



REQUEST for PROPOSAL #886
PROFESSIONAL, TECHNICAL AND EXPERT SERVICES

Clark County Washington

RELEASE DATE: WEDNESDAY, FEBRUARY 21, 2024
DUE DATE: WEDNESDAY, MARCH 13, 2024 by 1:30 pm

Request for Proposal for:

STORMWATER CODE and MANUAL UPDATE

SUBMIT:

One (1) Original
Four (4) Complete Copies

of the Proposal to:

<u>Shipping Method of your Choice or Hand Delivery</u>	<u>United States Postal Service</u>
Clark County ATTN: Office of Purchasing 1300 Franklin Street, 6 th Floor, Suite 650 Vancouver WA 98660 564-397-2323	Clark County ATTN: Office of Purchasing PO Box 5000 Vancouver WA 98666-5000 564-397-2323

Office Hours: 8:00 am – 3:00 pm, Monday – Friday, except Legal Holidays.

No electronic submissions.

****Proposals must be delivered to the Purchasing office – No Exceptions**

****Proposals must be date and time stamped by Purchasing staff by 1:30 pm on due date.**

****Proposal shall be sealed and clearly marked on the package cover with RFP #, Title & Company Name**

Refer Questions to Project Manager:

Devan Rostorfer
Clean Water Division Manager, Public Works
Devan.Rostorfer@clark.wa.gov
564-241-0611

General Terms and Conditions

ADMINISTRATIVE REQUIREMENTS - Contractors shall comply with all management and administrative requirements established by Washington Administrative Code (WAC), the Revised Code of the State of Washington (RCW), and any subsequent amendments or modifications, as applicable to providers licensed in the State of Washington.

ALL proposals submitted become the property of Clark County. It is understood and agreed that the prospective Proposer claims no proprietary rights to the ideas and written materials contained in or attached to the proposal submitted. Clark County has the right to reject or accept proprietary information.

AUTHORSHIP - Applicants must identify any assistance provided by agencies or individuals outside the proposers own organization in preparing the proposal. No contingent fees for such assistance will be allowed to be paid under any contract resulting from this RFP.

CANCELLATION OF AWARD - Clark County reserves the right to immediately cancel an award if the contractual agreement has not been entered into by both parties or if new state regulations or policy make it necessary to change the program purpose or content, discontinue such programs, or impose funding reductions. In those cases where negotiation of contract activities are necessary, Clark County reserves the right to limit the period of negotiation to sixty (60) days after which time funds may be unencumbered.

CONFIDENTIALLY - Proposer shall comply with all applicable state and federal laws governing the confidentiality of information.

CONFLICT OF INTEREST - All proposals submitted must contain a statement disclosing or denying any interest, financial or otherwise, that any employee or official of Clark County or the appropriate Advisory Board may have in the proposing agency or proposed project.

CONSORTIUM OF AGENCIES - Any consortium of companies or agencies submitting a proposal must certify that each company or agency of the consortium can meet the requirements set forth in the RFP.

COST OF PROPOSAL & AWARD - The contract award will not be final until Clark County and the prospective contractor have executed a contractual agreement. The contractual agreement consists of the following parts: (a) the basic provisions and general terms and conditions, (b) the special terms and conditions, (c) the project description and goals (Statement of Work), and (d) the budget and payment terms. Clark County is not responsible for any costs incurred prior to the effective date of the contract. Clark County reserves the right to make an award without further negotiation of the proposal submitted. Therefore, the proposal should be submitted in final form from a budgetary, technical, and programmatic standpoint.

DISPUTES - Clark County encourages the use of informal resolution to address complaints or disputes arising over any actions in implementing the provisions of this RFP. Written complaints should be addressed to Clark County – Purchasing, P.O. Box 5000, Vancouver, Washington 98666-5000.

DIVERSITY IN EMPLOYMENT AND CONTRACTING REQUIREMENTS - It is the policy of Clark County to require equal opportunity in employment and services subject to eligibility standards that may be required for a specific program. Clark County is an equal opportunity employer and is committed to providing equal opportunity in employment and in access to the provision of all county services. Clark County's Equal Employment Opportunity Plan is available at <http://www.clark.wa.gov/hr/documents.html>. This commitment applies regardless of race, color, religion, creed, sex, marital status, national origin, disability, age, veteran status, on-the-job injury, or sexual orientation. Employment decisions are made without consideration of these or any other factors that are prohibited by law. In compliance with department of Labor Regulations implementing Section 504 of the rehabilitation Act of 1973, as amended, no qualified handicapped individual shall be discriminated against in admission or access to any program or activity. The prospective contractor must agree to provide equal opportunity in the administration of the contract, and its subcontracts or other agreements.

MUNICIPAL RESEARCH and SERVICE CENTER - Clark County (WA) contracts with the Municipal Research and Service Center (MRSC) to maintain our Consultant, Small Works and Vendor rosters. To be eligible to participate in this Clark County public solicitation and the resulting contract, your business must be registered with the MRSC Rosters. Failure to register may result in your proposal being marked nonresponsive. Be sure to select Clark County in your application. If you have questions about the registration process, contact the MRSC Rosters at 206-436-3798 or <https://mrscrosters.org/businesses/business-membership/>

INDEPENDENT PRICE DETERMINATION - The prospective contractor guarantees that, in connection with this proposal, the prices and/or cost data have been arrived at independently, without consultation, communication, or agreement for the purpose of restricting competition. This does not preclude or impede the formation of a consortium of companies and/or agencies for purposes of engaging in jointly sponsored proposals.

