and expand the park to the south by including a new 4000 sq. ft. parcel, incorporate shoreline restoration, as appropriate and maintain the character of the park as a green lakeside pocket park serving the Eastlake neighborhood; and
- b. Enhance the park features, including seating and shore edge, by replacing all the wood features with more durable, low-maintenance, sustainable and shore-friendly materials and features and a drinking fountain, as appropriate; and
- c. Maintain and enhance the water views and direct water access, with an awareness of the close connection to the neighboring floating homes, both visually and acoustically; and
- d. Enhance facilities for waterfront activities and public water access and connection to the Cheshiahud Lake Union Loop Trail by making the park entrance more inviting and by providing universal access, meeting the standards of the Americans Disability Act (ADA), including incorporating a travel path that leads to the lake's edge; and
- e. Enhance the parking and include an accessible parking space; and
- f. Enhance landscape features, protect and retain mature trees to the extent possible, and provide irrigation, as appropriate; and
- g. Apply CPTED to address safety and visibility concerns; and
- h. Meet Department recreational standards and city code requirements.

5.2 Permits and regulatory compliance

The selected consultant team will identify all relevant permits and regulations needed for the project.

5.3 Additional Project Requirements

Project Reviews – SPR

Three Proview reviews at Conceptual, Schematic and Design Development (30% Design)

Three Proview Technical reviews are required at 60, 90 and 100 percent design.

Required Plan Documents include:

- Site Analysis and Conceptual Plans

- Schematic Design
- Design Development Plans (30% Design)
- 60% Construction Documents
- 90% Construction Documents
- Bid Documents including revision to 100% Construction Documents
- As-Builts and Record Drawings

6. Contract Modifications.

The City has attached its boilerplate contract terms to allow Proposers to be familiar with boilerplate, and the non-negotiable terms before submitting a proposal. The City may negotiate with the highest ranked apparent successful Proposer. The City cannot modify contract provisions mandated by Federal, State or City law: to: Equal Benefits, Audit (Review of Vendor Records), WMBE and EEO, Confidentiality, and Debarment or mutual indemnification. Exceptions to those provisions will be summarily disregarded.

7. Procedures and Requirements.

This section details City instructions and requirements for your submittal. The City reserves the right in its sole discretion to reject any Consultant response that fails to comply with the instructions.

7.1 Registration into the Online Business Directory

If you have not previously done so, register at: <http://www.seattle.gov/obd> The City expects all firms to register. Women- and minority- owned firms are asked to self-identify (see section 7.25). For assistance, call Julie Salinas at 206-684-0383.

7.2 Pre-Submittal Conference

The City offers an optional pre-submittal conference at the time, date and location on page 1. Proposers are not required to attend to be eligible to propose. The meeting answers questions about the solicitation and clarify issues. This also allows Proposers to raise concerns. Failure to raise concerns over any issues at this opportunity will be a consideration in any protest filed regarding such items known as of this pre-proposal conference.

7.3 Questions.

Proposers may email questions to the Procurement Contact until the deadline stated on page 1. Failure to request clarification of any inadequacy, omission, or conflict will not relieve the Consultant of responsibilities under any subsequent contract. It is the responsibility of the interested Consultant to assure they receive responses to Questions if any are issued.

7.4 Changes to the RFQ.

The City may make changes to this RFQ if, in the sole judgment of the City, the change will not compromise the City's objectives in this solicitation. Any change to this RFQ will be made by formal written addendum issued by the City and shall become part of this RFQ.

7.5 Receiving Addenda and/or Question and Answers.

It is the obligation and responsibility of the Consultant to learn of addenda, responses, or notices issued by the City. Some third-party services independently post City of Seattle solicitations on their websites. The City does not guarantee that such services have accurately provided all the information published by the City.

All submittals sent to the City may be considered compliant with or without specific confirmation from the Consultant that any and all addenda was received and incorporated into your response. However, the Project Manager reserves the right to reject any submittal that does not fully incorporate Addenda that is critical to the project.

