



# City of Seattle

Department of Finance & Administrative Services (FAS)  
Capital Development (CD) Division

**REQUEST FOR STATEMENTS OF QUALIFICATIONS (RFQ) #CD 2022-01**  
**Architectural/Engineering Consultant Services** for  
**Seattle Municipal Tower Tenant Improvements**  
**Floors 30, 34, 35 and 36 for Seattle City Light**

**Submittals due by 2PM PST, MARCH 11**

Schedule of Events	Key Dates
RFQ Release	February 18
Pre-Submittal Conference # 1 via WebEx (not mandatory)	9AM PST, February 24
Pre-Submittal Conference # 2 via WebEx (not mandatory)	9AM PST, March 1
Deadline for Questions	by 5PM PST, March 4
<b>Submittals Due to the City</b>	<b>Electronic submissions only by 2PM March 11</b>
Submittals screened & notification of shortlist/interview selections	Week of March 21
Interviews (optional)	Week of March 28
Announcement of Selected Consultant(s)	End of March

*The City reserves the right to modify this schedule at the City's discretion. Notification of changes will be posted on the City procurement website or as otherwise stated herein.*

**Contact: RFQ Project Manager: Mark Miller [mark.miller@seattle.gov](mailto:mark.miller@seattle.gov)**

**Delivery Address:**

*Due to ongoing social distancing and remote working protocols related to Covid-19, the City is requiring all submittals to be received electronically uploaded to Capital Development's FTP site ATTN: Mark Miller or emailed to him at the email address above. Instructions for the FTP upload are listed with the other documents on this solicitation. Please notify the RFQ project manager named above if you are unable to comply. It is helpful if you email [mark.miller@seattle.gov](mailto:mark.miller@seattle.gov) after you have uploaded to the FTP site.*

Unless authorized by the RFQ Project Manager, no other City official or employee may speak for the City with respect to this solicitation. Any consultant seeking information, clarification, or interpretations from any other City employee is advised that any such information is used at the consultant's own risk. The City will not be bound by any such information, clarification, or interpretation. Following the submittal deadline, consultants shall continue to direct communications only to the City's RFQ Project Manager (unless otherwise directed), who will send out information as decisions are concluded.

**Mayor's Executive Order 2021-08 Vaccination Requirements for City Contractors**

The Consultant, by submitting its Proposal, agrees that it will comply with Mayor's Executive Order 2021-08, regarding COVID-19 Vaccination Requirements, and that it will require its workers, service providers, subcontractors, suppliers,

and their workers to comply as well. Furthermore, the Consultant shall submit the City provided Vaccine Attestation form (available at [www.seattle.gov/contractorvax](http://www.seattle.gov/contractorvax)) no later than 5 days prior to the start of the Work. During the performance of the Work, Consultant shall provide an updated Vaccine Attestation form upon the City’s request.

The Executive Order and Vaccine Attestation Form are incorporated herein and are available at: [www.seattle.gov/contractorvax](http://www.seattle.gov/contractorvax). All costs related to the Mayor’s Executive Order shall be considered included with or incidental to other Bid/Cost items.

## 1. PURPOSE AND BACKGROUND

Seattle City Light (SCL) is currently occupying space in the 901 Fifth Avenue building and has decided to relocate into the Seattle Municipal Tower (SMT) with a new space program that will eventually occupy six floors (floor 30, and floors 32 through 36). The project has been split into two phases, where Phase 1 covers floors 32 and 33, and Phase 2 the remaining four floors. Phase 1 is currently underway with DLR Group, with the project scheduled to be complete by Q4 2022. The plans and specifications for floors 32 and 33 will be made available to the consultant team selected from this RFQ when complete, approximately April 1, 2022.