INTERLOCAL AGREEMENT - Clark County has made this RFP subject to Washington State statute RCW 39.34. Therefore, the proposer may, at the proposers option, extend identical prices and services to other public agencies wishing to participate in this RFP. Each public agency wishing to utilize this RFP will issue a purchase order (or contract) binding only their agency. Each contract is between the proposer and the individual agency with no liability to Clark County.

LIMITATION - This RFP does not commit Clark County to award a contract, to pay any costs incurred in the preparation of a response to this RFP, or to procure or contract for services or supplies.

LATE PROPOSALS - A proposal received after the date and time indicated above will not be accepted. No exceptions will be made.

ORAL PRESENTATIONS - An oral presentation may be required of those prospective contractors whose proposals are under consideration. Prospective contractors may be informed that an oral presentation is desired and will be notified of the date, time and location the oral presentation is to be conducted.

OTHER AUDIT/MONITORING REQUIREMENTS - In addition, auditing or monitoring for the following purposes will be conducted at the discretion of Clark County: Fund accountability; Contract compliance; and Program performance.

PRICE WARRANT - The proposer shall warrant that the costs quoted for services in response to the RFP are not in excess of those which would be charged any other individual or entity for the same services performed by the prospective contractor, in a similar socioeconomic, geographical region.

PROTESTS - Must be submitted to the Purchasing Department.

PUBLIC SAFETY - May require limiting access to public work sites, public facilities, and public offices, sometimes without advance notice. The successful Proposer's employees and agents shall carry sufficient identification to show by whom they are employed and display it upon request to security personnel. County project managers have discretion to require the successful Proposer's employees and agents to be escorted to and from any public office, facility or work site if national or local security appears to require it.

ACCEPTANCE or REJECTION OF PROPOSALS - Clark County reserves the right to accept or reject any or all proposals received as a result of this RFP, to negotiate with any or all prospective contractors on modifications to proposals, to waive formalities, to postpone award, or to cancel in part or in its entirety this RFP if it is in the best interest of Clark County to do so.

SUBCONTRACTING - No activities or services included as a part of this proposal may be subcontracted to another organization, firm, or individual without the approval of Clark County. Such intent to subcontract shall be clearly identified in the proposal. It is understood that the contractor is held responsible for the satisfactory accomplishment of the service or activities included in a subcontract.

VERBAL PROPOSALS - Verbal proposals will not be considered in making the award of any contract as a result of this RFP.

WORKERS COMPENSATION INSURANCE – The contractor shall comply with R.C.W. Title 51- with minimum coverage limits of \$500,000 for each accident, or provide evidence that State law does not require such coverage.

FOR ALTERNATIVE FORMATS

Clark County ADA Office: V: 564-397-2322

ADA@clark.wa.gov

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Request for Proposal #886 Stormwater Code and Manual Update

Part I Proposal Requirements

Section IA	General Information
1. Introduction	<p>The purpose of this RFP is to hire consultant support for completion of the required update to Clark County’s Stormwater Code (Chapter 40.386 Stormwater and Erosion Control and Chapter 13.26A Water Quality) and the Clark County Stormwater Manual (Manual). A summary of the mandated and significant revisions to the Code and Manual is due to the Washington State Department of Ecology (Ecology) by June 30, 2025, for review and approval. The final changes in the Code and Manual, must be adopted by the Clark County Council and implemented by July 1, 2026.</p> <p>Major tasks and deliverables include:</p> <ol style="list-style-type: none"> 1. Clark County Stormwater Code and Manual review: Work with internal and external stakeholders to consider changes to the Manual. 2. Interdepartmental coordination: Facilitate interdepartmental coordination to review and update Clark County’s Stormwater Code and Manual. 3. Appendix 10 Tables of Changes: Complete the Appendix 10 mandatory and significant code and manual changes to submit to Department of Ecology by June 2025 for review and approval. 4. Public Involvement: Support engagement with Clark County’s Development Engineering Advisory Board (DEAB), Planning Commission, and Council. This includes public involvement, completion of the SEPA and adoption hearings by the Planning Commission and Council to have adopted Code and Manual implemented by July 1, 2026. 5. Manual Update & Equivalency Process: Incorporate the Ecology-approved Permit Appendix 10 mandatory changes, and significant changes proposed by Clark County, into the Clark County Stormwater Code and Manual to achieve equivalency with the Department of Ecology’s Stormwater Management Manual for Western Washington. 6. Guidance Documents: Develop fact sheets and guidance documents for implementation of the Clark County Stormwater Code and Manual, including training for Clark County staff, resources/training for the development community, and updates to Clark County’s website (as needed). <p>Work within this RFP is funded by the Clark County Clean Water Division, subject to County terms and conditions. Final work must be complete by July 2026.</p> <p>Clark County (WA) contracts with the Municipal Research and Service Center (MRSC) to maintain our Consultant, Small Works and Vendor Rosters. To be eligible to participate in this Clark County public solicitation and the resulting contract your business must be registered with the MRSC Rosters. Failure to register may result in your proposal being marked nonresponsive. Be sure to select Clark County in your application. If you have questions about the registration process, contact the MRSC Rosters at 206-436-3798 or https://mrscrosters.org/businesses/business-membership/</p> <p>If your company contact details <i>are not</i> on the Plan Holder List at https://clark.wa.gov/internal-services/request-proposal-1 Attachment B, Letter of Interest must be submitted to participate in this RFP.</p> <p>Proposers shall respond to all sections to be considered.</p>

