



RFP No. MHCRC200901

PROFESSIONAL, TECHNICAL AND EXPERT SERVICES

**Mt. Hood Cable Regulatory Commission
April 7, 2009**

REQUEST FOR PROPOSALS

for

Community Technology Needs & Interests Ascertainment RFP

PROPOSALS DUE: Thursday, May 7, 2009 by 4:00 p.m.

Envelope(s) shall be sealed and marked with RFP # and Project Title.

Submit one (1) original complete copy of the Proposal to:

Mt. Hood Cable Regulatory Commission
c/o City of Portland
Office of Cable Communications and Franchise Management
1120 SW 5th Ave., Rm 1305
Portland, OR 97204

Refer questions to:

Julie S. Omelchuck
Phone: (503) 823-4188

A PRE-SUBMITTAL MEETING has been scheduled for Thursday, April 23, at 10am (Pacific Time). Questions about this RFP and the ascertainment project will be answered at this meeting. We encourage all interested parties to attend, either by phone using call in number 503-823-9322 or in-person at Portland City Hall, 1221 SW 4th Ave., Lovejoy Room, Portland, Oregon.

GENERAL INSTRUCTIONS AND CONDITIONS

DIVERSITY IN EMPLOYMENT AND CONTRACTING REQUIREMENTS – The Mt. Hood Cable Regulatory Commission seeks to extend contracting opportunities to Minority Business Enterprises, Women Business Enterprises and Emerging Small Businesses (M/W/ESBs) in order to promote their economic growth and to provide additional competition for Commission contracts.

ENVIRONMENTALLY PREFERABLE PROCUREMENT - It is the policy of the Mt. Hood Cable Regulatory Commission to encourage the use of products or services that help to minimize the human health and environmental impacts of Commission operations. Therefore, proposers are encouraged to incorporate environmentally preferable products or services into their responses wherever possible. "Environmentally preferable" means products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product or service.

INVESTIGATION- The proposer shall make all investigations necessary to inform it regarding the service(s) to be performed under this request for proposal.

SPECIAL CONDITIONS - Where special conditions are written in the Request for Proposal, these special conditions shall take precedence over any conditions listed under the Professional, Technical and Expert Service "General Instructions and Conditions".

CLARIFICATION OF REQUEST FOR PROPOSAL- Proposers who request a clarification of the RFP requirements must submit questions in writing to the person(s) shown in the REFER QUESTIONS TO section on the cover of this RFP, or present them verbally at a scheduled pre-submittal conference, if one has been scheduled. The Mt. Hood Cable Regulatory Commission must receive written questions no later than the date stated herein. The Commission will issue a response in the form of an addendum to the RFP if a substantive clarification is in order.

Oral instructions or information concerning the request for proposal given out by the Commission, employees or agents to prospective proposers shall not bind the Commission.

ADDENDUM – Any change to this RFP shall be made by written addendum issued no later than 72 hours prior to the proposal due date. The Mt. Hood Cable Regulatory Commission is not responsible for any explanation, clarification or approval made or given in any manner except by addendum.

COST OF PROPOSAL- This Request for Proposal does not commit the Mt. Hood Cable Regulatory Commission to pay any costs incurred by any proposer in the submission of a proposal or in making necessary studies or designs for the preparation thereof, or for procuring or contracting for the services to be furnished under the request for proposal.

CANCELLATION – The Mt. Hood Cable Regulatory Commission reserves the right to modify, revise or cancel this RFP. Receipt and evaluation of proposals or the completion of interviews do not obligate the Commission to award a contract.

LATE PROPOSALS- Proposals received after the scheduled closing time for filing will be returned to the proposer unopened.

REJECTION OF PROPOSALS- The Mt. Hood Cable Regulatory Commission reserves the right to reject any or all responses to the Request for Proposal if found in the Commission's best interest to do so. In the Commission's discretion, litigation between the Commission and a proposer shall be cause for proposal rejection, regardless of when that litigation comes to the Commission's attention and

regardless how the consultant's proposal may have been scored. Proposals may also be rejected if they use subcontractors or subconsultants who are involved in litigation with the Commission. Proposers concerned about possible rejection on this basis should contact the Commission before submission of a proposal for a preliminary determination of whether its proposal will be rejected.

CITY OF PORTLAND BUSINESS LICENSE - Successful consultant shall obtain a current City of Portland Business License prior to initiation of contract and commencement of the work.

