



**REQUEST for PROPOSAL #877**  
PROFESSIONAL, TECHNICAL AND EXPERT SERVICES

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Clark County Washington

RELEASE DATE: WEDNESDAY, DECEMBER 13, 2023  
DUE DATE: WEDNESDAY, JANUARY 17, 2024 by 1:30 pm

Request for Proposal for:

**FREIGHT RAIL DEPENDENT USES**

**SUBMIT:**

One (1) Original  
Four (4) Complete Copies

of the Proposal to:

<b><u>Shipping Method of your Choice or Hand Delivery</u></b>	<b><u>United States Postal Service</u></b>
Clark County ATTN: Office of Purchasing 1300 Franklin Street, 6 <sup>th</sup> 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:**

Jose Alvarez  
Program Manager / Community Planning  
[Jose.Alvarez@clark.wa.gov](mailto:Jose.Alvarez@clark.wa.gov)  
564-397-2280 ext. 4898

## 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.

**ENVIRONMENTALLY RESPONSIBLE PURCHASING PROGRAM** - Clark County has implemented an Environmentally Responsible Purchasing Policy with a goal to reduce negative impacts on human health and the environment. Negative environmental impacts include, but are not limited to, greenhouse gases, air pollution emissions, water contamination, waste from the manufacturing process and waste in packaging. This policy also seeks to increase: 1) water and energy efficiency; 2) renewable energy sources; 3) use of products with recycled content; 4) product durability; 5) use of products that can be recycled, reused, or composted at the end of its life cycle. Product criteria have been established on the Green Purchasing List <https://clark.wa.gov/sites/default/files/dept/files/general-services/Purchasing/ERP%20Policy.pdf>

**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](mailto:ADA@clark.wa.gov)

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## Freight Rail Dependent Uses

### Part I Proposal Requirements

Section IA	General Information
1. Introduction	<p>The purpose of this RFP is to invite the consultant community to suggest various approaches to help Clark County implement development regulations to allow Freight Rail Dependent Uses (FRDU) along the County's short line railroad.</p> <p>Consultant help is requested to:</p> <ol style="list-style-type: none"> <li>1. Provide a public engagement process on proposed development regulations along the rail line; and</li> <li>2. Provide planning assistance through the legislative process culminating in an adopting ordinance for development regulations along the rail line within the FRDU Overlay.</li> </ol> <p>If your company contact details <i>are not</i> on the Plan Holder List at <a href="https://clark.wa.gov/internal-services/request-proposal-1">https://clark.wa.gov/internal-services/request-proposal-1</a> 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> <p>Clark County has made this Request for Proposal 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 proposal 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.</p>
2. Background	<p>Following the passage of Senate Bill 5517 in 2017, the county council had been working to implement freight rail dependent uses in Clark County. The bill amended the Growth Management Act to allow "freight rail dependent uses" and gives Clark and Okanogan counties authority to allow such uses adjacent to short line railroads.</p> <p>On January 9, 2018, the county council began implementation of SB 5517 by adopting the freight rail dependent use overlay and amending the county's comprehensive plan to create policies to allow for freight rail dependent uses. The overlay applies to properties within 500 feet of the county's Chelatchie Prairie rail line between Northeast 119th and 149th streets in the Brush Prairie area, excluding land zoned R-5 or land within the Brush Prairie Rural Center.</p> <p>After adoption of the overlay, the county began consideration of the appropriate development regulations and creation of a list of allowed uses. The county council formed the <a href="#">Freight Rail Dependent Use Advisory Committee</a>, which provided recommendations to the council in June of 2018 regarding the size of the overlay and potential allowable uses along the rail corridor. The public further provided input through a survey, an open house, emails and public comment.</p> <p>Throughout this robust public process, a number of issues developed requiring further deliberation by county staff and the county council. To ensure that this economic development opportunity is realized to its full potential, while limiting any negative effect to the surrounding neighborhoods to the greatest extent possible, additional time is necessary to resolve many remaining questions.</p>

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## Freight Rail Dependent Uses