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Stormwater Code and Manual Update

	<p>Clark County has made this Request for Proposal subject to Washington State statute RCW 39.34 Interlocal Cooperation Act. The proposer may opt to extend identical services and prices to qualified public agencies. Each contract is between the proposer and individual agency binding only their agency, with no liability to Clark County.</p>
<p>2. Background</p>	<p>Clark County has operated under a National Pollutant Discharge Elimination System (NPDES) Phase I Municipal Stormwater Permit since 1999.</p> <p>A new phase I stormwater permit will become effective on August 1, 2024, through July 31, 2029. With permit renewal, Ecology is also publishing a revised Stormwater Management Manual for Western Washington (SWMMWW). Clark County has an Ecology approved Stormwater Code and Manual. These regulatory tools are equivalent to the Ecology SWMMWW and are used to meet Permit requirements for stormwater controls on development and redevelopment projects.</p> <p>For the 2024-2029 Permit, Ecology has identified mandatory changes applicable to the Clark County Code and Stormwater Manual in Permit Appendix 10. To confirm that permittees are incorporating these changes, Ecology requires a submittal of proposed code and manual language for review and approval. During this process, municipalities also have the option to include discretionary “significant” changes for Ecology approval. Clark County also maintains a table of suggested edits and technical changes that will be part of this project.</p> <p>Clark County is required to identify necessary updates to Clark County’s Stormwater Code and Manual by June 2025 and complete manual adoption by July 1, 2026. The adoption process includes public involvement, a Planning Commission public hearing, and a public hearing by the Clark County Council.</p>
<p>3. Scope of Project</p>	<p>The following activities summarize the scope of the Clark County Stormwater Code and Manual update:</p> <ol style="list-style-type: none"> 1. 2024 SWMMWW changes review Complete a review of Ecology changes to the 2024 SWMMWW to list changes and provide a brief description of each change for consideration to include in the Manual. 2. Interdepartmental coordination: Facilitate interdepartmental coordination to review and update Clark County’s Stormwater Code and Manual. 3. Table of changes for Ecology review: Complete the Permit Appendix 10-required table of mandatory changes and table of significant proposed Code and Manual changes to submit to Department of Ecology by June 2025 for review and approval. 4. Public Involvement: Support engagement with Clark County’s Development Engineering Advisory Board (DEAB), Planning Commission, and Council. This includes public involvement, completion of the Non-project SEPA, and adoption hearings by the Planning Commission and Council for code and manual implementation by July 1, 2026. 5. Manual Update & Equivalency Process: Incorporate the final approved table of changes into the Clark County Stormwater Code and Manual to achieve equivalency with the Department of Ecology’s Stormwater Management Manual for Western Washington.

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	<p>6. Adoption Process Materials: Documentation of public review and final adoption of Code chapters, and the Manual.</p> <p>7. Final Code and Manual Create clean copies of the adopted Code chapters, Complete Table of Changes, and the Manual.</p> <p>8. Guidance Documents: Develop fact sheets and guidance documents for implementation of the Clark County Stormwater Code and Manual, including training for Clark County staff, resources/training for the development community, and updates to Clark County’s website (as needed).</p> <p>Additional tasks may be negotiated during the contract terms as needed depending on funding availability.</p>
<p>4. Project Funding</p>	<p>Allocation of funds for this RFP will be up to \$150,000.</p> <p><u>Title VI Statements</u> Clark County, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.</p> <p>El Condado de Clark, de acuerdo con las disposiciones del Título VI de la Ley de Derechos Civiles de 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d a 2000d-4) y el Reglamento, por la presente notifica a todos los postores que se asegurará afirmativamente de que cualquier contrato celebrado de conformidad con este anuncio, las empresas comerciales desfavorecidas tendrán la oportunidad plena y justa de presentar ofertas en respuesta a esta invitación y no serán discriminadas por motivos de raza, color u origen nacional en consideración a un laudo.</p> <p>La políza del condado de Clark es garantizar que ninguna persona por motivos de raza, color, origen nacional o sexo según lo dispuesto en el Title VI of the Civil Rights Act de 1964, según enmendada, sea excluida por participar en, ser negado los beneficios de, o ser discriminado por cualquier programa o actividad patrocinada por el condado. Para preguntas relacionadas con el programa de Title VI de Obras Públicas del condado de Clark, o para servicios de interpretación o traducción para personas que no hablan inglés. O para que los materiales estén disponibles en un formato alternativo, comuníquese con el coordinador del Title VI de Obras Públicas del condado de Clark por correo electrónico a CCPW-TitleVI@clark.wa.gov o por teléfono a 564-397-4944. Las personas con problemas de audición / habla pueden llamar a Washington Relay Center al 711.</p> <p>For questions regarding Clark County Public Works’ Title VI Program, or for interpretation or translation services for non-English speakers, or otherwise making materials available in an alternate format, contact Clark County Public Works’ Title VI Coordinator via email at CCPW-TitleVI@clark.wa.gov or phone at 564-397-4944. Hearing/speech impaired may call the Washington Relay Center at 711.</p>