WORKERS COMPENSATION INSURANCE – the successful consultant shall be covered by Workers Compensation Insurance or shall provide evidence that State law does not require such coverage.

CERTIFICATION AS AN EEO AFFIRMATIVE ACTION EMPLOYER- Proposers must be certified as Equal Employment Opportunity Affirmative Action Employers as prescribed by Chapter 3.100 of the Code of the City of Portland. The required documentation must be filed with the Bureau of Purchases, City of Portland, prior to contract execution.

EQUAL BENEFITS PROGRAM – Proposers must provide benefits to their employees with domestic partners equivalent to those provided to employees with spouses as prescribed by Chapter 3.100 of the Code of the City of Portland. The required documentation must be filed with the Bureau of Purchases, City of Portland, prior to contract execution.

CONFLICT OF INTEREST - A proposer filing a proposal thereby certifies that no officer, agent or employee of the Mt. Hood Cable Regulatory Commission who has a pecuniary interest in this request for proposal has participated in the contract negotiations on the part of the Commission, that the proposal is made in good faith without fraud, collusion or connection of any kind with any other proposer of the same call for proposals, and that the proposer is competing solely in its own behalf without connection with or obligation to, any undisclosed person or firm.

CONFIDENTIALITY – All information submitted by proposers shall be public record and subject to disclosure pursuant to the Oregon Public Records Act (ORS 192.410 et seq.), except such portions of the proposals for which proposer requests exception from disclosure consistent with Oregon Law. Any portion of a proposal that the proposer claims constitutes a "trade secret" or is "confidential" must meet the requirements of ORS 192.501(2) and ORS 192.502(4). If the entire proposal is marked as constituting a "trade secret" or being "confidential," at the Mt. Hood Cable Regulatory Commission's sole discretion, such a proposal may be rejected as non-responsive.

If a request to inspect the proposal is made, the Commission will notify the proposer of the request. If the Commission refuses to release the records, the proposer agrees to provide information sufficient to sustain its position to the District Attorney of Multnomah County, who currently considers such appeals. If the District Attorney orders that the records be disclosed, the Commission will notify the proposer in order for the proposer to take all appropriate legal action. The proposer further agrees to hold harmless, defend and indemnify the Commission for all costs, expenses and attorney fees that may be imposed on the Commission as a result of appealing any decision regarding the proposer's records.

The Purchasing Agent has the authority to waive minor irregularities and discrepancies that will not affect the competitiveness or fairness of the solicitation and selection process.

These Professional, Technical and Expert Services Request for Proposal "General Terms and Conditions" are not to be construed as exclusive remedies or as a limitation upon rights or remedies that may be or may become available under ORS Chapter 279.

PART I

CONTRACT REQUIREMENTS

SECTION A

GENERAL INFORMATION

1. INTRODUCTION

The Mt. Hood Cable Regulatory Commission (“MHCRC”) is seeking proposals from qualified firms or teams with demonstrated experience and expertise to design and implement a community needs ascertainment for the purpose of assisting the MHCRC and its Jurisdictions to understand current and future, local communications technology needs and interests.

The target “communities” for the ascertainment are geographically located within the Cities of Gresham, Fairview, Portland, Troutdale and Wood Village, and Multnomah County, Oregon.

The successful firm or team will be required to enter into a not-to-exceed services contract with the MHCRC. The City of Portland’s Office of Cable Communications and Franchise Management provides staff support to the MHCRC and has been charged with managing the community needs ascertainment project.

2. BACKGROUND

The Mt. Hood Cable Regulatory Commission (www.mhcrc.org) advocates for and protects the public interest in the regulation and development of cable communications systems in Multnomah County and the Cities of Fairview, Gresham, Portland, Troutdale and Wood Village (the “Jurisdictions”), Oregon; serves as an advisory body to the Jurisdictions on matters relating to cable communications; participates in the planning and implementation of community use of communications technologies which make use of the public right-of-way; and functions as the Jurisdictions’ representative for regional, state or national cable communications policy matters.