	<p>The process has been suspended since September of 2018. The County would like to proceed with the implementation of SB 5517.</p>																
<p>3. Scope of Project</p>	<p>The scope of this project is to help Clark County complete the implementation of development regulations that would allow Freight Rail Dependent Uses along the short line railroad.</p> <p>The scope of work includes the following tasks:</p> <p>Task 1: Public engagement process (3) public meetings</p> <p>Task 2: Non-Project SEPA Checklist</p> <p>Task 3: Review of Draft development regulations</p> <p>Task 4: Draft adopting Ordinance</p> <p>Task 5: Legislative process: Work Session and public hearing with Planning Commission and Work Session and public hearing with County Council.</p>																
<p>4. Project Funding</p>	<p>The anticipated cost for the services described herein is not to exceed \$100,000.</p> <p>The Proposers proposal shall include the Proposers true estimated cost to perform the work irrespective of the budgeted funds for this work.</p> <p><b><u>Title VI Statements</u></b></p> <p>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>5. Timeline for Selection</p>	<p>The following dates are the <b><u>intended</u></b> timeline:</p> <table border="1" data-bbox="427 1476 1511 1971"> <tr> <td data-bbox="427 1476 971 1541">Deadline for Questions and Answers</td> <td data-bbox="971 1476 1511 1541">January 10, 2024</td> </tr> <tr> <td data-bbox="427 1541 971 1606">Final date for Addendum, if needed</td> <td data-bbox="971 1541 1511 1606">January 11, 2024</td> </tr> <tr> <td data-bbox="427 1606 971 1671">Proposals Dues</td> <td data-bbox="971 1606 1511 1671">January 17, 2024</td> </tr> <tr> <td data-bbox="427 1671 971 1736">Proposal Review/Evaluation Period</td> <td data-bbox="971 1671 1511 1736">January 24, 2024</td> </tr> <tr> <td data-bbox="427 1736 971 1801">Selection Committee Recommendation</td> <td data-bbox="971 1736 1511 1801">January 25, 2024</td> </tr> <tr> <td data-bbox="427 1801 971 1866">Contract Negotiation/Execution</td> <td data-bbox="971 1801 1511 1866">January 25 – February 1, 2024</td> </tr> <tr> <td data-bbox="427 1866 971 1932">Contract Approval by County Council</td> <td data-bbox="971 1866 1511 1932">Striving for February 6, 2024</td> </tr> <tr> <td data-bbox="427 1932 971 1971">Contract Intended to Begin</td> <td data-bbox="971 1932 1511 1971">February 7, 2024</td> </tr> </table>	Deadline for Questions and Answers	January 10, 2024	Final date for Addendum, if needed	January 11, 2024	Proposals Dues	January 17, 2024	Proposal Review/Evaluation Period	January 24, 2024	Selection Committee Recommendation	January 25, 2024	Contract Negotiation/Execution	January 25 – February 1, 2024	Contract Approval by County Council	Striving for February 6, 2024	Contract Intended to Begin	February 7, 2024
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## Freight Rail Dependent Uses

<p>6. Employment Verification</p>	<p>To be considered <b>responsive</b> to this formal Clark County RFP, all proposers shall submit before, include with their response or within <b>48 hours</b> 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: <a href="http://www.dhs.gov/E-Verify">www.dhs.gov/E-Verify</a></p> <p><b>How to submit the MOU in advance of the submittal date:</b></p> <ol style="list-style-type: none"> <li>1. Hand deliver to 1300 Franklin St, Suite 650, Vancouver, WA 98660, or;</li> <li>2. E-mail: <a href="mailto:koni.odell@clark.wa.gov">koni.odell@clark.wa.gov</a> or <a href="mailto:priscilla.ricci@clark.wa.gov">priscilla.ricci@clark.wa.gov</a></li> </ol> <p><i>Note : Sole Proprietors shall submit a letter stating exempt.</i></p>
<p><b>Section IB</b></p>	<p><b>Work Requirements</b></p>
<p>1. Required Services</p>	<p>Clark County is seeking a consultant to:</p> <ol style="list-style-type: none"> <li>1. Provide a public engagement process on proposed development regulations along the rail line; and</li> <li>2. Provide planning assistance through the legislative process culminating in an adopting ordinance for development regulations along the rail line within the FRDU Overlay.</li> </ol>
<p>2. County Performed Work</p>	<p>The County's project manager is Jose Alvarez. Jose will serve as the consultant's primary point of contact, unless otherwise delegated, and will confirm who else to include in various types of correspondence.</p> <p>In 2018 the County began implementation of ESSB 5517 and held 6 meeting with a Freight Rail Dependent Use Advisory Committee. The Committee's recommendation and meeting materials can be found at <a href="https://clark.wa.gov/community-planning/freight-rail-dependent-use-advisory-committee-meetings?year=2018">https://clark.wa.gov/community-planning/freight-rail-dependent-use-advisory-committee-meetings?year=2018</a></p> <p>Information regarding Council meetings from 2018 to the present and other public meetings can be found at the project page at <a href="https://clark.wa.gov/community-planning/freight-rail-dependent-uses">https://clark.wa.gov/community-planning/freight-rail-dependent-uses</a></p>
<p>3. Deliverables &amp; Schedule</p>	<p>The project timeline is approximately 6 months from inception to ordinance adoption.</p> <p><b>Task 1.</b> Public outreach.</p> <ul style="list-style-type: none"> <li>• Facilitate and coordinate up to three (3) public meetings to gather input on draft development regulations.</li> <li>• Provide written summary of the feedback.</li> </ul> <p><b>Task 2.</b> Utility Consultation</p> <ul style="list-style-type: none"> <li>• Consult utility providers and determine feasibility of service provision in overlay area.</li> </ul>