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<p>5. Timeline for Selection</p>	<p>The following dates are the intended timeline:</p> <table border="1" data-bbox="423 247 1513 810"> <tr> <td>Pre-submittal Meeting</td> <td>March 6, 2024</td> </tr> <tr> <td>Deadline for Questions and Answers</td> <td>March 7, 2024</td> </tr> <tr> <td>Final date for Addendum, if needed</td> <td>March 8, 2024</td> </tr> <tr> <td>Proposals Dues</td> <td>March 13, 2024 before 1:30 pm</td> </tr> <tr> <td>Proposal Review/Evaluation Period</td> <td>March 14 - 26,2024</td> </tr> <tr> <td>Interviews/Demonstration (if needed)</td> <td>March 18 - 22, 2024</td> </tr> <tr> <td>Selection Committee Recommendation</td> <td>March 22 - 27, 2024</td> </tr> <tr> <td>Contract Negotiation/Execution</td> <td>April 1 - June 30, 2024</td> </tr> <tr> <td>Contract Intended to Begin</td> <td>July 1, 2024</td> </tr> </table>	Pre-submittal Meeting	March 6, 2024	Deadline for Questions and Answers	March 7, 2024	Final date for Addendum, if needed	March 8, 2024	Proposals Dues	March 13, 2024 before 1:30 pm	Proposal Review/Evaluation Period	March 14 - 26,2024	Interviews/Demonstration (if needed)	March 18 - 22, 2024	Selection Committee Recommendation	March 22 - 27, 2024	Contract Negotiation/Execution	April 1 - June 30, 2024	Contract Intended to Begin	July 1, 2024
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<p>6. Employment Verification</p>	<p>To be considered responsive to this formal Clark County RFP, all proposers shall submit before, include with their response or within 48 hours after submittal, a recent copy of their E-Verify MOU or proof of pending enrollment. The awarded contractor shall be responsible to provide Clark County with the same E-Verify enrollment documentation for each sub-contractor (\$25,000 or more) within thirty days after the sub-contractor starts work. Contractors and sub-contractors shall provide a report(s) showing status of new employees hired after the date of the MOU. The status report shall be directed to the county project manager at the end of the contract, or annually, whichever comes first. E-Verify information and enrollment is available at the Department of Homeland Security web page: www.dhs.gov/E-Verify</p> <p>How to submit the MOU in advance of the submittal date:</p> <ol style="list-style-type: none"> 1. Hand deliver to 1300 Franklin St, Suite 650, Vancouver, WA 98660, or; 2. E-mail: koni.odell@clark.wa.gov or priscilla.ricci@clark.wa.gov <p><i>Note : Sole Proprietors shall submit a letter stating exempt.</i></p>																		
<p>Section IB</p>	<p>Work Requirements</p>																		
<p>1. Required Services</p>	<p>Successful completion of work within this RFP will require knowledge of stormwater development engineering, Department of Ecology’s Stormwater Management Manual for Western Washington, Clark County Stormwater Code and Manual, stormwater best management practices (BMPs), Department of Ecology’s Phase I Stormwater Permit Requirements, and the Department of Ecology’s stormwater manual equivalency process.</p> <p>Experience with public involvement and working through Title 40 Planning Commission and Council approval processes is also desired, along with experience working with the development community to receive input and provide education and technical assistance on new development engineering requirements.</p> <p>Clark County is looking for a team with strong project management skills, demonstrated budget management experience with a commitment to responsible stewardship of public funds to maximize implementation outcomes.</p>																		

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	<p>A multi-award contract may be awarded to meet all of the unique needs within this RFP. Organizations that can only complete one of the desired elements within this proposed scope of work are encouraged to apply, along with teams that can achieve all RFP tasks.</p>
<p>2. County Performed Work</p>	<p>The Clark County Clean Water Division Manager will serve as the project/consultant manager for this work. The NPDES Phase I Permit Manager will serve as the technical and policy lead and will provide county review, oversight, and comment on any materials submitted by the consultant team prior to payment. The County Engineer may provide additional technical and financial management support as needed.</p> <p>Clark County will schedule and coordinate meetings with Clark County staff, advisory boards, commissions, and the Council. This includes maintaining a contact list of project participants, stakeholders and interested parties; providing in-person meeting spaces; maintaining project web pages and producing and /distributing press releases and notices related to the project.</p>
<p>3. Deliverables & Schedule</p>	<ol style="list-style-type: none"> 1. 2024 SWMMWW changes review <ol style="list-style-type: none"> a. Due Date: August 31, 2024 2. Complete a Table of Code and Manual Changes for Public Review <ol style="list-style-type: none"> a. Due Date: draft August 31, 2024, final September 30, 2025 3. Interdepartmental coordination <ol style="list-style-type: none"> a. Due Date: ongoing 4. Permit Appendix 10 Tables of changes (mandatory and significant changes) <ol style="list-style-type: none"> a. Due Date: February 2025 5. Public Involvement <ol style="list-style-type: none"> a. Due Date: ongoing. 6. Manual Update & Equivalency Process <ol style="list-style-type: none"> a. Due Date: Begins up to 180 days after submission of Permit Appendix 10 Tables of mandatory and significant changes. 7. Adoption Process Material Prepared <ol style="list-style-type: none"> a. December 2025 8. Manual Adoption Process <ol style="list-style-type: none"> a. Due Date: June 1, 2026 9. Final Code and Manual <ol style="list-style-type: none"> a. Due Date: June 15, 2026 10. Guidance Documents <ol style="list-style-type: none"> a. Due Date: TBD
<p>4. Place of Performance</p>	<p>Contract performance may take place in the County's facility, the Proposer's facility, a third-party location or any combination thereof.</p>