This RFQ intends to select the architect and engineer (A/E) team for Phase 2 to provide professional design services for four floors of this tenant improvement project (floors 30, 34-36). The City of Seattle Department of Finance and Administrative (FAS), Capital Development Division (CD) is executing this tenant improvement project on behalf of its client SCL. SCL space programming was completed by Snyder Hartung Kane Strauss Architects (SHKS) in October 2018, and a refresh was completed in May 2020. Following the pandemic and space utilization impacts, a 25% Consolidation Pilot Program was prepared for Seattle Public Utility and Seattle City Light in March 2021 by SHKS Architects. Those materials and the City of Seattle space and design standards for its downtown core buildings are available with this solicitation. The successful consultant will need to validate the current state of the program with SCL and make any necessary adjustments. The space program totals 81,238 useable square feet for all four floors. The Maximum Allowable Construction Cost is \$8 million. The project is funded by SCL.

The City anticipates executing the contract during the first quarter 2022. Basic Design Services will be negotiated using the *State of Washington’s Guidelines for Determining Architect/Engineer Fees for Public Works Building Projects (effective July 2015)*. Payment for Basic Design Services is a fixed price fee calculated based on the State of Washington Office of Financial Management A/E Fee Schedule (<http://www.OFM.wa.gov>).

Sustainability is a core value of the City of Seattle. The project will need to meet the City’s Sustainable Buildings and Sites Policy <http://www.seattle.gov/environment/climate-change/buildings-and-energy/city-facilities/capital-green-toolkit> for a project of this type and scope which requires the project to comply with the Office of Sustainability and Environments Capital Green Program and the Capital Green toolkit.

Construction Documents produced by the selected consultant shall conform to Construction Specifications Institute (CSI) MasterFormat 2010 specifications. Additional information can be found at <http://www.csinet.org>.

### Tentative Performance Schedule

Project Phase and Key Milestones	Target Date for Key Milestones
A/E Consultant Selection	End of March/early April
A/E Consultant Contracting complete	April 2022
Construction Documents complete	September 15-30, 2022
Public Works Bidding	November - December, 2022
Notice to Proceed/furniture order- Phase I	January 2023
Notice to Proceed/furniture order – Phase II	July 2023
Substantial Completion	November 2023

## 2. SCOPE OF SERVICES

Consultant teams, including subconsultants, will provide basic architectural, engineering and planning services to design the work, develop documents for bidding and construction, and administer the construction and completion of the project. Services may include, but are not limited to:

1. Review existing City-provided as-built documents, and field verify conditions to ensure all necessary facility information is complete and available prior to design commencement.
2. Verify program and provide preliminary construction budget and schedule.
3. Present design to SCL and City leadership teams at the direction of the City at design milestones.
4. Provide cost estimates for each design phase.
5. Provide quality and cost control, internal value engineering.
6. Coordinate with all applicable municipal agencies.
7. Submit for all permits as required. Permit fees are paid by the City.
8. Develop and incorporate sustainable design strategies wherever possible and provide documentation using the City of Seattle Capital Green program and tool kit.
9. Comply with *Seattle Municipal Tower Tenant Improvement Manual*.
10. Provide bid assistance and evaluation.
11. Perform Construction Administration (CA) services.
12. Provide furniture options for workstations, offices and ancillary furniture, selected furniture layout for furniture vendor pricing. Provide CAD backgrounds to furniture vendors. Provide design coordination with the selected furniture vendor's furniture, finishes and materials.
13. Develop directional and wayfinding signage, code required signage, and lobby graphics.
14. Provide surge space phasing plans and surge space layouts.
15. Provide code required upgrades to the existing lighting controls and meet the SMT lighting design standards.
16. Coordinate plans with City of Seattle staff regarding data and telecommunications, building security and entrance controls, building commissioning, maintenance and operations, and public information.
17. Warranty consultation.