7.6 Proposal Submittal.

- a. Proposals must be received by the City no later than the date and time on page 1 except as revised by Addenda.
- b. All pages are to be numbered sequentially, and closely follow the requested formats.
- c. The City has page limits specified in the Response Format section 8. Any pages that exceed the page limit will be excised from the document for purposes of evaluation.
- d. The submitter has full responsibility to ensure the response arrives at the City within the deadline. A response delivered after the deadline may be rejected unless waived as immaterial by the City given specific fact-based circumstances.

7.7 Hard Copy Submittal.

Delivery is to the location specified on Page 2, Table 2.

Submit one (1) original unbound and one (1) electronic CD copy of the response. The City will not accept Fax and CD copies as originals in lieu of paper or electronic e-mail copy submittals.

- a. Hard-copy responses should be in a sealed box or envelope, clearly marked and addressed with the City contact person's name, the solicitation title and number. If submittals are not clearly marked, the Proposer risks the response being misplaced and not properly delivered or date/time stamped.
- b. The Submittal may be hand-delivered or otherwise be received by the Procurement Contact at the address provided, by the submittal deadline. Delivery errors will result without careful attention to the proper address.
- c. Do not use plastic or vinyl binders or folders. The City encourages you to use fully 100% recycled stock.

7.8 Electronic Submittal.

The City allows and will accept an electronic submittal in lieu of an official paper submittal.

- a. The electronic submittal is e-mailed to the Procurement Contact (see page 2), by the submittal deadline (Procurement Schedule, Table 1, Page 1 or as otherwise amended).
- b. Title the e-mail so it won't be lost in an e-mail stream.
- c. Any risks associated with an electronic submittal are borne by the Proposer.
- d. The City's e-mail system will typically allow documents up to 20 Megabytes.
- e. If the Proposer also submits a hard-copy, the hard copy has precedence.

7.9 Proposer Responsibility to Provide Full Response.

It is the Proposer's responsibility to respond in a manner that does not require interpretation or clarification by the City. The Proposer is to provide all requested materials, forms and information. The Proposer is to ensure the materials submitted properly and accurately reflect the Proposer's offering. During scoring and

evaluation (prior to interviews if any), the City will rely upon the submitted materials and shall not accept materials from the Proposer after the RFQ deadline; this does not limit the City's right to consider additional information (such as references that are not provided by the Proposer but are known to the City, or past City experience with the consultant), or to seek clarifications as needed.

7.10 Prohibited Contacts.

Proposers shall not interfere in any way to discourage other potential and/or prospective proposers from proposing or considering a proposal process. Prohibited contacts includes but is not limited to any contact, whether direct or indirect (i.e. in writing, by phone, email or other, and by the Proposer or another person acting on behalf of the Proposer) to a likely firm or individual that may discourage or limit competition. If such activity is evidenced to the satisfaction and in sole discretion of the City department, the Proposer that initiates such contacts may be rejected from the process.

7.11 License and Business Tax Requirements.

The Consultant must meet all applicable licensing requirements immediately after contract award or the City may reject the Consultant. Companies must license, report and pay revenue taxes for the Washington State business License (UBI#) and Seattle Business License, if required by law. Carefully consider those costs before submitting an offer, as the City will not separately pay or reimburse such costs.

Seattle Business Licensing and associated taxes.