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<p>5. Period of Performance</p>	<p>A contract awarded as a result of this RFP will be for 2.5 years and is intended to begin on July 1, 2024 and end no later than December 31, 2026.</p> <p>Clark County reserves the right to extend the contract resulting from this RFP for a period of two (2) additional years, in one (1) year increments, with the same terms and conditions, by service of a written notice of its intention to do so prior to the contract termination date. Cost for additional option year(s) shall be reviewed prior to extension of the contract.</p> <p>The county also reserves the right to terminate the contract, with thirty (30) days written notice, at any time if the requirements of the contract are not being met satisfactorily, solely in the county's judgment.</p>
<p>6. Prevailing Wage Applicable to all public work as defined in RCW 39.04.010(4) Public Works Definition</p>	<p>Pursuant to Washington State RCW 39.12 PREVAILING WAGES ON PUBLIC WORKS all work identified in this project as a public work requires the contractor to pay Washington State prevailing wages and file all affidavits of intent to pay with the WA State Dept of Labor & Industries.</p> <p>Contractors shall meet the requirements for Prevailing Wage and public works requirements, per RCW 39.04.350 BIDDER RESPONSIBILITY CRITERIA – SWORN STATEMENT – SUPPLEMENTAL CRITERIA.</p> <p>For this project select the Clark County rates that apply on the proposal closing date from either of these sites:</p> <p>http://www.wsdot.wa.gov/Design/ProjectDev/WageRates/default.htm http://www.ini.wa.gov/TradesLicensing/PrevWage/WageRates</p> <p>Before payment is made by the Local Agency of any sums due under this contract, the Local Agency must receive from the Contractor and each Subcontractor a copy of "Statement of Intent to Pay Prevailing Wages" (Form L & I Number 700-29) approved by the Washington State Department of Labor and Industries.</p> <p>A fee of \$45.00 per each "Statement of Intent to Pay Prevailing Wages" and "Affidavit of Wages Paid" is required to accompany each form submitted to this Department of Labor and Industries. The Contractor is responsible for payment of these fees and shall make all applications directly to the Department of Labor and Industries. These fees shall be incidental to all the proposed items of this contract.</p>
<p>7. Debarred/Suspended</p>	<p>Federally or Washington State debarred or suspended suppliers may not participate in this Request for Proposal.</p> <p>All proposer's must fill out, sign and submit the "Certification Regarding Debarment, Suspension, and Other Responsibility Matters" form with their proposal to be eligible to participate.</p>
<p>8. Americans with Disabilities Act (ADA) Information</p>	<p>Clark County in accordance with Section 504 of the Rehabilitation Act (Section 504) and the Americans with Disabilities Act (ADA), commits to nondiscrimination on the basis of disability, in all of its programs and activities. This material can be made available in an alternate format by emailing ADA@clark.wa.gov or by calling 564-397-2322.</p>