## 3. CONSULTANT QUALIFICATIONS

### Minimum Qualifications

The following are minimum qualifications and licensing requirements the consultant must meet in order to be eligible to submit. Submittals must clearly demonstrate these minimum qualifications. Those that are not clearly responsive to these minimum qualifications shall be rejected without further consideration:

1. The Prime Consultant must be licensed to do business in the State of Washington and the City of Seattle. The provisions of any contracts resulting from this selection process must be in full compliance with all applicable laws and ordinances regarding equal employment opportunity and affirmative action.
2. The Prime Consultant must maintain the levels of insurance outlined on page 9 of this RFQ throughout the life of the contract. These levels are determined by the City's Risk Management Office.
3. Prime consultant offices must be within a fifty (50)-mile radius of the project location.
4. Experience with projects of similar scale, construction type, sustainability goals and function to the tenant improvement project listed in this RFQ. Submit a minimum of two (2) projects completed in the last ten (10) years demonstrating the Consultant's experience.

### Additional Desired Consultant Qualifications

The following are desired qualifications the consultant is requested to submit as an Executive Summary of Consultant Qualifications. Responses will be considered in scoring submittals.

1. Provide documentation of prior experience with tenant improvement facilities and demonstrated quality of design.

2. Identify the members of your team and describe the specific qualifications, roles and responsibilities of the team and individuals as they relate to the Consultant Qualifications for the project.
3. Identify tools and processes used for cost estimating, schedule, and budget management. Identify the performance and accuracy of each process on two recent projects.
4. Provide a description of the processes and tools used to prepare review, permitting, bid, and other contract documents.
5. Describe the firm's philosophy, design approach, and demonstrated practice of sustainable design, seeking to enhance both environmental quality and long-term operational efficiency through building design.
6. Indicate what steps the Consultant routinely takes to prevent and resolve claims and/or support Owner's efforts in claims resolution.
7. Provide at least two (2) references each from clients or contractors and subconsultants that have worked with the Prime in the last seven (7) years to demonstrate client satisfaction. Include contact name, phone number, and address and name of project(s).

### **Pre-submittal Meetings**

Two non-mandatory pre-submittal meetings for potential prime- and sub-consultants will be held at the time and date listed on page one online via the **WebEx** platform, which is open to any web browser, mobile devices, or phone. This is a *non-mandatory opportunity* for interested consultants to ask the RFQ Project Manager questions about the RFQ, the selection process, and the project. The WebEx meetings will be taped and made available on the City's procurement website <https://seattle.procuware.com/home> after the meeting along with a WebEx list of meeting attendees for all to view whether they attend or not. Because of how the WebEx platform functions, **Registration for the pre-submittal meeting is required.** Email [mark.miller@seattle.gov](mailto:mark.miller@seattle.gov) with a cc to [david.nguyen@seattle.gov](mailto:david.nguyen@seattle.gov) for the invitation to register. Include "**RFQ WEBEX Registration**" in the subject line of the email. Tips for first time WebEx users are available with this Solicitation.

## **4. CONTRACT FORM & OTHER EXHIBITS**

The City has included its boilerplate contract terms with this solicitation to allow potential consultants the opportunity to get familiar with the City's *non-negotiable* terms prior to investing time into submitting for this work. The City will not modify contract provisions mandated by Federal, State or City law: Equal Benefits, Audit (review of records), WMBE and EEO, Confidentiality, and Debarment or mutual indemnification. Exceptions to those provisions will be summarily disregarded.

### **Materials Available with this Solicitation**

1. SHKS Seattle City Light (SCL) Program Refresh rev. May 28, 2020
2. SHKS SPU/SCL 25% Consolidation Pilot Program rev. March, 2021
3. SHKS SCL Tenant Improvement Design Report October, 2018
4. City of Seattle Space Standards and Design Guidelines March, 2019
5. Seattle Space Design and Furniture Standards Reference Guide May 10, 2021
6. SMT Tenant Improvement Manual Jan. 16, 2019
7. SAMPLE CoS Consultant Contract Boilerplate
8. Mayor's Office Executive Order 2021-08 Vaccination Requirements for City Contractors & corresponding compliance forms
9. **MANDATORY FORM:** Consultant Questionnaire including Equal Benefits Compliance Declaration
10. **MANDATORY FORM:** Consultant WMBE Inclusion Plan
11. FTP Site Procedures for Capital Development
12. PreSubmittal Conference WebEx Tips