Summary of MHCRC Activities:

- Provides consumer protection for citizens and subscribers in cable television matters, including complaint resolution
- Determines grant recipients for the Community Access Capital Grant, a competitive grant program which allocates about \$1.4 million annually to libraries, schools, local governments and non-profit community organizations
- Directs the Institutional Network (I-Net) and the related \$1 million annually to ensure reliable and affordable fiber connectivity and network resources are available to local public institutions such as schools, libraries and public safety sites
- Enforces cable company compliance with franchise agreements
- Conducts franchise negotiations, renewals and transfers of ownership
- Oversees and monitors two community media organizations
- Promotes community and institutional uses of cable-based technologies
- Participates in advocacy efforts for legislative activities and FCC proceedings

The MHCRC recognizes that in order for our community to maintain its livability in the face of enormous technological changes, we must come together to define our communications technology needs and interests, imagine our future, prioritize our goals and coordinate our actions. The purpose of this contract is to assist the MHCRC in conducting an ascertainment process that successfully identifies community communications technology needs and interests on a broad scale (not just cable franchise related). The MHCRC will utilize the information gathered, among other purposes, to identify potential cable-related public benefits for consideration in an upcoming Comcast cable franchise renewal. In addition, the ascertainment results will also help to inform the MHCRC and local decision makers as they develop long range plans that incorporate the community vision of communications technology in public policies, program initiatives and capital investments.

3. SCOPE OF WORK

The MHCRC proposes to engage a contractor for the following services:

- To design and conduct a thorough and realistic ascertainment of the community's current and future communications technology needs and interests.
- To engage in an ascertainment that reflects the broad and diverse voices of our communities.
- To build greater awareness of existing cable-related public benefits and communications technology opportunities.
- To produce a community needs ascertainment report, which includes ascertainment results; documents the ascertainment process; and provides trending and data analysis. The report will provide guidance to the MHCRC and its Jurisdictions for a cable franchise renewal and other communications technology policy initiatives and decisions.

The MHCRC anticipates that the ascertainment will:

- Examine individual and community organizational access to and use of communications technology (i.e. computer ownership, access to the Internet and community media resources; use of mobile devices; etc.).
- Examine the public's perceptions and attitudes regarding communications technology (i.e. the importance of access to the Internet; of community media and access television; of the role of government in cable and internet regulation and in improving the access and availability of broadband Internet technology; residents' comfort with and confidence in technology; etc.).
- Encourage discussion and raise public awareness about a variety of communication technology issues.
- Deploy a variety of information-gathering techniques and engagement strategies to ensure that the final ascertainment reflects input from a broad cross-section of the community and that the information obtained can be encapsulated into a vision of local communications technology that serves our local communities' needs and interests.
- Include a scientifically valid survey of cable subscribers and non-cable households which will provide trending data and analysis in comparison to a similar telephone survey conducted in 1995.

4. PROJECT FUNDING

The MHCRC has set aside \$59,000 for this project and would like Contractor to consider developing a proposal that utilizes these funds in the following manner:

- ▶ Up to \$47,000 for the contractor to design and implement the community ascertainment plan, and produce the ascertainment report.
- ▶ Up to \$12,000 to conduct a scientifically valid survey of cable subscribers and non-cable households.

5. TIMELINE FOR SELECTION

The following dates are proposed as a timeline for this project:

Pre-submittal conference at 10:00a.m. (Pacific)	April 23, 2009
Written proposals due at 4:00p.m.	May 7, 2009
Interviews, if deemed necessary	May 18-22, 2009
Selection committee recommendation	May 27, 2009
MHCRC contract award	June 15, 2009
Notice to proceed – work begins	July 1, 2009

The MHCRC reserves the right to make adjustments to the above noted schedule as necessary.

SECTION B

WORK REQUIREMENTS

1. TECHNICAL OR REQUIRED SERVICES

The contractor will provide the following scope of services:

- Facilitate ascertainment planning discussions with MHCRC staff and, as necessary, commission members and community members, to determine key ascertainment questions.
- Design an ascertainment process with a detailed implementation plan, including vetting the plan with key individuals identified by the MHCRC and its staff.
- Conduct and implement the ascertainment in accordance with the final plan.
- Conduct a scientifically valid survey of cable subscribers and non-cable households and provide trending data and analysis in comparison to a similar survey conducted in 1995.
- Incorporate appropriate data collection and engagement strategies that overcome cultural, economic, language or other barriers faced by certain communities to effectively participate in the ascertainment process.
- Incorporate appropriate use of new media tools into the ascertainment engagement strategies and data collection methods (i.e. use of online surveys, blogs, social networking, twitter, video, pod casting, texting, etc.).
- Document the ascertainment process.
- Evaluate data received and provide trending and data analysis.
- Bring to the process knowledge of current and potential uses by communities of communications technology and community media.
- Produce a community needs ascertainment report, which includes ascertainment results; documents the ascertainment process; and provides trending and data analysis.