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<p>9. Public Disclosure</p>	<p>This procurement is subject to the Washington Public Records Act (the "Act"), chapter 42.56 RCW. Once in the County's possession, all of the RFP Submittals shall be considered public records and available for public records inspection and copying, unless exempt under the Act.</p> <p>If a Respondent or Proposer considers any portion of an RFP Submittal to be protected under the law, whether in electronic or hard copy form, the Respondent or Proposer shall clearly identify each such portion with the word "PROPRIETARY". The County will notify the Respondent or Proposer in writing of the request and allow the Respondent or Proposer ten (10) days to obtain a court order enjoining release of the record(s). If the Respondent or Proposer does not take such action within the ten (10) day period, the County will release the portions of the RFP Submittal deemed subject to disclosure. All Respondents and Proposers who provide RFP Submittals for this procurement accept the procedures described above and agree that the County shall not be responsible or liable in any way for any losses that the party may incur from the disclosure of records to a third party who requests them.</p>
<p>10. Insurance/Bond</p>	<p>A. <u>Waiver of Subrogation</u> All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against County, its elected or appointed officers, agents, officials, employees and volunteers or shall specifically allow Contractor or others providing insurance evidence in compliance with these specifications to waive their right of subrogation prior to a loss. Contractor hereby waives its own right of subrogation against County and shall require similar written express waivers and insurance clauses from each of its subcontractors.</p> <p>B. <u>Proof of Insurance</u> Proof of Insurance shall be provided prior to the starting of the contract performance. Proof will be on an ACORD Certificate(s) of Liability Insurance, which the Proposer shall provide to Clark County. Each certificate will show the coverage, deductible and policy period. Policies shall be endorsed to state that coverage will not be suspended, voided, canceled or reduced without a 30-day written notice by mail to the County. It is the Proposer's responsibility to provide evidence of continuing coverage during the overlap periods of the policy and the contract.</p> <p>C. <u>Worker's Compensation</u> As required by the industrial insurance laws of the State of Washington.</p> <p>D. <u>Automobile</u> If the Proposer or its employees use motor vehicles in conducting activities under this Contract, liability insurance covering bodily injury and property damage shall be provided by the Proposer through a commercial automobile insurance policy. The policy shall cover all owned and non-owned vehicles. Such insurance shall have minimum limits of \$1,000,000 per occurrence, combined single limit for bodily injury liability and property damage liability with a \$1,000,000 annual aggregate limit. If the Proposer does not use motor vehicles in conducting activities under this Contract, then written confirmation to that effect on Proposer letterhead shall be submitted by the Proposer.</p> <p>E. <u>Commercial General Liability (CGL) Insurance</u> Written under ISO Form CG0001 or its latest equivalent with minimum limits of \$1,000,000 per occurrence and an annual General Aggregate limit of \$2,000,000. Personal and Advertising Injury \$1,000,000 and General Aggregate \$1,000,000. This policy must renew annually. This coverage may be any combination of primary, umbrella or excess liability coverage affording total liability limits of not less than \$1,000,000 per occurrence and in the aggregate. However, if other policies are added they must be a follow-form policy in language, renewal date, and have no more exclusions than the underlying coverage. Products and Completed Operations coverage shall be provided for a period of three years following Substantial Completion of the Work. The deductible will not be more than \$50,000 unless prior arrangements are made with Clark County on a case-by-case basis; the criterion is the Contractor's liquidity and ability to pay</p>

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	<p>from its own resources regardless of coverage status due to cancellation, reservation of rights, or other no-coverage-enforce reason. Coverage shall not contain any endorsement(s) excluding nor limiting Product/Completed Operations, Contractual Liability or Cross Liability. Clark County needs to be listed as additional insured.</p> <p><u>F. Professional Liability (aka Errors and Omissions)</u> The Proposer shall obtain, at Proposer's expense, and keep in force during the term of this contract Professional Liability insurance policy to protect against legal liability arising out of contract activity. Such insurance shall provide a minimum of \$1,000,000 per occurrence. The deductible will not be more than \$25,000 unless prior arrangements are made with Clark County on a case-by-case basis; the criterion is the Proposer's liquidity and ability to pay from its own resources. It should be an "Occurrence Form" policy. If the policy is "Claims Made", then Extended Reporting Period Coverage (Tail coverage) shall be purchased for three (3) years after the end of the contract.</p> <p><u>G. Pollution and Asbestos Liability</u> If hazardous material is encountered during any construction, the Project Manager must be notified immediately, and if any work is done to remove it, any Proposer performing work shall obtain and keep in effect during the term of the contract, Pollution Liability Insurance, including Asbestos Liability covering bodily injury, property damage, environmental damage, including any related clean-up costs. Combined single limit should be a minimum of \$1,000,000.00 per occurrence.</p> <p><u>H. Umbrella Liability Coverage</u> Umbrella Coverage in the amount of \$1,000,000 shall be provided and will apply over all liability policies without exception, including Commercial General Liability and Automobile Liability.</p> <p><u>I. Additional Insured</u> Clark County, its officers, employees and agents, will be named on all policies of contractor and any subcontractors as an additional insured, with no restrictions or limitations concerning products and completed operations. This coverage shall be primary coverage and noncontributory to any coverage maintained by Clark County. The contractor shall provide Clark County with verification of insurance and endorsements required by this agreement. Clark County reserves the right to require complete, certified copies of all required insurance policies at any time. All insurance shall be obtained from an insurance company authorized to do business in the State of Washington.</p> <p>All policies must have a Best's Rating of A-VII or better.</p>
<p>11. Plan Holders List</p>	<p>All proposers are required to be listed on the plan holders list.</p> <ul style="list-style-type: none"> ✓ Prior to submission of proposal, confirm your organization is on the Plan Holders List below: <p>To view the Plan Holders List, click on the link below or copy and paste into your browser. Clark County RFP site: https://clark.wa.gov/internal-services/purchasing-overview</p> <ul style="list-style-type: none"> • If your organization is NOT listed, submit Attachment B - Letter of Interest to ensure your inclusion. • Proposals received by Clark County by proposers not included on the Plan Holders List may be considered non-responsive.

