



CITY OF ALBANY  
COMMUNITY DEVELOPMENT DEPARTMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING 541-917-7553 | PLANNING 541-917-7550

REQUEST FOR PROPOSALS  
**Community Development  
Block Grant Activities  
Excluding Public Services**

**Issue Date:** December 13, 2018

**Due Date:** February 8, 2019, 12:00 p.m. (PST)

**Community Development Director ..... Jeff Blaine**  
**Planning Manager ..... David Martineau**  
**Planner 3/CDBG Program Manager.....Anne Catlin**  
**Purchasing Coordinator.....Diane M. Murzynski, CPPO, CPPB**

**For more information regarding this Request for Proposals,  
contact Anne Catlin 541-917-7560; [anne.catlin@cityofalbany.net](mailto:anne.catlin@cityofalbany.net).**



CITY OF ALBANY COMMUNITY DEVELOPMENT  
Request for Proposals (RFP): Community Development Block Grant Activities  
Proposals Due by 12:00 p.m. Friday, February 8, 2019 (PST)

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CITY OF ALBANY  
TABLE OF CONTENTS

TABLE OF CONTENTS	1
PROPOSER'S SUBMITTAL CHECKLIST	2
REQUEST FOR PROPOSALS (RFP)	3
SECTION 1 – BACKGROUND AND INFORMATION	4
SECTION 2 – PROCUREMENT REQUIREMENTS	5
SECTION 3 - GENERAL PROVISIONS	14
SECTION 4 – CONTRACT REQUIREMENTS	17
SECTION 5 - SCOPE OF WORK	19
SECTION 6 – EVALUATION CRITERIA	19
SECTION 7 – PROPOSAL SUBMITTAL REQUIREMENTS	See Attachment A
EXHIBIT A - REQUIRED CDBG CERTIFICATIONS	21
EXHIBIT B - NON-COLLUSION AND CONFLICT OF INTEREST CERTIFICATION	22
EXHIBIT C - EMPLOYEE BACKGROUND CHECK PROGRAM CERTIFICATION	23
EXHIBIT D - PROPOSER REPRESENTATIONS AND CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS	24
EXHIBIT E– CERTIFICATION OF INSURANCE REQUIREMENTS	
Attachment A - RFP PROPOSAL SUBMITTAL REQUIREMENTS	
Attachment B – <i>SAMPLE CONTRACT</i>	





**CITY OF ALBANY COMMUNITY DEVELOPMENT**  
**Request for Proposals (RFP): Community Development Block Grant Activities**  
**Proposals Due by 12:00 p.m. Friday, February 8, 2019 (PST)**

**APPLICATION SUBMISSION REQUIREMENTS**

**Proposals must be submitted by the time designated in the advertisement for the Request for Proposals at the City Hall Parks and Recreation Department/Information counter and marked received by City staff indicating the time and date as shown on the City Bid Clock in the Parks Department. Any Proposals submitted after the designated closing time or to any other location will be determined nonresponsive and will not be accepted.**

**It is the responsibility of the Proposer to deliver the Proposal by the indicated deadline to the designated location. The City will not accept responsibility for the timely delivery of any Proposal sent via a delivery service (FedEx, UPS, USPS, etc.). Proposer is solely responsible for the Proposal to be delivered to the correct location by the correct time.**

**If the Proposer submits a Proposal via a delivery service (FedEx, UPS, etc.), the required sealed envelope must be enclosed in the delivery service packaging and the Project Title of the Proposal should be written on the outside delivery service packaging.**

**REQUIRED SUBMITTALS:**

- One electronic submittal of the complete application and attachments; e-mail to [anne.catlin@cityofalbany.net](mailto:anne.catlin@cityofalbany.net);
- One original signed copy; double-sided is preferred. See box above. By Mail: P.O. Box 490; Albany, OR 97321.

**PROPOSER'S SUBMITTAL CHECKLIST:** Proposals should include the following submittals to be considered responsive:

- Proposal Overview and Narrative (see Attachment A, pp 9-12 )
- Activity Budget - Cost Proposal (see Attachment A, see pp. 13-14)
- Staff Experience and Qualifications (see Attachment A, see pp. 15)
- Required CDBG Certifications (*Exhibit A*)
- Non-Collusion and Conflict of Interest Certification (*Exhibit B*)
- Employee Background Check Program Certification (*Exhibit C*)
- Proposer Representations and Certifications Regarding Debarment, Suspension and Other Responsibility Matters (*Exhibit D*)
- Certification of Insurance Requirements (*Exhibit E*)
- Preliminary Environmental Review Record (*Exhibit F*)
- Signed Addenda (if applicable)

Agency Information – The applicant must provide the following information to demonstrate it possesses adequate fiscal management systems and legal certifications to implement the proposed project.

- Current year operating budget
- Financial statements (income/expense) three most recent months (available)
- Most recent Tax Return (990), if applicable
- Current board member roster

**First time applicants must also provide the following information; repeat applicants only provide if updated:**

- Proof of non-profit or tax exemption status with IRS
- Proof of Liability Insurance/Bonding/Workers' Compensation
- Articles of Incorporation and Bylaws





CITY OF ALBANY COMMUNITY DEVELOPMENT  
Request for Proposals (RFP): Community Development Block Grant Activities  
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Notice is hereby given that the The City of Albany Community ("City") is requesting proposals for activities to be funded with Community Development Block Grant (CDBG) funds in the 2019 Annual Action Plan (FY 19-20) beginning July 1, 2019. The City estimates a total of approximately \$250,000 will be available for housing, economic and community development activities. Funds are authorized under the Housing and Community Development Act of 1974, as amended, and are received from the U.S. Department of Housing and Urban Development (HUD).

The Request for Proposals can be downloaded from the City of Albany website at <http://www.cityofalbany.net/cdbg>, or a printed copy can be obtained at Albany City Hall, Community Development Department, 333 Broadalbin Street SW, Albany, OR 97321, or phone 541-917-7560, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m. There is a \$35 charge for printed RFP documents.

The City will post all addenda on the City website. Prospective Proposers are solely responsible for checking the website to determine if addenda or clarifications have been issued. For questions or clarifications regarding this RFP contact Anne Catlin at 541-917-7560, [anne.catlin@cityofalbany.net](mailto:anne.catlin@cityofalbany.net); or Diane Murzynski, CPPO, Purchasing Coordinator, at 541-917-7522.

Proposals shall be submitted in sealed envelopes and must be received at the City of Albany Parks & Recreation counter, not later than 12:00 p.m. (local time), Friday February 8, 2019, addressed to the attention of Anne Catlin, Planner 3, at Albany City Hall, Community Development Department, 333 Broadalbin Street SW, Albany, OR 97321. On the outside of the envelope, please reference "2019 CDBG Activities", the RFP closing date and time, and the name and address of the Proposer. Electronic proposals are also required to be emailed to [anne.caltin@cityofalbany.net](mailto:anne.caltin@cityofalbany.net). Proposals received after the designated time and date will not be opened.

The City may reject any proposal not in compliance with all prescribed solicitation procedures and requirements and other applicable law and may reject any or all proposals in whole or in part when the cancellation or rejection is in the best interest of the City, and at no cost to the City.