- a. If you have a "physical nexus" in the city, you must obtain a Seattle Business license and pay all taxes due before the Contract can be signed.
- b. A "physical nexus" means you have physical presence, such as: a building/facility/employee(s) in Seattle, you make sales trips into Seattle, your own company drives into Seattle for product deliveries, and/or you conduct service work in Seattle (repair, installation, service, maintenance work, on-site consulting, etc).
- c. We provide a Consultant Questionnaire Form in our submittal package items later in this RFQ, and it will ask you to specify if you have "physical nexus".
- d. All costs for any licenses, permits and Seattle Business License taxes owed shall be borne by the Consultant and not charged separately to the City.
- e. The apparent successful Consultant(s) must immediately obtain the license and ensure all City taxes are current, unless exempted by City Code due to reasons such as no physical nexus. Failure to do so will cause rejection of the submittal.
- f. The City of Seattle Application for a Business License can be found here: <http://www.seattle.gov/Documents/Departments/FAS/Licensing/Seattle-business-license-application.pdf>
- g. You can find Business License Application help here: <http://www.seattle.gov/licenses/get-a-business-license/license-application-help>
- h. Self-Filing You can pay your license and taxes on-line using a credit card www.seattle.gov/self/
- i. For Questions and Assistance, call the Revenue and Consumer Protection (RCP) office which issues business licenses and enforces licensing requirements. The general e-mail is rca@seattle.gov. The main phone is 206-684-8484.
- j. The licensing website is <http://www.seattle.gov/licenses>
- k. If a business has extraordinary balances due on their account that would cause undue hardship to the business, the business can contact the License and Tax Administration office at tax@seattle.gov to request additional assistance.
- l. Those holding a City of Seattle Business license may be required to report and pay revenue taxes to the City. Such costs should be carefully considered by the Consultant prior to submitting your offer. When allowed by City ordinance, the City will have the right to retain amounts due at the conclusion of a contract by withholding from final invoice payments.

7.12 State Business Licensing. Before the contract is signed, you must have a State of Washington business license (a “Unified Business Identifier” known as a UBI#). If the State of Washington has exempted your business from State licensing (some foreign companies are exempt and sometimes, the State waives licensing because the company has no physical presence in the State), then submit proof of that exemption to the City. All costs for any licenses, permits and associated tax payments due to the State because of licensing shall be borne by the Consultant and not charged separately to the City. Instructions and applications are at <http://bls.dor.wa.gov/file.aspx> and the State of Washington Department of Revenue is available at 1-800-647-7706.

7.13 Federal Excise Tax. The City is exempt from Federal Excise Tax.

7.14 No Guaranteed Utilization.

The City does not guarantee utilization of any contract(s) awarded through this RFQ process. The solicitation may provide estimates of utilization; such information is for Consultant convenience and not a usage guarantee. The City reserves the right to issue multiple or partial awards, and/or to order work based on City needs. The City may turn to other appropriate contract sources or supplemental contracts to obtain these same or similar services. The City may re-solicit for new additions to the Consultant pool. Use of such supplemental contracts does not limit the right of the City to terminate existing contracts for convenience or cause.

7.15 Expansion Clause.

The contract limits expansion of scope and new work not expressly provided for within the RFP/RFQ.

Expansion for New Work (work not specified within the original Scope of Work Section of this Agreement, and/or not specified in the original RFP as intended work for the Agreement) must comply with the following:

(a) New Work is not reasonable to solicit separately; (b) is for reasonable purpose; (c) was not reasonably known by the City or Consultant at time of solicitation or was mentioned as a possibility in the solicitation (i.e. future phases of work, or a change in law); (d) is not significant enough to be regarded as an independent body of work; (e) would not attract a different field of competition; and (f) does not change the identity or purpose of the Agreement.

The City may make exceptions for immaterial changes, emergency or sole source conditions, or other situations required in City opinion. Certain changes are not subject to these limitations, such as additional phases of Work anticipated during solicitation, time extensions, and Work Orders issued on an On-Call contract. Expansion must be mutually agreed and issued by the City through written Addenda. New Work performed before an authorizing Amendment may not be eligible for payment.

The City reserves the right to independently solicit and award any New Work to another firm when deemed appropriate or required by City policy.

7.16 Effective Dates of Offer.

Solicitation responses are valid until the City completes award. Should any Proposer object to this condition, the Proposer must object prior to the Q&A deadline on page 1.

7.17 Cost of Preparing Submittals.

The City is not liable for costs incurred by the Proposer to prepare, submit and present proposals, interviews and/or demonstrations.

7.18 Readability.

The City's ability to evaluate submittals is influenced by the organization, detail, comprehensive material and readable format of the response.