2. WORK PERFORMED BY THE MHCRC

The MHCRC has assigned the Cable Program Manager to oversee the contractor's work and provide support as needed. The MHCRC anticipates that about 40% of its Program Manager and Program Specialist's time will be dedicated to the ascertainment project during the time of this contract. Duties MHCRC staff anticipate performing include:

- Making available sufficient hours of staff time to meet with contractor as required to oversee the work and provide support as needed.
- Assisting the contractor in developing key ascertainment questions, information categories and other key elements of an ascertainment project plan; and vetting the plan with appropriate constituencies.
- Identifying target audience/stakeholder lists for outreach.
- Assisting the contractor in convening MHCRC committees or work groups; stakeholder meetings; community meetings; etc.
- Assisting contractor in implementing agreed upon aspects of the ascertainment plan (i.e. circulating surveys, conducting interviews, hosting community meetings, monitoring blogs, making website postings, etc.).
- Conducting research as needed (other jurisdictions' and organizations' community technology and media ascertainment processes; local jurisdictional strategic and visioning plans and processes; etc.).
- Facilitating use and availability of technology tools available through MHCRC/City of Portland resources (such as online surveys, wikis, instant electronic polling for meetings; videoconferencing; etc.).

3. DELIVERABLES AND SCHEDULE

The MHCRC anticipates that the selected contractor will begin work July 1, 2009, with submittal of final deliverables to the MHCRC on or before November 30, 2009.

Deliverables shall be considered those tangible resulting work products that are to be delivered to the MHCRC such as reports, draft documents, data, interim findings, drawings, schematics, training, meeting presentations, final drawings and reports. The successful Proposer is encouraged to provide any deliverables in accordance with sustainable paper

use practices.

All deliverables and resulting work products from this contract will become the property of the Mt. Hood Cable Regulatory Commission.

4. INSURANCE

The successful Proposer(s) shall agree to maintain continuous, uninterrupted coverage of all insurance as required by the MHCRC. There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without a 30-day written notice from the successful Proposer or its insurer(s) to the MHCRC. The MHCRC Attorney shall determine liability insurance requirement applicability in the context of the successful Proposer(s) prior to contract award.

Workers' Compensation Insurance in compliance with ORS 656.017, which requires subject employers to provide Oregon workers' compensation coverage for all their subject workers (firms with one or more employees, unless exempt under ORS 656.027).

General Liability Insurance with a combined single limit of not less than \$1,000,000 per occurrence for Bodily Injury and Property Damage. It shall include contractual liability coverage for the indemnity provided under this contract, and shall provide that the Mt. Hood Cable Regulatory Commission, and its agents, officers, and employees are Additional Insureds but only with respect to the successful Proposer's services to be provided under this Contract.

Automobile Liability Insurance with a combined single limit of not less than \$1,000,000 per occurrence for Bodily Injury and Property Damage, including coverage for owned, hired, or non-owned vehicles, as applicable.

Professional Liability Insurance with a combined single limit of not less than \$1,000,000 per claim, incident, or occurrence. This is to cover damages caused by negligent acts, errors or omissions related to the professional services to be provided under this contract. If insurance coverage is provided on a "claims made" basis, the successful Proposer shall acquire a "tail" coverage or continue the same coverage for three years after completion of the contract, provided coverage is available and economically feasible. If such coverage is not available or economically feasible, contractor shall notify the MHCRC immediately.

Certificates of Insurance: As evidence of the insurance coverages, the successful Proposer shall furnish acceptable insurance certificates to the MHCRC at the time signed contracts are returned to the MHCRC. The certificate will specify all of the parties who are Additional Insureds and will include the 30-day cancellation clause as identified above. Insuring companies or entities are subject to MHCRC acceptance. If requested, complete policy copies shall be provided to the MHCRC. The successful Proposer shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

SECTION C

ATTACHMENTS

1. SAMPLE CONTRACT

The Professional, Technical and Expert Services Contract is the MHCRC's standard contract and will be used as a result of this selection process.

PART II

PROPOSAL PREPARATION AND SUBMITTAL

SECTION A

PRE-SUBMITTAL MEETING/CLARIFICATION

1. PRE-SUBMITTAL MEETING

A PRE-SUBMITTAL MEETING has been scheduled for **Thursday, April 23 at 10:00am (Pacific)**. Questions about this RFP and the ascertainment project will be answered at this meeting. We encourage all interested parties to attend, either by phone using call in number 503-823-9322 or in-person at Portland City Hall, 1221 SW 4th Ave., Lovejoy Room, Portland, OR.