DATED THIS 10TH DAY OF DECEMBER 2018.

Diane M. Murzynski, CPPO, CPPB  
Purchasing Coordinator

POST: City of Albany Web Site, Monday, December 10, 2018





# CITY OF ALBANY COMMUNITY DEVELOPMENT

## Request for Proposals (RFP): Community Development Block Grant Activities

### Proposals Due by 12:00 p.m. Friday, February 8, 2019 (PST)

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## SECTION 1 - BACKGROUND AND INFORMATION

### 1.1 INTRODUCTION

The City of Albany is a municipal governmental entity providing a full range of services, including fire and police protection; sewer services; water services; construction and maintenance of highways, streets, and infrastructure; recreational activities, and cultural events. The City of Albany, with a population of 52,540, is the eleventh largest City in Oregon. Located at the confluence of the Willamette and Calapooia Rivers, the city of Albany lies within both Benton and Linn counties. Albany is the largest city in Linn County and serves as the county seat. Albany is also the second largest city in Benton County. From its river town beginnings, Albany has grown south and east with the railroads, state highways and Interstate 5, and across the Willamette into the farms and wooded hillsides of North Albany.

Albany operates under a home-rule charter in a Council-Manager form of government. Albany is led by an elected, non-partisan seven-member Council. The Council consists of the Mayor and six Council members. The Mayor is elected at-large every two years; Councilors are elected for overlapping four-year terms within three City wards. The City Manager serves at the pleasure of the Council. The Council meets on the 2nd and 4th Wednesdays of each month and conducts work sessions the Monday prior to regularly scheduled Wednesday meetings (with some exceptions). The City Council acts as the Local Contract Review Board for the City, as well as the CARA Advisory Board and the Albany Revitalization Agency (ARA).

Albany employs approximately 424 FTE employees and up to an additional 100 temporary employees seasonally. Employees work in one of nine departments. The departments are: Police, Fire, Parks & Recreation, Library, Human Resources, Finance, Information Technology, Public Works Engineering & Community Development, and Public Works Operations. The 2019 fiscal year adopted budget is \$205,854,900, including a General Fund of \$41,878,000. The City of Albany Community Development Department Planning Division helps ensure Albany provides a healthy environment to live, work, shop and play in.

The objective of requesting proposals is for the City to contract with firms to perform on-call inspection and plan review services at a cost representing the best value to the City. More information is available at the following:

- <http://www.cityofalbany.net/>
- <http://www.cityofalbany.net/cdbg>

*The City will translate this document into another language as requested. Por favor, póngase en contacto con Anne Catlin asistencia para traducir este documento.*

### 1.2 PROJECT DESCRIPTION

CDBG activities must be in accordance with the City of Albany (City) 2018-2022 Consolidated Plan and in compliance with national objectives to develop viable urban communities by providing the following, principally for the benefit of low- and moderate-income (LMI) residents:

- Decent housing,
- A suitable living environment,
- Eliminate slums and blight, and
- Expanded economic opportunity.



**CITY OF ALBANY COMMUNITY DEVELOPMENT**  
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**SECTION 2 – PROCUREMENT REQUIREMENTS**

**2.1 ISSUING OFFICE AND SUBMITTAL LOCATION**

The Community Development Department staff will issue the Request for Proposal document. The City Purchasing Coordinator and will be the sole point of contact for the City for questions, concerns, and protests. Proposals must be received at the City of Albany Parks & Recreation counter, **not later than 12:00 p.m., local time, on Friday, February 8, 2019.**

**Submittal Address & Process Questions**

City of Albany Finance Department  
 Diane M. Murzynski, CPPO, CPPB  
 Purchasing Coordinator  
 333 Broadalbin Street SW, Albany, OR 97321  
 Email: [diane.murzynski@cityofalbany.net](mailto:diane.murzynski@cityofalbany.net)  
 Phone: 541-917-7522

**CDBG Program Questions/Scope of Work**

Community Development Department  
 Anne Catlin, AICP  
 Planner 3, CDBG Program Manager  
 333 Broadalbin Street SW, Albany, OR 97321  
 Email: [anne.catlin@cityofalbany.net](mailto:anne.catlin@cityofalbany.net)  
 Phone: 541-917-7560

Telephone, facsimile, or electronically transmitted Proposals will not be accepted. Proposals received after the specified date and time will not be given further consideration. **Proposers submitting proposals are solely responsible for the means and manner of their delivery and are encouraged to confirm delivery prior to the deadline.**

**2.2 RFP SCHEDULE**

The City anticipates the following general timeline for receiving and evaluating proposals and selecting a Contractor. The timeline listed below may be changed if it is in the City's best interest to do so.

RFP Advertised	December 10, 2018
Date to Submit Changes or Solicitation Protests	December 20, 2018, 12:00 p.m.
Last Date for Addenda	January 31, 2019 12:00 p.m.
Letter of Intent Due Date	January 25, 2019, 12:00 p.m.
Proposal Due Date	February 8, 2019, 12:00 p.m.
Staff Evaluates Proposals	February 8 – 13, 2019
*Presentations to CDC	February 25, 2019, 12:00 p.m.
Notice of Intent to Award in 2019 Action Plan	March 30, 2019
Protest Period	April 1-8, 2019, 12:00 p.m.
Albany City Council Public Hearing	May 8, 2019, 7:15 p.m.
Contract Award and Execution	July 1, 2019**

*\*Agencies must attend the February 25 meeting of the Community Development Commission to present their proposal and answer questions.*

*\*\*Subject to appropriation of funds by Congress and City contract received by HUD.*

**2.3 CHANGES TO THE SOLICITATION BY CITY ADDENDA**

The City of Albany reserves the right to make changes to the RFP by written addendum, which shall be issued to all prospective Proposers known to the City of Albany to have received the Proposal Document.





# CITY OF ALBANY COMMUNITY DEVELOPMENT

## Request for Proposals (RFP): Community Development Block Grant Activities

### Proposals Due by 12:00 p.m. Friday, February 8, 2019 (PST)

A prospective Proposer may request a change in the RFP by submitting a written request to the address set forth above. The request must specify the provision of the RFP in question and contain an explanation for the requested change. All requests for changes or additional information must be submitted to the City of Albany no later than the date set in the RFP Schedule.

The City of Albany will evaluate any request submitted but reserves the right to determine whether to accept the requested change. If in the Purchasing Coordinator's opinion, additional information or interpretation is necessary, such information will be supplied in the form of an Addendum as stated above. Any addenda shall have the same binding effect as though contained in the main body of the RFP. Oral instructions or information concerning the scope of work of the project given out by City of Albany managers, employees, or agents to the prospective Proposers shall not bind the City of Albany.

1. All addenda, clarification, and interpretations will be posted on the City of Albany's website at [City of Albany Bids, ITBs, RFQs](#).
2. No addenda will be issued later than the date set in the RFP Schedule, except an addendum, if necessary, postponing the date for receipt of Proposals, withdrawing the invitation, modifying elements of the proposal resulting from a delayed process, or requesting additional information, clarifications, or revisions of proposals leading to obtaining best offers or best and final offers.
3. Each Proposer shall ascertain, prior to submitting a Proposal, that the Proposer has received all Addenda issued, and receipt of each Addendum shall be acknowledged in the appropriate location on each Addendum and included with the Proposal submittal.