7.19 Changes or Corrections to Submittal.

Prior to the submittal due date, a Consultant may change its proposal, if initialed and dated by the Consultant. No changes are allowed after the closing date and time.

7.20 Errors in Submittals.

Proposers are responsible for errors and omissions in their proposals. No error or omission shall diminish the Proposer's obligations to the City.

7.21 Withdrawal of Submittal.

A submittal may be withdrawn by written request of the submitter.

7.22 Rejection of Submittals.

The City may reject any or all proposals with no penalty. The City may waive immaterial defects and minor irregularities in any submittal.

7.23 Incorporation of RFQ and Proposal in Contract.

This RFQ and Proposer's response, including promises, warranties, commitments, and representations made in the successful submittal once accepted by the City, are binding and incorporated by reference in the City's contract with the Proposer.

7.24 Independent Contractor.

The Consultant works as an independent contractor. The City will provide appropriate contract management, but that does not constitute a supervisory relationship to the consultant. Consultant workers are prohibited from supervising City employees or from direct supervision by a City employee. Prohibited supervision tasks include conducting a City of Seattle Employee Performance Evaluation, preparing and/or approving a City of Seattle timesheet, administering employee discipline, and similar supervisory actions.

Contract workers shall not be given City office space unless expressly provided for below, and in no case shall

The City will not provide space in City offices for performance of this work. Consultants will perform most work from their own office space or the field.

7.25 Equal Benefits.

Seattle Municipal Code Chapter 20.45 (SMC 20.45) requires consideration of whether Proposers provide health and benefits that are the same or equivalent to the domestic partners of employees as to spouses of employees, and of their dependents and family members. The Consultant Questionnaire requested in the Submittal instructions includes materials to designate your equal benefits status.

Note to Project Manager: This provision may change depending on the funding source of the project. For instance, if you have a Federal Transit Administration (FTA) funded project, Disadvantaged Business

Enterprise (DBE) Requirements will apply in lieu of WMBE. Make sure you include all the appropriate requirements in your federally funded contracts.

7.26 Women and Minority Subcontracting.

The Mayor's Executive Order and City ordinance require the maximum practicable opportunity for successful participation of minority and women-owned subcontracts. All proposers must agree to SMC Chapter 20.42, and seek meaningful subconsultant opportunities with WMBE firms. The City requires a plan for including minority- and women-owned firms, which becomes a material part of the contract. The Plan must be responsive in the opinion of the City, which means a meaningful and successful search and commitments to include WMBE firms for subcontracting work. The City reserves the right to improve the Plan with the winning Consultant before contract execution. Consultants should use selection methods and strategies sufficiently effective for successful WMBE participation. At City request, Consultants must furnish evidence such as copies of agreements with WMBE subconsultants either before contract execution or during contract performance. The winning Consultant must request written approval for changes to the Inclusion Plan once it is agreed upon. This includes changes to goals, subconsultant awards and efforts.

WMBE firms need not be state certified to meet the City's WMBE definition. The City defines WMBE firms as at least 51% (percent) owned by women and/or minority. To be recognized as a WMBE, register on the City's [Online Business Directory](#). Federally funded transportation projects require a Disadvantaged Business Enterprises (DBE) program; for that program, firms must be certified by the [Washington State Office of Minority and Women Business Enterprises \(OMWBE\)](#).

7.27 Insurance Requirements.

Any special insurance requirements are provided as an Attachment. If attached, provide proof of insurance and additional insured endorsement policy language to the City before Contract execution. The apparent successful Proposer must promptly provide proof of insurance to the City upon receipt of the notice of intent to award.

Consultants are encouraged to immediately contact their Broker to begin preparation of the required insurance documents, if the Consultant is selected as a finalist. Proposers may elect to provide the requested insurance documents within their Proposal.

7.28 Proprietary Materials.

The State of Washington's Public Records Act (Release/Disclosure of Public Records) Under Washington State Law (reference RCW Chapter 42.56, the Public Records Act) all materials received or created by the City of Seattle are considered public records. These records include but are not limited to bid or proposal submittals, agreement documents, contract work product, or other bid material.