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## Freight Rail Dependent Uses

	<p><b>Task 3.</b> Phased SEPA for non-project action</p> <ul style="list-style-type: none"> <li>Complete an environmental checklist including Part D, Supplemental Sheet for non-project activities.</li> </ul> <p><b>Task 4.</b> Draft Ordinance</p> <ul style="list-style-type: none"> <li>Amend development regulations, as necessary.</li> </ul> <p><b>Task 5.</b> Legislative Process</p> <ul style="list-style-type: none"> <li>Draft Staff report and presentation including a recommendation on proposed development regulations.</li> <li>Present information to Planning Commission at Work Session and Public Hearing</li> <li>Draft Planning Commission recommendation and Ordinance</li> <li>Present Planning Commission recommendation and Ordinance to Council at work session and public hearing</li> </ul> <p>County will be responsible for all public meeting notices and Planning Commission/Council meeting minutes.</p>
<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>
<p>5. Period of Performance</p>	<p>A contract awarded as a result of this RFP will be for six (6) months and is intended to begin February 7, 2024 and end August 31, 2024.</p> <p>Cost for additional option year(s) shall be reviewed prior to extension of the contract. 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>Clark County reserves the right to extend the contract resulting from this RFP for a period of two (2) additional, six (6) month periods, with the same terms and conditions, by service of a written notice of its intention to do so prior to the contract termination date.</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 &amp; Industries.</p> <p>Contractors shall meet the requirements for Prevailing Wage and public works requirements, per RCW 39.04.350 BIDDER RESPONSIBILITY CRITERIA – SWORN STATMENT – 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><a href="http://www.wsdot.wa.gov/Design/ProjectDev/WageRates/default.htm">http://www.wsdot.wa.gov/Design/ProjectDev/WageRates/default.htm</a>  <a href="http://www.ini.wa.gov/TradesLicensing/PrevWage/WageRates">http://www.ini.wa.gov/TradesLicensing/PrevWage/WageRates</a></p>

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	<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 &amp; 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 <a href="mailto:ADA@clark.wa.gov">ADA@clark.wa.gov</a> or by calling 564-397-2322.</p>
<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><b>A. Waiver of Subrogation</b></p> <p>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>B. Proof of Insurance</b></p> <p>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</p>



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## Freight Rail Dependent Uses

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.

### **C. Worker's Compensation**

As required by the industrial insurance laws of the State of Washington.

### **D. Automobile**

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.

### **E. Commercial General Liability (CGL) Insurance**

Written under ISO Form CG0001 or its latest equivalent with minimum limits of \$1,000,000 per occurrence and in the aggregate for each one-year policy period. 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 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.

### **F. Professional Liability (aka Errors and Omissions)**

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.

### **G. Umbrella Liability Coverage**

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.

### **H. Additional Insured**

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.

All policies must have a Best's Rating of A-VII or better.

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11. Plan Holders List	<p>All proposers are required to be listed on the plan holders list.</p> <ul style="list-style-type: none"><li>✓ Prior to submission of proposal, confirm your organization is on the Plan Holders List below:</li></ul> <p>To view the Plan Holders List, click on the link below or copy and paste into your browser. Clark County RFP site: <a href="https://clark.wa.gov/internal-services/purchasing-overview">https://clark.wa.gov/internal-services/purchasing-overview</a></p> <ul style="list-style-type: none"><li>• If your organization is NOT listed, submit Attachment B - Letter of Interest to ensure your inclusion.</li><li>• Proposals received by Clark County by proposers not included on the Plan Holders List may be considered non-responsive.</li></ul>
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**Part II Proposal Preparation and Submittal**

<b>Section IIA</b>	<b>Pre-Submittal Meeting / Clarification</b>
1. Pre-Submittal Meeting	There are no plans to hold a pre-submittal meeting.
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 January 10, 2024 by 1:30 pm.</p> <p>An addendum will be issued no later than January 11, 2024 to all recorded holders of the RFP if a substantive clarification is in order.</p> <p>The Questions &amp; 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: <a href="https://clark.wa.gov/internal-services/request-proposal-1">https://clark.wa.gov/internal-services/request-proposal-1</a></p>
<b>Section IIB</b>	<b>Proposal Submission</b>
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><b>The outside of the envelope/package shall clearly identify:</b></p> <ol style="list-style-type: none"> <li><b>1. RFP Number and;</b></li> <li><b>2. TITLE and;</b></li> <li><b>3. Name and Address of the Proposer.</b></li> </ol> <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 eight (8) pages, <u>excluding</u> 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 reusable/recyclable binding posts, reusable binder clips or binder rings, and recyclable cardboard/paperboard binders are examples of preferable submittal materials.</p>