## 2.4 TRADE SECRETS AND PUBLIC RECORDS LAW

All information submitted by Proposers shall be public record and subject to disclosure pursuant to the Oregon Public Records Act, except such portions of the Proposals for which Proposer requests exception from disclosure consistent with Oregon Law. All requests shall be in writing, noting specifically which portion of the Proposal the Proposer requests exception from disclosure. Proposer shall not copyright, or cause to be copyrighted, any portion of any said document submitted to the City of Albany as a result of this RFP. Proposer should not mark the whole proposal document "confidential".

If a Proposal contains any information that is considered a trade secret under ORS 192.501(2), Proposers must mark each sheet of such information with the following legend: "This data constitutes a trade secret under ORS 192.501(2), and shall not be disclosed except in accordance with the Oregon Public Records Law, ORS Chapter 192."

Oregon Public Records Law exempts from disclosure only bona fide trade secrets, and the exemption from disclosure applies only "unless the public interest requires disclosure in the particular instance". Therefore, non-disclosure of City documents or any portion of a City document submitted as part of a Proposal may depend upon official or judicial determination made pursuant to the Public Records Law.

In order to facilitate public inspection of the non-confidential portion of the Proposal, material designated as confidential shall accompany the Proposal, but shall be readily separable from it. Prices, makes, model or catalog numbers of items offered, scheduled delivery dates, and terms of payment shall be publicly available regardless of any designation to the contrary. Any Proposal marked as a trade secret in its entirety will be considered nonresponsive.

## 2.5 CANCELLATION

ORS 279B.100 provides for cancellation, rejection, or delay of proposals when the cancellation or rejection is in the best interest of the Contracting Agency as determined by the Contracting Agency. The City of Albany reserves the right to cancel







# CITY OF ALBANY COMMUNITY DEVELOPMENT

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award of this contract at any time before execution of the contract by both parties if cancellation is deemed to be in the City of Albany's best interest. In no event shall the City of Albany have any liability for the cancellation of award.

## 2.6 LATE PROPOSALS, LATE WITHDRAWALS AND LATE MODIFICATIONS

Proposals must be submitted by the time designated in the RFP Schedule at the City Hall Parks and Recreation Department/Information counter and marked received by City staff indicating the time and date as shown on the City Bid Clock in the Parks & Recreation Department. Any Proposals submitted after the designated closing time or to any other location will be considered late and determined nonresponsive and will not be opened or returned. A Proposer's request for modification of a proposal, or withdrawal of a proposal received after closing date and time is late. The City shall not consider late proposals, late requests for modifications, or late withdrawals.

Delays due to mail and/or delivery handling, including, but not limited to delays within City of Albany's internal distribution systems, do not excuse the Proposer's responsibility for submitting the Proposal to the correct location by the stated deadline.

## 2.7 CONDITIONS OF SUBMITTAL

By the act of submitting a response to this RFP, the Proposer certifies that:

1. The Proposer and each person signing on behalf of any Proposer certifies, and in the case of a sole proprietorship, partnership or corporation, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of their knowledge and belief, no elected official, officer, employee, or person, whose salary is payable in whole or in part by the City of Albany, has a direct or indirect financial interest in the Proposal, or in the services to which it relates, or in any of the profits thereof other than as fully described in the Proposer's response to this solicitation.
2. The Proposer has examined all parts of the Request for Proposal, including all requirements and contract terms and conditions thereof, and, if its Proposal is accepted, the Proposer shall accept the contract documents thereto unless substantive changes are made in same without the approval of the Proposer.
3. The Proposer, if an individual, is of lawful age; is the only one interested in this Proposal; and that no person, firm, or corporation, other than that named, has any interest in the Proposal, or in the proposed contract.
4. The Proposer has demonstrated quality experience providing the required goods and services.
5. The Proposer has examined the scope of services and conditions thoroughly and can provide the appropriate insurance, deposits, and bonds, if applicable.
6. The Proposer will comply fully with the scope of services for the agreed contract.
7. The Proposer can meet any and all registration and certification requirements as set forth and required in the Oregon Revised Statutes and this RFP.

## 2.8 PROPOSER REQUESTS INTERPRETATION OF RFP DOCUMENTS

1. Proposers shall promptly notify the City of Albany of any ambiguity, inconsistency or error, which they may discover upon examination of the Proposal Documents.
2. Proposers requiring clarification or interpretation of the Proposal Documents shall make a written request for same to the Purchasing Coordinator at the submittal location listed above.
3. The City of Albany shall make interpretations, corrections, or changes of the Proposal Documents in writing by published Addenda. Interpretations, corrections, or changes of the Proposal Documents made in any other manner will not be binding, and Proposers shall not rely upon such interpretations, corrections, and changes.







# CITY OF ALBANY COMMUNITY DEVELOPMENT

## Request for Proposals (RFP): Community Development Block Grant Activities

### Proposals Due by 12:00 p.m. Friday, February 8, 2019 (PST)

4. Should any doubt or difference of opinion arise between the City of Albany and a Proposer as to the items to be furnished hereunder or the interpretation of the provisions of this solicitation, the decision of the City of Albany shall be final and binding upon all parties.
5. To the maximum extent allowed by law, the City may waive bid irregularities or strict compliance with any requirement herein if it concludes such action to be in its best interest.

## 2.9 PROPOSER REQUESTS FOR ADDITIONAL INFORMATION

Requests for information regarding City of Albany services, programs, or personnel, or any other information shall be submitted in writing directly to the Purchasing Coordinator at the address in the Request for Proposals. All requests for additional information shall be submitted in writing. Answers shall be provided to all Proposers of record on the date that answers are available.

## 2.10 COMPETITION

Respondents are encouraged to comment, either with their Proposals or at any other time, in writing, on any specification or requirement within this RFP, which the respondent believes, will inordinately limit competition.

## 2.11 SOLICITATION PROTESTS

A protest of any provision in this RFP must be made in writing and directed to the Purchasing Coordinator at the address listed in the RFP and shall be received no later than the date listed in the RFP Schedule. Any protest must address the requirement, provision or feature of this RFP or its attachments, that the potential Proposer believes is ambiguous, unclear, unfair, contrary to law or likely to limit competition. Such submittals will be reviewed upon receipt and will be answered in writing. No such protests or requests will be considered if received after the deadline. No oral, telegraphic, telephone protests or requests will be accepted.

## 2.12 COST OF RFP AND ASSOCIATED RESPONSES

This RFP does not commit the City of Albany to paying any costs incurred by any Proposer in the submission or presentation of a Proposal, or in making the necessary studies for the preparation thereof. Responses to this solicitation are purely voluntary. Proposers shall not include any such expenses as part of their Proposals.

## 2.13 CITY TO REQUEST CLARIFICATION, ADDITIONAL RESEARCH, AND REVISIONS

1. The City of Albany reserves the right to obtain clarification of any point in a Proposal or to obtain additional information necessary to properly evaluate a particular Proposal. Failure of a Proposer to respond to such a request for additional information or clarification could result in a finding that the Proposer is non-responsive and consequent rejection of the Proposal.
2. The City of Albany may obtain information from any legal source for clarification of any Proposal or for information on any Proposer. The City of Albany need not inform the Proposer of any intent to perform additional research in this respect or of any information thereby received.
3. The City of Albany may perform, at its sole option, investigations of the responsible Proposer. Information may include, but shall not necessarily be limited to credit history, recent financial statements, current litigation, bonding capacity and related history, and contacting references. All such documents, if requested by the City of Albany, become part of the public records and may be disclosed accordingly.