The State of Washington's Public Records Act requires that public records must be promptly disclosed by the City upon request unless that RCW or another Washington State statute specifically exempts records from disclosure. Exemptions are narrow and explicit and are listed in Washington State Law (Reference RCW 42.56 and RCW 19.108).

Bidders/proposers must be familiar with the Washington State Public Records Act and the limits of record disclosure exemptions. For more information, visit the Washington State Legislature's website at <http://app.leg.wa.gov/rcw/default.aspx?cite=42.56>.

If you have any questions about disclosure of the records you submit with your bid, contact the Procurement Contact named in this document.

Marking Your Records Exempt from Disclosure (Protected, Confidential, or Proprietary)

As mentioned above, all City of Seattle offices (“the City”) are required to promptly make public records available upon request. However, under Washington State Law some records or portions of records are considered legally exempt from disclosure and can be withheld. A list and description of records identified as exempt by the Public Records Act can be found in RCW 42.56 and RCW 19.108.

If you believe any of the records you are submitting to the City as part of your bid/proposal or contract work products, are exempt from disclosure you can request that they not be released before you receive notification. To do so you must complete the City Non-Disclosure Request Form (“the Form”) provided by the City (see page 4 on the Consultant Questionnaire) and very clearly and specifically identify each record and the exemption(s) that may apply. (If you are awarded a City contract, the same exemption designation will carry forward to the contract records.)

The City will not withhold materials from disclosure simply because you mark them with a document header or footer, page stamp, or a generic statement that a document is non-disclosable, exempt, confidential, proprietary, or protected. Do not identify an entire page as exempt unless each sentence is within the exemption scope; instead, identify paragraphs or sentences that meet the specific exemption criteria you cite on the Form. Only the specific records or portions of records properly listed on the Form will be protected and withheld for notice. All other records will be considered fully disclosable upon request.

If the City receives a public disclosure request for any records you have properly and specifically listed on the Form, the City will notify you in writing of the request and will postpone disclosure. While it is not a legal obligation, the City, as a courtesy, will allow you up to ten business days to file a court injunction to prevent the City from releasing the records (reference RCW 42.56.540). If you fail to obtain a Court order within the ten days, the City may release the documents.

The City will not assert an exemption from disclosure on your behalf. If you believe a record(s) is exempt from disclosure you are obligated to clearly identify it as such on the Form and submit it with your solicitation. Should a public record request be submitted to City Purchasing for that record(s), you can then seek an injunction under RCW 42.56 to prevent release. By submitting a bid document, the bidder acknowledges this obligation; the proposer also acknowledges that the City will have no obligation or liability to the proposer if the records are disclosed.

Requesting Disclosure of Public Records

The City asks bidders and their companies to refrain from requesting public disclosure of bids until an intention to award is announced. This measure is intended to protect the integrity of the solicitation process particularly during the evaluation and selection process or in the event of a cancellation or re-solicitation. With this preference stated, the City will continue to be responsive to all requests for disclosure of public records as required by State Law. If you do wish to make a request for records, visit <https://www.seattle.gov/public-records/public-records-request-center>.

7.29 Ethics Code.

Familiarize yourself with the City Ethics code: http://www.seattle.gov/ethics/etpub/et_home.htm. For an in depth explanation of the City’s Ethics Code for Contractors, Vendors, Customers and Clients, visit: <http://www.seattle.gov/ethics/etpub/faqcontractorexplan.htm>. Any questions should be addressed to Seattle Ethics and Elections Commission at 206-684-8500.

No Gifts and Gratuities.

Consultants shall not directly or indirectly offer anything (such as retainers, loans, entertainment, favors, gifts, tickets, trips, favors, bonuses, donations, special discounts, work, or meals) to any City employee, volunteer or official, if it is intended or may appear to a reasonable person to be intended to obtain or give special consideration to the Consultant. An example of this is giving sporting event tickets to a City employee who is also on the evaluation team of a solicitation to which you submitted or intend to submit. The definition of what a “benefit” would be is broad and could include not only awarding a contract but also the administration of the contract or evaluating contract performance. The rule works both ways, as it also prohibits City employees from soliciting items from Consultants.