2. RFP CLARIFICATION

Questions and requests for clarification regarding this Request for Proposal must be directed to the person listed below. **The deadline for initiating such questions/clarifications is April 30, 2009.** An addendum will be issued no later than 72 hours prior to the proposal due date to all recorded holders of the RFP if a substantive clarification is in order and made available on the MHCRC website at www.mhcr.org.

Refer questions to:
Julie S. Omelchuck
(503) 823-4188

SECTION B

PROPOSAL SUBMISSION

1. PROPOSAL FORMAT

Sealed proposals must be received no later than the date and time, and at the location, specified on the cover of this solicitation. The outside of the envelope shall plainly identify the subject of the proposal, the RFP number and the name and address of the Proposer. It is the Proposer's responsibility to ensure that proposals are received prior to the specified closing date and time, and at the location specified. Proposals received after the specified closing date and/or time shall not be considered and will be returned to the Proposer unopened. The City shall not be responsible for the proper identification and handling of any proposals submitted to an incorrect location.

For purposes of review and in the interest of the MHCRC's support for sustainable paper use practices and sustainable business practices in general, the MHCRC encourages the use of submittal materials (i.e. paper, dividers, binders, brochures, etc.) that contain post-consumer recycled content and are readily recyclable. The MHCRC 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. 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.

By submitting a response, the Proposer is accepting the General Instructions and Conditions of this Request for Proposal (reference second page of the RFP) and the Standard Contract Provisions of the Professional, Technical and Expert Services contract.

2. REQUIRED PROPOSAL CONTENT

The MHCRC may reject as non-responsive at its sole discretion any proposal or any part thereof, which is incomplete, inadequate in its response, or departs in any substantive way from the required format. Proposal responses must include the following and shall be organized in the following manner:

1. Letter of Interest

The Letter of Interest must include the following:

- RFP number and project title

- name(s) of the person(s) authorized to represent the Proposer in any negotiations
- name(s) of the person(s) authorized to sign any contract that may result
- contact person's name, mailing or street addresses, phone and fax numbers and email addresses

A legal representative of the Proposer, authorized to bind the Proposer in contractual matters must sign the Letter of Interest.

2. Firm and Project Team Expertise and Experience

This section should describe similar projects performed which best characterize the firm's capabilities and work quality and how well the team's qualifications and experience relate specifically to the ascertainment project. This section must list references, their contact information, and portfolio of work.

In addition, please describe the following:

- Strategies and methods you have successfully used in past community-wide assessments to engage ethnically diverse, underserved, low income and other communities traditionally underrepresented in these types of community/ civic engagement processes.
- Your successful use of new media tools in outreach, education, evaluation or documentation of past projects.
- The general process you would undertake to develop the design of the ascertainment.
- Particular skill, abilities, knowledge, local contacts, etc, that you believe would make your firm/team uniquely qualified to undertake this project.

3. Project Understanding

This section should provide clear description of the firm's understanding of the project, its goals and outcomes, and the major issues to be addressed, based upon existing information.

4. Proposed Cost

The MHCRC has allocated \$59,000 for this project. The proposal shall include the contractor's true estimated cost to perform the work irrespective of the MHCRC's anticipated cost.

5. Supportive Information

This section is optional and may include pertinent other information to support the proposal. If you provide brochures, CD's, DVD's, posters or other materials that are difficult to copy, please provide seven copies of the material.

3. BUSINESS COMPLIANCE

The Proposer must be in compliance with the laws regarding conducting business in the City of Portland before an award may be made. The Proposer shall be responsible for the following:

Certification as an EEO Affirmative Action Employer

All Proposers must be certified as Equal Employment Opportunity Employers as prescribed by Chapter 3.100 of the Code of the City of Portland. Failure to receive EEO certification prior to the date and time of bid opening may result in delaying the award of the contract. Details of certification requirements are available from the Bureau of Purchases, 1120 SW Fifth Avenue, Room 750, Portland, Oregon 97204, (503) 823-6855, website: <http://www.portlandonline.com/omf/purchasing>

Non-Discrimination in Employee Benefits (Equal Benefits)