# CITY OF ALBANY COMMUNITY DEVELOPMENT

## Request for Proposals (RFP): Community Development Block Grant Activities

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4. The City reserves the right to investigate references including customers other than those listed in the Proposer's submission. Investigation may include past performance with respect to its successful performance of similar projects, conformance to Owner's budget, compliance with specifications and contractual obligations, its completion or delivery of a project on schedule, and its lawful payment to employees and workers or other criteria as determined by the City.
5. The City of Albany reserves the right to request revisions of proposals after the submission of proposals and before award.
6. The City of Albany reserves the right to negotiate revisions to the final contract, as well as price, with the successful Proposer.
7. The City of Albany reserves the right to request revisions of proposals after the submission of proposals and before award for the purpose of obtaining best offers or best and final offers.

#### 2.14 CONFLICT OF INTEREST

In accordance with Finance Policy No. F-15-16, a public official, including any department director, employee or agent of the City, shall not participate in the selection, award or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the public official, or any member of his or her immediate family, or an organization which employs or is about to employ any of the parties indicated herein, receives a financial or other personal benefit from an organization considered for a contract supported by a federal award. Violations of such standards by a public official will be subject to disciplinary action in accordance with City policies.

No officers, employees, agents or board members may either solicit or accept gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements. Unsolicited items of nominal intrinsic value may be accepted if the value is to the extent permitted by state or local law under Oregon State Gift Limit, ORS 224.025

Organizational conflicts could occur when contractors or consultants prepare specifications or statements of work and then bid on the resulting procurement. Project managers must identify and evaluate potential organizational conflicts of interest early in the acquisition process. All acquisitions must be analyzed to avoid potential conflicts before bid solicitation and contract award. To avoid an organizational conflict of interest, contractors who are working on specifications that will be used for competitive procurements must be made aware of the potential organizational conflict. The City will disclose the consultants or contractors who have prepared the project specifications or scope of work to maintain an open and transparent bidding process and minimize the potential of a contractor receiving a competitive advantage.

#### 2.15 REJECTION OF PROPOSALS

The City of Albany reserves the right to reject any or all Proposals received as a result of this request. Proposals may be rejected for one or more of the following reasons, including but not limited to:

1. Failure of the Proposer to adhere to one or more of the provisions established in this RFP.
2. Failure of the Proposer to submit a Proposal in the format specified herein.
3. Failure of the Proposer to submit a Proposal within the time requirements established herein.
4. Failure of the Proposer to adhere to ethical and professional standards before, during, or following the Proposal process.





# CITY OF ALBANY COMMUNITY DEVELOPMENT

## Request for Proposals (RFP): Community Development Block Grant Activities

### Proposals Due by 12:00 p.m. Friday, February 8, 2019 (PST)

The City of Albany may reject any Proposal not in compliance with all prescribed public procurement procedures and requirements and may reject for good cause any or all Proposals upon a finding of the City of Albany that it is in the public interest to do so.

#### 2.16 MODIFICATION OR WITHDRAWAL OF PROPOSAL BY PROPOSER

1. A Proposal may not be modified, withdrawn, or canceled by the Proposer for 90 (ninety) calendar days following the time and date designated for the receipt of Proposals.
2. Proposals submitted early may be modified or withdrawn only by notice to the City of Albany Purchasing Coordinator, at the Proposal submittal location, prior to the time designated for receipt of Proposals. Such notice shall be in writing over the signature of the Proposer. All such communications shall be so worded as not to reveal the amount of the original Proposal or any other material contents of the original Proposal.
3. Withdrawn Proposals may be resubmitted up to the time designated for the receipt of Proposals provided that they are then fully in conformance with these Instructions to Proposers.

#### 2.17 PROPOSAL OWNERSHIP

1. All Proposals submitted become and remain the property of the City of Albany and, as such, are considered public information and subject to public disclosure within the context of the federal Freedom of Information Act and Oregon Revised Statutes (ORS) 192.501 and ORS 192.502, public records exempt from disclosure.
2. Unless certain pages or specific information are specifically marked "proprietary" and qualify as such within the context of the regulations stated in the preceding paragraph, the City of Albany shall make available to any person requesting information through the City of Albany's processes for disclosure of public records, any and all information submitted as a result of this solicitation without obtaining permission from any Proposer to do so after the Notice of Intent to award has been released.

#### 2.18 DURATION OF PROPOSAL

Proposal prices, terms and conditions shall be firm for a period of at least ninety (90) days from the deadline for receipt of submittal. The successful proposal shall not be subject to future price escalation or changes of terms if accepted during the ninety (90) day period. Price decreases or changes in terms by others after the acceptance of a proposal will not be considered.

#### 2.19 AFFIRMATIVE ACTION

By submitting a proposal, the Proposer agrees to comply with the Fair Labor Standard Act, Title VII of the Civil Rights Act of 1964, Executive Order 11246 (as amended), Fair Employment Practices, Equal Employment Opportunity Act, Section 503 of the Rehabilitation Act of 1973, as amended; Vietnam Era Veterans' Readjustment Assistance Act of 1974; Americans with Disabilities Act; Age Discrimination in Employment Act of 1967 (ADEA); and Oregon Revised Statutes (ORS).

#### 2.20 DISADVANTAGED, MINORITY, WOMEN, & EMERGING SMALL BUSINESSES (DMWESB)

Albany encourages the participation of Target Businesses. These businesses are defined as Disadvantaged, Minority-Owned, Women-Owned, and Emerging Small Businesses (DMWESB) certified by the State of Oregon (OMWESB), and businesses certified as Small Disadvantaged Businesses by the Small Business Administration. Proposers may not discriminate in the award of a subcontract because the subcontractor is a minority, women or emerging small business enterprise (MWESB) certified under ORS 200.055. By submitting a proposal, the Proposer specifically certifies, under penalty of perjury, that the





# CITY OF ALBANY COMMUNITY DEVELOPMENT

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Proposer has not discriminated against minority, women or emerging small business enterprises in obtaining any required subcontracts.

#### 2.21 SUBCONTRACTORS

In all solicitations either by competitive bidding or negotiation made by the Successful Proposer for work to be performed under a subcontract or subconsultant, including procurements of materials or leases of equipment, each potential subcontractor/subconsultant or supplier shall be notified by the Successful Proposer of the Proposer's obligations under this contract, Title VI of the Civil Rights Act of 1964, and other federal nondiscrimination laws.

#### 2.22 IDENTICAL PROPOSALS

If the City receives Proposals identical in price, fitness, availability and quality and chooses to award a contract, the City shall award the contract in accordance with ORS 279A.120 and OAR 137-046-0300. If the City determines that one or more proposals are identical, tiebreaker preference for identical offers are awarded on the following order of precedence: 1) Goods and services manufactured, produced or to be performed in Oregon, and 2) Drawing lots among the identical Offers. The City shall provide the Proposers who submitted the identical proposals notice of the date, time and location of the drawing of lots and an opportunity for the Proposers to be present when the lots are drawn.