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Part II Proposal Preparation and Submittal

Section IIA	Pre-Submittal Meeting / Clarification
1. Pre-Submittal Meeting	A Pre-Submittal meeting will be held on Wednesday, March 6, 2024 at 3:30 pm, via Microsoft Team. Interested proposers shall email Devan Rostorfer at Devan.Rostorfer@clark.wa.gov to request the meeting invitation.
2. Proposal Clarification	<p>Questions and Requests for Clarification regarding this Request for Proposal must be directed in writing, via email, to the person listed on the cover page.</p> <p>The deadline for submitting such questions/clarifications is March 7, 2024 by 5:00 pm.</p> <p>An addendum will be issued no later than March 8, 2024 to all recorded holders of the RFP if a substantive clarification is in order.</p> <p>The Questions & Answers/Clarifications are available for review at the link below. Each proposer is strongly encouraged to review this document prior to submitting their proposal.</p> <p>Clark County RFP site: https://clark.wa.gov/internal-services/request-proposal-1</p>
Section IIB	Proposal Submission
1. Proposals Due	<p>Sealed proposals must be received no later than the date, time and location specified on the cover of this document.</p> <p>The outside of the envelope/package shall clearly identify:</p> <ol style="list-style-type: none"> 1. RFP Number and; 2. TITLE and; 3. Name and Address of the Proposer. <p>Responses received after submittal time will not be considered and will be returned to the Proposer - unopened.</p> <p>Proposals received with insufficient copies (as noted on the cover of this document) cannot be properly disseminated to the Review Committee and other reviewers for necessary action, therefore, may not be accepted.</p>
2. Proposal	<p>Proposals must be clear, succinct and not exceed ten (10) pages, excluding resumes, E-Verify, coversheet and debarment form. Proposer's who submit more than the pages indicated may not have the additional pages of the proposal read or considered.</p> <p>For purposes of review and in the interest of the County, the County encourages the use of submittal materials (i.e. paper, dividers, binders, brochures, etc.) that contain post-consumer recycled content and are <u>readily recyclable</u>.</p> <p>The County discourages the use of materials that cannot be readily recycled such as PVC (vinyl) binders, spiral bindings, and plastic or glossy covers or dividers. Alternative bindings such as</p>

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	<p>reusable/recyclable binding posts, reusable binder clips or binder rings, and recyclable cardboard/paperboard binders are examples of preferable submittal materials.</p> <p>Proposers are encouraged to print/copy on both sides of a single sheet of paper wherever applicable; if sheets are printed on both sides, it is considered to be two pages. Color is acceptable, but content should not be lost by black-and-white printing or copying.</p> <p>All submittals will be evaluated on the completeness and quality of the content. Only those Proposers providing complete information as required will be considered for evaluation. The ability to follow these instructions demonstrates attention to detail.</p> <p>Additional support documents, such as sales brochures, be included with each copy unless otherwise specified.</p>
Section IIC	Proposal Content
1. Cover Sheet	This form is to be used as your proposal Cover Sheet. See Cover Sheet - Attachment A
2. Project Team	Include the title and a short summary of each project team members expertise and capabilities, with the option to attach resumes for key team members.
3. Management Approach	Successful RFP proposers will include clear logical methodologies, and timelines for completing the scope of work. To achieve this, the project team should outline their approach including important technical considerations, and an idea of how to achieve key tasks and deliverables in the designated time frame.
4. Respondent's Capabilities	Please describe your team's readiness to proceed on this scope of work including the expertise and capabilities of the application team, necessary partnerships, or subcontractors to successfully complete this work.
5. Project Approach and Understanding	The consultant team should demonstrate understanding and experience working on topics related to Clark County stormwater development engineering requirements, the Clark County Stormwater Manual, stormwater policy, and public involvement. Work history, examples, and references will be considered.
6. Proposed Cost	The RFP respondent should include a detailed budget and information necessary to support the budget request up to \$150,000. Please include cost break down for the following tasks and major deliverables, as well as any justification/documentation for costs. Costs should be consistent and reasonable given the proposed methodology, measure of impact, and scope of work.
7. Employment Verification	Refer to section 1A.6. – E-Verify

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	<p>IMPORTANT NOTE: Include this portion of the response immediately AFTER the cover page, if not already on file with Clark County. Current vendors on file can be viewed at: https://clark.wa.gov/internal-services/purchasing-overview</p>
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Part III Proposal Evaluation & Contract Award