Involvement of Current and Former City Employees.

The Consultant Questionnaire within your submittal documents prompts you to disclose any current or former City employees, official or volunteer that is working or assisting on solicitation of City business or on completion of an awarded contract. Update that information during the contract.

Contract Workers with over 1,000 Hours.

The Ethics Code applies to Consultant workers that perform over 1,000 cumulative hours on any City contract during any 12-month period. Any such employee must abide by the City Ethics Code. The Consultant is to be aware and familiar with the Ethics Code accordingly.

No Conflict of Interest.

Consultant (including officer, director, trustee, partner or employee) must not have a business interest or a close family or domestic relationship with any City official, officer or employee who was, is, or will be involved in selection, negotiation, drafting, signing, administration or evaluating Consultant performance. The City shall make sole determination as to compliance.

Campaign Contributions (Initiative Measure No. 122)

Elected officials and candidates are prohibited from accepting or soliciting campaign contributions from anyone having at least \$250,000 in contracts with the City in the last two years or who has paid at least \$5,000 in the last 12 months to lobby the City. See Initiative 122, or call the Ethics Director with questions. For questions about this measure, contact: Polly Grow, Seattle Ethics and Elections, 206-615-1248, or [**polly.grow@seattle.gov**](mailto:polly.grow@seattle.gov).

7.30 Background Checks and Immigrant Status.

Background checks will not be required for workers that will be performing the work under this contract. The City has strict policies regarding the use of Background checks, criminal checks, immigrant status, and/or religious affiliation for contract workers. The policies are incorporated into the contract and available for viewing on-line at <http://www.seattle.gov/city-purchasing-and-contracting/social-equity/background-checks>.

8. Response Materials and Submittal.

Prepare your response as follows. Use the following format and provide all attachments. Failure to provide all information below on proper forms and in order requested, may cause the City to reject your response.

1. Mandatory - Consultant Questionnaire:

Submit the following in your response, even if you sent one in to the City for previous solicitations.

http://www.seattle.gov/Documents/Departments/FAS/PurchasingAndContracting/Consulting/3C_onsultantQuestionnaire.docx

2. Letter of interest (optional).

3. Proof of Legal Business Name (if applicable):

Provide a certificate or documentation from the Secretary of State in which you incorporated that shows your company legal name. Many companies use a "Doing Business As" name or nickname in daily business; the City requires the legal name for your company. When preparing all forms below, use the proper company legal name. Your company's legal name can be verified through the State Corporation Commission in the state in which you were established, which is often located within the Secretary of State's Office for each state. For the State of Washington, see <http://www.secstate.wa.gov/corps/>

4. Mandatory - Minimum Qualifications:

Provide no more than three (3) pages that lists each Minimum Qualification, and exactly how you achieve each minimum qualification. Remember that the determination you have achieved all the minimum qualifications is made from this page. The evaluation committee is not obligated to check references or search other materials to make this decision.

5. Mandatory - Consultant Inclusion Plan:

You must submit the following in your response.

Click on the following link to open the Consultant Inclusion Plan:

http://www.seattle.gov/Documents/Departments/FAS/PurchasingAndContracting/WMBE/InclusionPlan_ConsultantContracts.docx

6. Mandatory - Proposal Response:

A. Desired qualifications: The selected team will have demonstrated experience in, and working knowledge of the following:

1. Designing and developing public park spaces of high quality, with similar scopes of work to that outline in the Scope of Work section;
2. Shoreline restoration design and construction;
3. Thorough understanding of the relevant codes (specifically city shoreline master program regulations, and stormwater regulations and utility issues related to shoreline properties), planning documentation, the City of Seattle Standard Plans for Municipal Construction and Parks

- Standard Plans and Specifications, and federal, state and local regulations related to shoreline and in-water recreational development;
4. Designing public parks that meet ADA requirements and developing designs that meet principles of Crime Prevention Through Environmental Design (CPTED)
 5. Strong engineering support and the ability to execute any design within the limitations of the existing site conditions;
 6. Restoration and/or remediation designs for formally industrial shoreline property;
 7. Design solutions that are economical and feasible for implementation;
 8. Identifying and securing all necessary federal, state and local permits required for shoreline site development and restoration; and
 9. Timely project delivery from schematic design to closeout.