#### 2.23 COMPLIANCE WITH STATE OF OREGON LAWS

By submitting a response to this solicitation, Proposer agrees that any terms and conditions stated within any Agreement awarded as a result of this solicitation shall include the following laws of the State of Oregon and are hereby incorporated by reference into the Agreement: ORS 279B.220, 279B.225, 279B.230, and 279B.235.

#### 2.24 NOTIFICATION OF INTENT TO AWARD

Responsive Proposers to this RFP will be notified of the Selection Review Committee's recommendation and the City's intent to award an agreement not less than seven (7) days prior to award of agreement. The notice of intent to award an agreement will be directed to the person who has signed the Proposal on behalf of the Proposer.

#### 2.25 PROTEST OF AWARD

A Proposer may protest the award of a contract or the intent to award such a contract, whichever occurs first, if the following conditions are satisfied: (1) The Proposer must be adversely affected because the Proposer would be eligible to be awarded the contract in the event the protest is successful; (2) The reason for the protest is that all the lower bids or higher ranked Bids are nonresponsive; (3) The City has failed to conduct the evaluation of Bids in accordance with the criteria or processes described in the Solicitation Document; (4) The City has abused its discretion in rejecting the protestor's bid as nonresponsive; (5) The City's evaluation of the Proposals or the subsequent determination of award is otherwise in violation of ORS 279A or 279B.

The Proposer must deliver the written protest to the Purchasing Coordinator within seven (7) days after issuance of the notice of intent to award the contract or if no notice of intent to award is issued, within forty-eight hours after award. A Proposer's written protest shall specify the grounds for protest to be considered by the City pursuant to ORS 279B.410(2). A Proposer's written protest shall specify the grounds for protest. The City shall not consider a Proposer's contract award protest submitted after the above timeline.





# CITY OF ALBANY COMMUNITY DEVELOPMENT

## Request for Proposals (RFP): Community Development Block Grant Activities

### Proposals Due by 12:00 p.m. Friday, February 8, 2019 (PST)

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#### 2.26 OBLIGATION TO AWARD

The City's obligation to award this RFP is contingent upon appropriation or approval of funds.

#### 2.27 AGREEMENT

Successful proposers will be required to sign an Agreement to deliver to the City at the cost proposed providing the scope of services and conditions set forth herein. It is the City's intent to award an Agreement in substantially the form of the Agreement attached to this Proposal document. Proposers may submit an alternative Agreement for City's review. The City, at its sole determination, may approve the Proposer's offered Agreement as is, require modifications, or reject the Proposer's Agreement and require that the City's Agreement be executed for the purpose of this RFP.

#### 2.28 NOTICE TO PROCEED

Work under the Agreement may not begin until the Notice to Proceed has been issued. The City will issue the Notice to Proceed after execution of the Contract. The Notice to Proceed will state the date work under the Agreement shall begin.

#### 2.29 RECIPROCAL PREFERENCE LAW

Oregon's reciprocal preference law, ORS 279A.125, requires public contracting agencies, in determining the lowest responsible Proposer, to add a percent increase to each out-of-state Proposer's bid price which is equal to the percent of preference given to local Proposers in the Proposer's home state. The list prepared and maintained by the Oregon Department of Administrative Services pursuant to ORS 279A.120(4) will be used to determine whether the nonresident Bidder's state gives preference to in-state Bidders and the amount of such preference. For details, check Oregon's Reciprocal Preference Law website at: <https://www.oregon.gov/das/Procurement/Pages/Recippref.aspx>. Proposers in need of any assistance in the application of this law should contact the State Procurement Office: State of Oregon, Department of Administrative Services, State Procurement Office, 1225 Ferry Street SE, U-140, Salem, OR 97301-4285. Telephone: 503-378-4642.

#### 2.30 INTERGOVERNMENTAL COOPERATIVE AGREEMENT

Pursuant to ORS 279A.215, other Public Agencies shall have the ability to purchase the awarded goods and services from the awarded Subrecipient under terms and conditions of the resultant contract. Any such purchases shall be between the Subrecipient and the Participating Public Agency and shall not impact the Contactor's obligation to the City of Albany. If the Subrecipient chooses to participate in such agreements, all Agency relationships including those for contract administration, ordering, deliveries, approvals, billing, and collections shall be between the Participating Agency and the Subrecipient. The Originating Agency, City of Albany, except for this enabling agreement, shall not participate in any aspects of commercial activity between the Subrecipient and the Participating Agency. If the Subrecipient agrees to participate, all such participation shall be on the basis of this solicitation and the resulting award except that reasonable changes in pricing and terms may be negotiated directly between the Participating Agency and the Subrecipient to accommodate differences in delivery distances and local conditions. All such changes shall be solely between the Subrecipient and the Participating Agency.

**Proposer must accept or decline participation in the Cooperative Agreement by providing written notification within the Proposal Response Introductory Letter and Non-Collusion and Conflict of Interest Certification.**





**CITY OF ALBANY COMMUNITY DEVELOPMENT**  
**Request for Proposals (RFP): Community Development Block Grant Activities**  
**Proposals Due by 12:00 p.m. Friday, February 8, 2019 (PST)**

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**SECTION 3 – GENERAL PROVISIONS**

**3.1 DEFINITIONS** (as used in these contract documents, except where the context otherwise clearly requires)

CDBG means Community Development Block Grant. Funds are authorized under the Housing and Community Development Act of 1974, as amended, and are received from the U.S. Department of Housing and Urban Development (HUD).

CITY, OWNER means the City of Albany, Oregon.

CITY'S REPRESENTATIVE or DESIGNEE, or CONTRACT ADMINISTRATOR means the person or persons designated by the City to administer this contract and monitor compliance hereunder.

CONTRACT DOCUMENTS means all written documents existing at the time of execution of this Contract and setting forth the obligations of the parties, including the Request for Proposals, Personal Services Agreement, Scope of Services, Non-Collusion and Conflict of Interest Certification, Certification Statement for Corporation or Independent Contractor, Proposer Representations and Certification Regarding Debarment, Suspension and Other Responsibility Matters, Certification of Insurance Requirements, References, Cost Proposal, Proposal Response, and other attachments, exhibits, or addenda applicable to the final Contract Documents. In addition, written amendments to the Contract Documents executed by the parties from time to time, and any documents expressly incorporated by reference elsewhere in the Contract Documents enumerated above.

DELIVERABLE means the acceptable product or service as identified in the statement of work; received as requested at the right: time, place, quality, quantity, and price. A deliverable must be measurable to determine that all conditions and acceptable performance are met.

HUD means U.S. Department of Housing and Urban Development.

OAR means Oregon Administrative Rules.

ORS means Oregon Revised Statutes.

PROPOSER, RESPONDENT means the person(s) or agency, including employees, designated to undertake and to perform the work subject of this contract and by whom or on whose behalf the contract was signed.

RESPONSIBLE PROPOSER means a Person that has submitted an Offer and meets the standards set forth in OAR 137-047-0640 and that has not been debarred or disqualified by the Contracting Agency under OAR 137-047-0575. When used alone, Responsible means meeting the aforementioned standards and is also defined in ORS 279B.110.