Proposers are encouraged to submit the Equal Benefits Compliance Worksheet/Declaration Form with their response. If not submitted, you will be contacted

and required to provide this form prior to contract award; otherwise your proposal may be rejected. If your company does not comply with Equal Benefits and does not intend to do so, you must still submit the Form. The Equal Benefits Compliance Worksheet/Declaration Form can be obtained from the following web site: <http://www.portlandonline.com/omf/purchasing>

- Fill out the form properly. You may call the Bureau of Purchases at 503-823-6855 to ensure you correctly complete the form. You may also call the contact listed on the front page of this solicitation document for assistance.
- There are five options on the Worksheet/Declaration Form to pick among. They range from full compliance (Options A, B, C), to one that requires advance authorization by the City (Option D – Delayed Compliance), to Non Compliance. Select the option that is true of your company’s standing at the time you submit your proposal. You cannot change your answer after you submit the Worksheet/Declaration Form.
- Option D is only used if you have an official waiver from the City. Waivers are only issued by the Bureau of Purchases.
- The Form provides the City your declared Equal Benefit status. However, the City issues the final determination of your Equal Benefit status for purposes of contract award.

If information on your form is conflicting or not clearly supported by the documentation that the City receives, the MHCRC may seek clarification to ensure we properly classify your compliance.

Business License

All Proposers must be in compliance with the City of Portland Business License requirements as prescribed by Chapter 7.02 of the Code of the City of Portland. Details of compliance requirements are available from the Revenue Bureau License and Tax Division, 111 SW Columbia Street, Suite 600, Portland, Oregon 97201, (503) 823-5157, website: <http://www.portlandonline.com/omf/index.cfm?c=29320>

If your firm currently has a business license and is EEO certified, include in the Letter of Interest your firm’s City of Portland Business License number as well as the Equal Employment Opportunity (EEO) expiration date.

4. DIVERSITY IN EMPLOYMENT AND CONTRACTING REQUIREMENTS

The MHCRC values, supports and nurtures diversity, and encourages any firm contracting with the MHCRC to do the same, maximizing M/W/ESB business participation with regard to all MHCRC contracts.

PART III

PROPOSAL REVIEW AND AWARD

SECTION A

PROPOSAL REVIEW AND SELECTION

1. PROPOSAL REVIEW

An RFP evaluation review committee will evaluate each proposal in accordance with its established criteria and point factors. The evaluation committee may seek outside expertise, including but not limited to input from technical advisors, to assist in evaluating proposals.

The successful Proposer shall be selected by the following process:

- a. The committee will score the written proposals based on the information submitted according to the evaluation criteria and point factors.
- b. A short list of Proposers, based on the scores, may be selected for oral interviews if deemed necessary. The MHCRC reserves the right to increase or decrease the number of Proposers on the short list depending on the scoring and reference checks, and whether the Proposers have a reasonable chance of being awarded a contract.
- c. If oral interviews are determined to be necessary, the scores from the written proposals will be considered preliminary. Final scores will be determined following the interviews.

All communications shall be through the contact(s) referenced in Part II, Section A.2 of the RFP. At the MHCRC's sole discretion, communications with members of the evaluation committee or other MHCRC staff for the purpose of unfairly influencing the outcome of this RFP may be cause for the Proposer's proposal to be rejected and disqualified from further consideration.

The MHCRC has the right to reject any or all proposals for good cause, in the public interest.

2. CLARIFYING PROPOSAL DURING EVALUATION

During the evaluation process, the MHCRC has the right to require any clarification or change its needs in order to understand the Proposer's view and approach to the project and scope of the work.

SECTION B

CONTRACT AWARD

1. CONSULTANT SELECTION

The MHCRC will award a contract to the highest scoring Proposer. Should the MHCRC not reach a favorable agreement with the highest scoring Proposer, at the MHCRC's sole discretion, the MHCRC shall terminate negotiations and commence negotiations with the second highest scoring Proposer and so on until a favorable agreement is reached. A consultant selection process will be carried out under Portland City Code Chapter 5.68.

2. CONTRACT DEVELOPMENT

The proposal and all responses provided by the successful Proposer may become a part of the final contract. The form of contract shall be the MHCRC's Contract for PTE Services.

3. AWARD REVIEW

Following the Notice of Intent to Award, the public may view proposal documents. However, any proprietary information so designated by the Proposer as a trade secret and meeting the requirements of ORS 192.501(2) will not be disclosed unless the Multnomah County District Attorney determines that disclosure is required. At this time, Proposers not awarded the contract may seek additional clarification or debriefing, request time to review the selection procedures or discuss the scoring methods utilized by the evaluation committee.