B. Please provide responses to desired qualifications being sought by the City.

1. Describe your team's specific background and experience designing and constructing:
 - a. Shoreline park and recreational development
 - b. Over-water structure development, including design, permitting, and construction oversight
 - c. Shoreline restoration, including softshore and green shoreline techniques for recreational development
 - d. Retrofitting public park pedestrian circulation to meet ADA standards

Scoring Value - 20 Points
2. Describe the design approach used for previous public shoreline development projects similar to the described project, including:
 - a. Public shoreline parks
 - b. Over-water recreational development, and permitting
 - c. Shoreline restoration, including softshore and green shoreline techniques for recreational development
 - d. Retrofitting public park pedestrian circulation to meet ADA standards

Scoring Value - 20 Points
3. Describe your team's specific background and experience in similar design work and contract document preparation, including the success of past projects in meeting schedule and budget constraints, and addressing constructability issues for design and construction of public parks:

Scoring Value - 15 Points
4. Identify and describe your firm's organizational structure and your key personnel's background and experience in questions 1, 2, and 3 above. Please include the same for any sub-contractors.

Scoring Value - 10 Points
5. Describe your team's (including sub-contractors) specific background and experience working with diverse constituencies to inform and gain acceptance of the proposed design.

Scoring Value - 10 Points
6. Describe your team's a likely design approach for public shoreline development for the project

Scoring Value - 15 Points

Submittal Checklist.

Your response should be packaged with each of the following. This list assists with quality control before submittal of your final package. Addenda may change this list; check any final instructions:

1. Mandatory – Consultant Questionnaire.
2. Mandatory – Proof of Legal Business Name
3. Mandatory – Minimum Qualifications Sheet (3 pages maximum)
4. Mandatory – Consultant Inclusion Plan
5. Mandatory – Proposal Response (see Proposal Response Section, above; 20 pages maximum).
6. Optional – Letter of Interest. Consultant may include a Letter of Interest no longer than a single 8.5” x 11” page. However, since this is optional, the City does not guarantee it will be read and it will not be counted in the page limits, evaluation or scoring.

9. Selection Process.

9.1 Initial Screening

The City will review responses for responsiveness and responsibility. Those found responsive and responsible based on an initial review shall proceed to Step 2. Equal Benefits, Minimum Qualifications, an Inclusion Plan, satisfactory financial responsibility and other elements are screened in this Step. A significant failure to perform on past City projects may also be considered in determining the responsibility of a firm.

9.2 Proposal Evaluation

The City will evaluate proposals using the criteria below. Responses will be evaluated, scored and ranked.

Evaluation Criteria:

Experience & Qualifications based on Mandatory Proposal Response Questions (Section 8.6)	90 points
Inclusion Plan (WMBE)	10 points

9.3 Interviews (optional- City Choice)

The City may interview top ranked firms from the proposal evaluation. If interviews are conducted, rankings of firms shall be determined by the City, using the combined results of interviews and proposal submittals. Consultants invited to interview are to bring the assigned key person(s) named by the Consultant in the Proposal, and may bring other key personnel named in the Proposal. The Consultant shall not bring individuals who do not work for the Consultant or are not on the project team without advance authorization by the Procurement Contact. If interviews are conducted, they will be worth 10 additional points.

9.4 References

The City may contact one or more references. The City may use references named or not named by the Proposer. The City may also consider the results of performance evaluations issued by the City on past projects.