RESPONSIVE PROPOSAL means an Offer or Proposal that substantially complies in all material respects with all prescribed procurement procedures and applicable solicitation requirements. When used alone, Responsive means having the characteristic of substantially complying in all material respects with applicable solicitation requirements.

SPECIFICATION means the directions, requirements, explanations, terms and provisions pertaining to the various features of the work, the manner and method of proposing for the work, the manner and method of performance of the work, and the manner and method of payment all as they appear in the contract documents.

STATEMENT OF TIME means a period of time, unless stated as a number of City business days, shall include Saturdays, Sundays, and holidays. The word "day" as used in this RFP document, and any resulting contract awarded as a result of this process, shall constitute a calendar day of 24 hours measured from midnight to the next midnight.







# CITY OF ALBANY COMMUNITY DEVELOPMENT

## Request for Proposals (RFP): Community Development Block Grant Activities

### Proposals Due by 12:00 p.m. Friday, February 8, 2019 (PST)

SUBRECIPIENT means successful proposer.

SUBSTANTIAL COMPLETION means a stage in the progress of the Work when the Work or designated portion thereof is sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or use the Work or a portion thereof for its intended use.

WORK means all tasks specified or necessarily implied in these Contract Documents and Scope of Work or Services to perform and complete their intended result. The term encompasses all labor, materials, supplies, tools, equipment, fuel, administrative and support services, overhead, and other direct and indirect expenses necessary to achieve the result intended by the Contract Documents.

### 3.2 CITY REPRESENTATIVE OR CONTRACT ADMINISTRATOR

The City's Representative or designee shall have full authority to act on behalf of the City with respect to administration of the provisions of this Contract, including the authority to stop the work whenever such stoppage may be necessary to ensure the proper execution of the Contract. The Representative or designee shall also have authority to reject all work that does not conform to the Contract Documents. The City Representative to administer this Contract will be: Anne Catlin, Planner 3, CDBG Program Coordinator, 541-917-7560.

The City's Representative shall observe, monitor, and inspect the work to the extent required to determine the provisions of the Contract Documents are being properly fulfilled. The inspection of the work completed shall not relieve the Contractor of his/her obligation to perform acceptable work in conformance with these Contract Documents.

### 3.3 NOTICES, INVOICES, AND PAYMENTS

All notices, reimbursement requests/invoices, and payments shall be made electronically or in by personal delivery or by mail. Notices, bills, and payments sent by mail should be addressed as follows:

CITY OF ALBANY:                    333 Broadalbin Street SW  
   P.O. Box 490  
   Albany, Oregon 97321  
   [anne.catlin@cityofalbany.net](mailto:anne.catlin@cityofalbany.net)

And when so addressed, shall be deemed given upon deposit in the United States mail, postage prepaid. In all other instances, notices, bills, and payments shall be deemed given at the time of actual delivery.

### 3.4 TERM OF CONTRACT

The term of this contract shall be for a period from the date of contract execution (approximately July 2019), through June 30, 2020 or twelve months.

### 3.5 CONFIDENTIAL DOCUMENTS

Subrecipient and Subrecipient's employees shall consider all documents confidential. Any disclosure of confidential information or removal of City property by Contractor or Contractor's employees shall be cause for immediate contract cancellation. Any liability, including, but not limited to, attorney fees, arising from any action or suit brought against City because of Contractor's employee's willful or negligent release of information, documents or property shall be borne by Contractor.







# CITY OF ALBANY COMMUNITY DEVELOPMENT

## Request for Proposals (RFP): Community Development Block Grant Activities

### Proposals Due by 12:00 p.m. Friday, February 8, 2019 (PST)

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#### 3.6 INCREASE OR DECREASE IN SERVICES

The City shall have the option to increase or decrease services and may request Contractor to provide additional work and perform special projects for the City. All change orders to the contract will be in the form of an amendment to the contract and mutually agreed upon. The amendment will represent a proportional adjustment to the contract price as a result of the increase or decrease in the scope of work. The amendment shall be executed by both parties.





# CITY OF ALBANY COMMUNITY DEVELOPMENT

## Request for Proposals (RFP): Community Development Block Grant Activities

### Proposals Due by 12:00 p.m. Friday, February 8, 2019 (PST)

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## SECTION 4 – CONTRACT REQUIREMENTS

### 4.1 CONTRACT AWARD

The award of a contract is accomplished by executing a contract with a written agreement that incorporates the entire RFP, Attachments, Exhibits, Proposer's Response, Clarifications, Addenda, and Statement of Work. All such materials constitute the Contract Documents. The Issuing Office is the sole point of contact for the issuance and compliance of the contract and insurance. The contract shall be substantially in the form of the Sample Personal Service Agreement, Attachment A.

The Proposer must indicate a willingness to negotiate a contract in a timely, reasonable manner with the City. The City reserves the right to negotiate with the second-ranked Proposer, if the contract negotiation attempts are unsuccessful with the apparent successful Proposer.

In addition, the Proposer should indicate there is no conflict of interest or collusion on the part of the Proposer's submission of a proposal for the services being solicited under this RFP, see Exhibit E, Non-Collusion and Conflict of Interest Certification. If a potential conflict could be perceived to exist, then attach a letter of explanation disclosing the potential conflict or relationship.

The Proposer hereby agrees to accept the contract terms of the attached Sample Agreement unless exceptions to the contract are submitted by the Proposer with their Proposal Response within the Introductory Letter. If Proposer does not provide written exceptions within the Introductory Letter and Proposer indicates exceptions after contract evaluations, City reserves the right to reject the Proposal and negotiate a contract with the next ranked Proposer or find the Proposal Response nonresponsive.

### 4.2 INSURANCE REQUIREMENTS

The successful Proposer must be covered by Workers' Compensation Insurance, which will extend to and include work in Oregon. If Proposer is exempt from Workers' Compensation, Proposer should indicate they are exempt from workers' compensation within the Introductory Letter of the Proposal Response.

In addition, the Proposer must also submit documents addressing Commercial General Liability Insurance and Automobile and Collision Insurance. An overview of the Insurance Requirements is defined in Exhibit E. Proposers must submit Exhibit E to acknowledge and accept the insurance requirements noted herein.

The Proposer shall demonstrate willingness to contract and the ability to provide a Certificate of Insurance and Additional Insured Endorsement reflecting the Insurance Requirements within ten (10) days of the Notice of Contract Award. If Proposer does not provide the required insurances, the City may elect to negotiate a contract with the second-ranked Proposer.

### 4.3 CDBG PROGRAM REQUIREMENTS

1. All grant recipients must have a DUNS # and EIN #. (You can get a DUNS # online here: <http://www.dnb.com/get-a-duns-number.html>.)
2. Fiscal Management: Grant recipients are required to comply with federal uniform administrative requirements regarding fiscal management including financial reporting, record keeping, accounting systems, payment procedures, procurement of goods and services, conflict of interest, and audit requirements. Non-profit organizations must





# CITY OF ALBANY COMMUNITY DEVELOPMENT

## Request for Proposals (RFP): Community Development Block Grant Activities

### Proposals Due by 12:00 p.m. Friday, February 8, 2019 (PST)

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administer programs in compliance with [24 CFR Part 84](#). Public agencies must administer programs in compliance with 24 CFR Part 85.