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### Freight Rail Dependent Uses

	<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, should not be included with each copy unless otherwise specified.</p>
<b>Section IIC</b>	<b>Proposal Content</b>
1. Cover Sheet	This form is to be used as your proposal Cover Sheet. See Cover Sheet - Attachment A
2. Project Team	Introduce proposal reviewers to the project team, including any proposed sub-consultants. Tell us who will be involved, what roles and responsibilities you will each take on. Details on specific team member qualifications and experience can be included in attached resume's.
3. Management Approach	<p>Explain your proposed approach for communication, coordination, quality assurance, and management of the project scope and objectives as outlined in Sections 1A and 1B within the project timeline.</p> <p><b>Note:</b> the county project manager is expected to be the primary point of contact for the consultant project manager.</p>
4. Respondent's Capabilities	Explain to the reviewers why you are the best team to hire for this project. Tell us about your team's relevant experience and qualifications that will set you up for success in accomplishing the project scope of work in Section 1A, required services and deliverables in Section 1B. Include links to relevant project examples reviewers can look at.
5. Project Approach and Understanding	<p>Explain to reviewers your proposed approach for achieving the project scope of work and objectives in Section 1A, the required services and deliverables in Section 1B. Proposals should include a general statement of the Consultant's understanding of the scope of services and include a proposed task list, level of effort for each task, and a schedule for completing the whole project and each task.</p> <p>Reviewers expect this section to take up the most space in consultant proposals. Tell the review team what you propose to do, how you propose to do it, and why you think this is the best approach for this project. Consider the deliverables listed for each task in this RFP as a starting point. Reviewers are looking for specifics for each task beyond what has been provided in this RFP. Reviewers expect to see consultant suggested assumptions and specific deliverables, to provide a clear picture of what is and is not included in the proposal. If your proposal includes changing assumptions or deliverables for a task compared to what is included in the RFP, make sure it is clear what you are changing and why.</p>

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6. Proposed Cost	The proposal must include a cost proposal that details costs broken out for each task based on hourly rates, expenses, and overhead.
7. Employment Verification	<b>Refer to section 1A.6. – E-Verify</b> <b>IMPORTANT NOTE:</b> Include this portion of the response immediately <b>AFTER</b> the cover page, if not already on file with Clark County. Current vendors on file can be viewed at: <a href="https://clark.wa.gov/internal-services/purchasing-overview">https://clark.wa.gov/internal-services/purchasing-overview</a>

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**Part III Proposal Evaluation & Contract Award**

<b>Section IIIA</b>	<b>Proposal Review and Selection</b>																
1. Evaluation and Selection:	Proposals received in response to this RFP will be evaluated by a Review Committee. Depending on your funding requirements the Committee review results and recommendations may require presentation to an appropriate advisory board prior to the consent process with the Clark County Council.																
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><b>A one hundred (100) point system will be used, weighted against the following criteria:</b></p> <table border="1" data-bbox="402 716 1419 1213"> <tr> <td>Proposal Approach / Quality</td> <td>25</td> </tr> <tr> <td>Creativity / Experience</td> <td>10</td> </tr> <tr> <td>Work History / Examples</td> <td>10</td> </tr> <tr> <td>Product Demonstration</td> <td>15</td> </tr> <tr> <td>Cost</td> <td>5</td> </tr> <tr> <td>References</td> <td>25</td> </tr> <tr> <td>Criteria Specific to your Project Needs</td> <td>10</td> </tr> <tr> <td style="text-align: right;">Total Points</td> <td>100</td> </tr> </table>	Proposal Approach / Quality	25	Creativity / Experience	10	Work History / Examples	10	Product Demonstration	15	Cost	5	References	25	Criteria Specific to your Project Needs	10	Total Points	100
Proposal Approach / Quality	25																
Creativity / Experience	10																
Work History / Examples	10																
Product Demonstration	15																
Cost	5																
References	25																
Criteria Specific to your Project Needs	10																
Total Points	100																
<b>Section IIIB</b>	<b>Contract Award</b>																
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>																

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3. Award Review	The public may view Request for Proposal documents by submitting a public records request at <a href="http://www.clark.wa.gov">www.clark.wa.gov</a> .
4. Orientation/Kick-off Meeting	A kick-off meeting with the project team(s) will be scheduled to take place following County Council authorization of the contract.

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**Attachment A: COVER SHEET**

General Information:

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

**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**

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

- 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](mailto:Koni.Odell@clark.wa.gov) and [Priscilla.Ricci@clark.wa.gov](mailto: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 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

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