9.5 Selection

The City shall select the highest ranked Proposer(s) for award including written submittals and the interview (If applicable). The City reserves the right to make a final selection based on the combined results and/or the overall consensus of the Consultant Evaluation Committee.

The highest ranked Proposer will be asked to bring forward a fee schedule and pricing proposal for negotiation and discussion with the City. The City may negotiate any aspect of the proposal or the solicitation. The City cannot modify contract provisions mandated by Federal, State or City law: Equal Benefits, Audit (Review of Vendor records), WMBE and EEO, Confidentiality, Debarment, or mutual indemnification.

9.7 Right to Award to next ranked Consultant.

If a contract is executed resulting from this solicitation and is terminated within 90-days, the City may return to the solicitation process to award to the next highest ranked responsive Consultant by mutual agreement with such Consultant. New awards thereafter are also extended this right.

9.8 Repeat of Evaluation:

If no Consultant is selected at the conclusion of all the steps, the City may return to any step in the process to repeat the evaluation with those proposals active at that step. The City shall then sequentially step through all remaining steps as if conducting a new evaluation process. The City reserves the right to terminate the process if no proposals meet its requirements.

10. Award and Contract Execution.

The Procurement Contact will provide timely notice of an intent to award to all Consultants responding to the Solicitation.

10.1 Protests.

Interested parties that wish to protest any aspect of this RFQ selection process shall provide written notice to the Procurement Contact. Note the City shall notify Federal Transit Administration if protesting a solicitation for contracts with FTA funds.

10.2 Protests – City Purchasing and Contracting Services.

The City has rules to govern the rights and obligations of interested parties that desire to submit a complaint or protest to this process. See the City website at <http://www.seattle.gov/city-purchasing-and-contracting/solicitation-and-selection-protest-protocols> . Interested parties have the obligation to know of and understand these rules, and to seek clarification from the City. Note there are time limits on protests, and submitters have final responsibility to learn of results in sufficient time for such protests to be filed in a timely manner.

10.3 Limited Debriefs.

The City issues results and award decisions to all bidders. The City provides debriefing on a limited basis for the purpose of allowing bidders to understand how they may improve in future bidding opportunities.

10.4 Instructions to the Apparently Successful Consultant(s).

The Apparently Successful Consultant(s) will receive an Intent to Award Letter from the Procurement Contact after award decisions are made by the City. The Letter will include instructions for final submittals due prior to execution of the contract.

Once the City has finalized and issued the contract for signature, the Consultant must execute the contract and provide all requested documents within ten (10) business days. This includes attaining a Seattle Business License, payment of associated taxes due, and providing proof of insurance. If the Consultant fails to execute the contract with all documents within the ten (10) day time frame, the City may cancel the award and proceed to the next ranked Consultant, or cancel or reissue this solicitation. Cancellation of an award for failure to execute the Contract as attached may disqualify the firm from future solicitations for this same work.

10.5 Checklist of Requirements Prior to Award.

The Consultant(s) should anticipate the Letter will require at least the following. Consultants are encouraged to prepare these documents when possible, to eliminate risks of late compliance.

- Seattle Business License is current and all taxes due have been paid.
- State of Washington Business License.
- Evidence of Insurance (if required)
- Special Licenses (if any)

10.6 Taxpayer Identification Number and W-9.

Unless the Consultant has already submitted a Taxpayer Identification Number and Certification Request Form (W-9) to the City, the Consultant must execute and submit this form prior to the contract execution date.

<http://www.irs.gov/pub/irs-pdf/fw9.pdf>

10.7 Insurance Requirements

- No proof of insurance is required.
- ✓ Proof of insurance is required once selected consultant(s) enters into contract.
<http://www.seattle.gov/Documents/Departments/FAS/PurchasingAndContracting/Consulting/51nsuranceTransmittalForm.docx>

10.8 Standard Consultant Contract Template

Found here:

<http://wwwqa.seattle.gov/Documents/Departments/FAS/PurchasingAndContracting/Consulting/6StandardRosterAgreement.docx>