3. Non-Discrimination and Equal Opportunity: Grant recipients must comply with various federal, state, and local laws that provide equal opportunity and prohibit discrimination against persons on the basis of race, color, national origin, religion, sex, age, or disability. Discrimination is prohibited in the provision of services, in access to the services and to the facilities where the services are provided, and in all other aspects of administering a CDBG project such as employment and procurement.
4. National Objective Compliance: Grant recipients must document the activity meets the CDBG National Objective to serve low- and moderate-income residents or areas per 24 CFR 570.201-570.207. Subrecipients must verify client income and collect demographic data on clients using a form provided by the City. This data is submitted in a quarterly report that also reports progress on meeting performance goals and outcomes.
5. Records Management: Records to be maintained are found in [24 CFR 570.506](#) and reporting requirements in [24 CFR 570.507](#). See also the Albany CDBG Subrecipient Handbook.





**CITY OF ALBANY COMMUNITY DEVELOPMENT**  
**Request for Proposals (RFP): Community Development Block Grant Activities**  
**Proposals Due by 12:00 p.m. Friday, February 8, 2019 (PST)**

**SECTION 5 – SCOPE OF WORK**

CDBG activities must be in accordance with the City of Albany (City) 2018-2022 Consolidated Plan and in compliance with national objectives to develop viable urban communities by providing the following, principally for the benefit of low- and moderate-income (LMI) residents:

- Decent housing,
- A suitable living environment,
- Eliminate slums and blight, and
- Expanded economic opportunity.

Eligible Activities: Eligible activities are specified in 24 CFR 570.201 through 570.204 and generally include: real property acquisition, disposition, clearance and remediation activities, housing services, construction of affordable housing, homeownership assistance, and assistance to institutes of higher education, public facilities and improvements, rehabilitation and preservation activities, special economic development activities, and eligible activities carried out by Community-Based development Organizations.

Ineligible Activities include political or religious activities; buildings or portions thereof used for the general conduct of government; general government expenses; and the following purchase are generally ineligible except under specific conditions: purchase of equipment, furnishings, or fixtures, motor vehicles, and other personal property; and subsistence or income payments more than three consecutive months to individuals for items such as food, clothing, and rent. See 24 CFR 570.207 for a full list of ineligible activities.

**SECTION 6 – EVALUATION CRITERIA**

CDBG funds are awarded based on demonstrated need in the community, CDBG program priorities, readiness to proceed, and the capacity of the organization. The Community Development Commission will use the following rating system to evaluate applications:

- |   |           |
|---|-----------|
| • Activity need, Consolidated Plan and CDBG award policies and priorities           | 30 Points |
| • Benefit to low-income Albany residents, performance objective (#served)           | 20 Points |
| • Agency capacity, experience w/activity and/or Federal funding, agency inclusivity | 20 Points |
| • Readiness to proceed; ability to complete in 12 months                            | 10 Points |
| • Financial: project expenses are reasonable  | 10 Points |
| • Amount and source of other/matching funds   | 10 Points |

CDBG Award Policies & Priorities:

CDBG funds may be competitive as there are often more applications than funds available. To ensure fair and equitable access to all eligible applicants, the City has developed the following policies and priorities to guide the use of these funds.

1. The project provides benefit to a demographic group that has a need documented in the City of Albany CDBG 2018-2022 Consolidated Plan. Higher ranking will be given to projects that serve the Albany’s extremely low- and low -income residents (30% of area median income (AMI), and 50% of AMI, etc.)
2. The project addressed an identified gap in community needs and is a proven effective strategy to improve conditions or solve an identified problem.
3. The agency submitting the proposal embraces and demonstrates diversity within its organization and the project promotes inclusiveness and diversity.





# CITY OF ALBANY COMMUNITY DEVELOPMENT

## Request for Proposals (RFP): Community Development Block Grant Activities

### Proposals Due by 12:00 p.m. Friday, February 8, 2019 (PST)

---

4. The project utilizes already existing resources in effective and innovative ways and does not duplicate services provided by another organization.
5. The agency has the capacity to carry out the project and meet performance objectives within a 12-month period.
6. The budget and time line are well thought out and realistic and the proposal demonstrates CDBG funds are the most appropriate funding source for the project.
7. The project maximizes the use of outside funds and services.
8. Affordable housing only: the project creates affordable housing or retains and improves the sustainability and livability of existing units of affordable housing. The longer the period of time the units remain affordable, the higher the project ranking.
9. Relocation only: Relocation of residents will be minimized, and when necessary the applicant has included accurate relocation assistance costs as part of the project pro-forma.





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## EXHIBIT A - REQUIRED CDBG CERTIFICATIONS

Signature of Applicant Representative with Binding Authority below certifies the following statements:

- Applicant has no conflict of interests with any City of Albany appointed or elected representatives and does not employ City appointed or elected representatives or their families.
- Applicant will comply with all applicable federal requirements, including compliance with federal Labor Standards, Section 3, Segregated Facilities, Equal Opportunity, and Non-Discrimination, Section 109, Title VI and EO 11246. All requirements are described in 24 CFR 570 Subpart K (CDBG Entitlement Grants).
- Authorized official certifies this CDBG application package has been reviewed and all information provided in this application and attachments is true and correct.
- If funded, sufficient funds are available from non-CDBG sources to complete the project, as described.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Duns Number

\_\_\_\_\_  
Taxpayer Identification No. (T.I.N.)





EXHIBIT B - NON-COLLUSION AND CONFLICT OF INTEREST CERTIFICATION

The undersigned hereby proposes and, if selected, agrees to furnish the services described in accordance with this Request for Proposals, Exhibits, Attachments, and Addenda, if applicable, for the term of the Agreement and certifies that the Proposer is not in any way involved in collusion and has no known apparent conflict of interest in submitting a Proposal.

Certifications

Non-Collusion. The undersigned Proposer hereby certifies that it, its officers, partners, owners, providers, representatives, employees and parties in interest, including the affiant, has not in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Proposer, potential Proposer, firm or person, in connection with this solicitation, to submit a collusive or sham bid, to refrain from bidding, to manipulate or ascertain the price(s) of other Proposers or potential Proposers, or to secure through any unlawful act an advantage over other Proposers or the City. The fees, prices, and Response submitted herein have been arrived at in an entirely independent and lawful manner by the Proposer without consultation with other Proposers or potential Proposers or foreknowledge of the prices or Responses to be submitted in response to this solicitation by other Proposers or potential Proposers on the part of the Proposer, its officers, partners, owners, providers, representatives, employees or parties in interest, including the affiant.

Discrimination. The undersigned Proposer has not discriminated and will not discriminate against any minority, women or emerging small business enterprise or against a business enterprise that is owned or controlled by or that employs a disabled veteran in obtaining a required subcontract.