Section IIIA	Proposal Review and Selection															
1. Evaluation and Selection:	Proposals received in response to this RFP will be evaluated by a Review Committee.															
2. Evaluation Criteria Scoring	<p>Each proposal received in response to the RFP will be objectively evaluated and rated according to a specified point system.</p> <p>A one hundred (100) point system will be used, weighted against the following criteria:</p> <table border="1" data-bbox="402 632 1474 1654"> <thead> <tr> <th data-bbox="402 632 678 674">Criteria</th> <th data-bbox="678 632 1295 674">Description</th> <th data-bbox="1295 632 1474 674">Points</th> </tr> </thead> <tbody> <tr> <td data-bbox="402 674 678 888">Technical Merit</td> <td data-bbox="678 674 1295 888">This criterion evaluates the technical merit of the proposal, and the applicant's comprehensive understanding of developing and implementing stormwater engineering design requirements in Western Washington. Familiarity with the Clark County Stormwater Code and Manual is desirable.</td> <td data-bbox="1295 674 1474 888">50 points</td> </tr> <tr> <td data-bbox="402 888 678 1255">Policy Expertise, Stakeholder Engagement and Timeline</td> <td data-bbox="678 888 1295 1255">This criterion evaluates how the applicant has incorporated local, state, and federal policy considerations into the stormwater code and manual update. This criterion also evaluates how the applicant has considered necessary stakeholder engagement and public involvement in their timeline to complete the scope of work within regulatory deadlines. This includes, but is not limited to, building in time for required review and/or approval by Department of Ecology, County Staff, County boards/commissions, and Clark County Council.</td> <td data-bbox="1295 888 1474 1255">25 points</td> </tr> <tr> <td data-bbox="402 1255 678 1623">Project Team, Capabilities and Partnerships</td> <td data-bbox="678 1255 1295 1623">This criterion evaluates readiness to proceed on the scope of work. This includes an evaluation of the expertise and capabilities of the consultant team, which should include experience with stormwater development code, engineering, and design, and experience working with multiple stakeholders to receive input. Teams that have experience providing education and technical assistance on how to implement engineering requirements are also desirable. Work history, examples and references will be considered.</td> <td data-bbox="1295 1255 1474 1623">25 points</td> </tr> <tr> <td colspan="2" data-bbox="402 1623 1295 1654" style="text-align: right;">Total Points</td> <td data-bbox="1295 1623 1474 1654">100 points</td> </tr> </tbody> </table>	Criteria	Description	Points	Technical Merit	This criterion evaluates the technical merit of the proposal, and the applicant's comprehensive understanding of developing and implementing stormwater engineering design requirements in Western Washington. Familiarity with the Clark County Stormwater Code and Manual is desirable.	50 points	Policy Expertise, Stakeholder Engagement and Timeline	This criterion evaluates how the applicant has incorporated local, state, and federal policy considerations into the stormwater code and manual update. This criterion also evaluates how the applicant has considered necessary stakeholder engagement and public involvement in their timeline to complete the scope of work within regulatory deadlines. This includes, but is not limited to, building in time for required review and/or approval by Department of Ecology, County Staff, County boards/commissions, and Clark County Council.	25 points	Project Team, Capabilities and Partnerships	This criterion evaluates readiness to proceed on the scope of work. This includes an evaluation of the expertise and capabilities of the consultant team, which should include experience with stormwater development code, engineering, and design, and experience working with multiple stakeholders to receive input. Teams that have experience providing education and technical assistance on how to implement engineering requirements are also desirable. Work history, examples and references will be considered.	25 points	Total Points		100 points
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Total Points		100 points														

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Section IIIB	Contract Award
1. Consultant Selection	<p>The County will determine the most qualified proposer based on the evaluation criteria listed using predetermined weights, the attributes of the Proposers and the overall responsiveness of the Proposal. If the County does not reach a favorable agreement with the top Proposer, the County shall terminate negotiations and begin negotiations with the next qualified Proposer. If the County is unable to reach agreeable terms with either Proposer, they may opt to void the RFP and determine next steps.</p> <p>Clark County reserves the right to accept or reject any or all proposals received, to negotiate with any or all prospective contractors on modifications to proposals, to waive formalities, to postpone award, or to cancel in part or in its entirety this RFP. Clark County reserves the right to award the contract based on the best interests of the County.</p>
2. Contract Development	<p>The proposal and all responses provided by the successful Proposer may become a part of the final contract.</p> <p>The form of contract shall be the County's Contract for Professional Services.</p>
3. Award Review	<p>The public may view Request for Proposal documents by submitting a public records request at www.clark.wa.gov .</p>
4. Orientation/Kick-off Meeting	<p>The Clean Water Division intends to schedule a project kickoff meeting following contract execution.</p>

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Attachment A: COVER SHEET

General Information:

Legal Name of Proposing Firm	
Street Address	
City State Zip Code	
Contact Person Title	
Phone	
Program Location (if different than above)	
Email Address	
Tax Identification Number	

ADDENDUM:

Proposer shall acknowledge receipt of Addenda by checking the appropriate box(es).

None 1 2 3 4 5 6

NOTE: Failure to do so, shall render the proposer non-responsive and therefore be rejected.

I certify that to the best of my knowledge the information contained in this proposal is accurate and complete and that I have the legal authority to commit this agency to a contractual agreement. I realize the final funding for any service is based upon funding levels, and the approval of the Clark County Council and required approvals.

Authorized Signature of Proposing Firm

Date

Printed Name

Title

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Attachment B: LETTER OF INTEREST

Legal Name of Proposing Firm	
Street Address	
City State Zip Code	
Contact Person Title	
Phone	
Program Location (if different than above)	
Email Address	

- All proposers are required to be included on the plan holders list.
- If your organization is NOT listed, submit the ‘Letter of Interest’ to ensure your inclusion.

Email Letter of Interest to: Koni.Odell@clark.wa.gov and Priscilla.Ricci@clark.wa.gov

Clark County web link: <https://clark.wa.gov/internal-services/request-proposal-1>

This document will only be used to add a proposer to the plan holders list. Submitting this document does not commit proposer to provide services to Clark County, nor is it required to be submitted with proposal.

Proposals may be considered non-responsive if the Proposer is not listed on the plan holders list.

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Attachment C



Clark County, Washington

**Certification Regarding
Debarment, Suspension and Other Responsibility Matters**

The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal, State or local department or agency;
- (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Company Name

Typed Name & Title of Authorized Representative

Signature of Authorized Representative

Date

I am unable to certify to the above statements. My explanation is attached.