Conflict of Interest. The undersigned Proposer and each person signing on behalf of the Proposer certifies, and in the case of a sole proprietorship, partnership, or corporation, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of their knowledge and belief, no member of the City Council, officer, employee, or person, whose salary is payable in whole or in part by the City, has a direct or indirect financial interest in the award of this Response, or in the services to which this Response relates, or in any of the profits, real or potential, thereof, except as noted otherwise herein. The undersigned hereby submits this Response to furnish all work, services, systems, materials, and labor as indicated herein and agrees to be bound by the following documents: Request for Proposals, Addenda, Agreement, Exhibits and Attachments, and associated inclusions and references, specifications, Proposer’s response, mutually agreed clarifications, appropriately priced change orders, exceptions which are acceptable to the City, and all other Proposer’s submittals.

Proposer must disclose any apparent or perceived conflict of interest, including but not limited to, current or past relationships with consultants, contractors, subcontractors, or engineers associated with this Project. Furthermore, Proposer must disclose any current or past relationship as a City of Albany employee. If a perceived conflict may exist, then attach a letter of explanation disclosing the potential conflict or relationship.

Disadvantaged, Minority, Emerging Small Business (DMESB) (check applicable box):  Yes  No

Intergovernmental Cooperative Procurement Participation (check box that applies):  Yes  No

Reciprocal Preference Law – Residency (check box that applies):  Resident Proposer  Non-Resident Proposer

Signature Block

The Proposer hereby certifies that the information contained in these certifications and representations is accurate, complete, and current.

Proposer’s Agency Name

Telephone Number

Mailing Address, City, State, Zip

email

Signature

Date







# CITY OF ALBANY COMMUNITY DEVELOPMENT

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## EXHIBIT C - EMPLOYEE BACKGROUND CHECK PROGRAM CERTIFICATION

Proposers shall demonstrate and disclose to the City of Albany that the organization has an Employee Background Check Program in place before a public contract can be awarded.

Therefore, by signing this Certification, the Proposer does hereby certify and confirm that, as a proposed service provider for the City of Albany's Community Development Block Grant activities, that the organization has an Employee Background Check Program in place.

ORGANIZATION: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_





EXHIBIT D - PROPOSER REPRESENTATIONS AND CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

Failure of the Proposer to complete and sign this form may result in the rejection of the submitted offer. The Proposer will notify Purchasing in the Finance Department within 30 days of any change in the information provided on this form.

The Proposer certifies to the best of its knowledge and belief that neither it nor any of its principals:

- 1. Are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from submitting bids or proposals by and federal, state or local entity, department or agency;
2. Have within a five-year period preceding the date of this certification been convicted of fraud or any other criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, of local) contract embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are presently indicted for or otherwise criminally charged with commission of any of the offenses enumerated in Paragraph 2 of this certification;
4. Have, within a five-year period preceding the date of this certification had a judgment entered against contractor or its principals arising out of the performance of a public or private contract;
5. Have pending in any state or federal court any litigation in which there is a claim against contractor or any of its principals arising out of the performance of a public or private contract; and
6. Have within a five-year period preceding the date of this certification had one or more public contracts (federal, state, or local) terminated for any reason related to contract performance.

If Proposer is unable to attest to any of the statements in this certification, Proposer shall attach an explanation to their offer. The inability to certify to all of the statements may not necessarily preclude the Proposer from award of a contract under this procurement.

ATTESTATION:

SIGNATURE OF AUTHORIZED PERSON:

(notarization is not required)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name and Title \_\_\_\_\_

Contact Person for this Procurement: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_





# CITY OF ALBANY COMMUNITY DEVELOPMENT

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## EXHIBIT E – CERTIFICATION OF INSURANCE REQUIREMENTS

All Subrecipients shall at all times maintain in force at Proposer's expense for insurance noted below.

**Workers' Compensation** insurance in compliance with ORS 656.017, which requires subject employers to provide workers' compensation coverage in accordance with ORS Chapter 656 or CCB (Construction Contractors Board) for all subject workers. Contractor and all subcontractors of Contractor with one or more employees must have this insurance unless exempt under ORS 656.027. **Employer's Liability Insurance with coverage limits of not less than \$1,000,000 must be included.** THIS COVERAGE IS REQUIRED. If Contractor does not have coverage, and claims to be exempt, Contractor must indicate exemption within their Bid/Proposal submittal letter with qualified reasons for exemption, see ORS 656.027. Out-of-state Contractors with one or more employees working in Oregon in relation to this contract must have Workers' Compensation coverage from a state with extraterritorial reciprocity, or they must obtain Oregon specific Workers' Compensation coverage ORS 656.126.

**Professional Liability** insurance covering any damages caused by error, omission or any negligent acts of the Contractor, its subcontractors, agents, officers, or employees performance under this Contract. **Combined single limit per occurrence shall not be less than \$2,000,000. Annual aggregate limit shall not be less than \$2,000,000.**

If this box is checked, the limits shall be \$1,000,000 per occurrence and \$1,000,000 in annual aggregate.

Required by City       Not Required by City (Needs Finance Insurance Review and Approval.)

**Commercial General Liability** insurance with coverage satisfactory to the City on an occurrence basis. **Combined single limit shall not be less than \$2,000,000 per occurrence for Bodily Injury and Property Damage and annual aggregate limit for each shall not be less than \$3,000,000.** Coverage may be written in combination with Automobile Liability Insurance (with separate limits). **Annual aggregate must be on a "per project basis".**

If this box is checked, the limits shall be \$1,000,000 per occurrence and \$2,000,000 in annual aggregate.

If this box is checked, the limits shall be \$5,000,000 per occurrence and \$5,000,000 in annual aggregate.

Required by City       Not Required by City (Needs Finance Insurance Review and Approval.)

**Commercial Automobile Liability** covering all owned, non-owned, or hired vehicles. This coverage may be written in combination with the Commercial General Liability Insurance (with separate limits). **Combined single limit per occurrence shall not be less than \$2,000,000.**

If this box is checked, the limits shall be \$1,000,000 per occurrence.

If this box is checked, the limits shall be \$5,000,000 per occurrence.

Required by City       Not Required by City (Needs Finance Insurance Review and Approval.)

Coverage must be provided by an insurance company authorized to do business in Oregon or rated by A.M. Best's Insurance Rating of no less than A-VII or City approval. Contractor's coverage will be primary in the event of loss. Contractor shall furnish a current Certificate of Insurance to the City.

Subrecipient shall provide renewal Certificates of Insurance upon expiration of any of the required insurance coverage. Subrecipient shall immediately notify the City of any change in insurance coverage. The certificate shall also state the deductible or retention level. The City must be listed as an Additional Insured by Endorsement of any General Liability Policy on a primary and non-contributory basis. Such coverage will specifically include products and completed operations coverage.

The Certificate shall state the following in the description of operations: "Additional Insured Form (include the number) attached. The form is subject to policy terms, conditions and exclusions". A copy of the additional insured endorsement shall be attached to the certificate of insurance. If requested complete copies of insurance policies shall be provided to the City. **Certificate holder should be: City of Albany, P.O. Box 490, Albany, OR 97321.**

Proposer's Acceptance: \_\_\_\_\_

Completed at City by: Diane M. Murzynski





## ATTACHMENT A – Proposal Sumbittal Requirements

## ATTACHMENT B – *SAMPLE CONTRACT*



# CITY OF ALBANY COMMUNITY DEVELOPMENT

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