The City will post these materials as separate documents in this solicitation along with this RFQ on the City's procurement website <https://seattle.procuware.com/home>. If you formerly had an account on the eBid Exchange platform, you would simply need to change your password to access the documents. *Please note mandatory forms must be completed and included in your package at time of submittal for your response to be considered compliant.*

## 5. INSTRUCTIONS & REQUIREMENTS

This section details the City's instructions and requirements for your submittal. The City reserves the right at its sole discretion to reject the submittal of any consultant that fails to comply with the instructions and/or requirements.

### **Registration into the Online Business Directory**

If you have not previously done so, register at: <http://www.seattle.gov/obd> The City expects all firms to register. Women- and minority- owned firms are asked to self-identify. For assistance, call Carmen Kucinski at 206-684-0188 or 206-437-5126.

### **Questions**

Proposers may email questions to the RFQ Project Manager listed on page 1 until the deadline stated on page 1. Failure to request clarification of any inadequacy, omission, or conflict will not relieve the consultant of responsibilities under any subsequent contract. Questions and answers will be posted as an addendum and broadcast on ProcureWare to all interested parties indicated in the solicitation. Documents will also be posted and available on the City's Consultant Connection at <https://consultants.seattle.gov/category/bids-proposals/>.

### **Changes to the RFQ**

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

### **Receiving Addenda and/or Question and Answers**

It is the obligation and responsibility of the consultant to learn of addenda, responses, or notices issued by the City. Some third-party services independently post City of Seattle solicitations on their websites. The City uses ProcureWare to broadcast its solicitations and public works bids and does not guarantee that any other such third services have accurately provided all the information published by the City. All submittals sent to the City may be considered compliant with or without specific confirmation from the consultant that any and all addenda was received and incorporated into your response. However, the RFQ Project Manager reserves the right to reject any submittal that does not fully incorporate Addenda critical to the project.

### **Proprietary Materials**

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

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

Bidders/proposers must be familiar with the Washington State Public Records Act and the limits of record disclosure exemptions. For more information, visit the Washington State Legislature's website at <http://app.leg.wa.gov/rcw/default.aspx?cite=42.56>. If you have any questions about disclosure of the records you submit with your submittal, contact the RFQ Manager named in this document.

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

As mentioned above, all City of Seattle offices ("the City") are required to promptly make public records available upon request. However, under Washington State Law some records or portions of records are considered legally

exempt from disclosure and can be withheld. A list and description of records identified as exempt by the Public Records Act can be found in RCW 42.56 and RCW 19.108.

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

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

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

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

### ***Requesting Disclosure of Public Records***

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

### **ETHICS CODE**

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

- **No Gifts and Gratuities.**

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

- **Involvement of Current and Former City Employees.**

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

- **Contract Workers with over 1,000 Hours.**

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

- **No Conflict of Interest.**

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

- **Campaign Contributions (Initiative Measure No. 122)**

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

- **Background Checks and Immigrant Status.**

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

- **Notification Requirements for Federal Immigration Enforcement Activities.**

Prior to responding to any requests from an employee or agent of any federal immigration agency including the Immigration and Customs Enforcement (ICE), the U.S. Department of Homeland Security (DHS), Homeland Security Investigations (HSI), Enforcement Removal Operations (ERO), Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) regarding your City contract, Consultants shall notify the Project Manager immediately. Such requests include, but are not limited to:

- a. requests for access to non-public areas in City buildings and venues (i.e., areas not open to the public such as staff work areas that require card key access and other areas designated as “private” or “employee only”); or
- b. requests for data or information (written or oral) about workers engaged in the work of this contract or City employees.

No access or information shall be provided without prior review and consent of the City. The Consultant shall request the ICE authority to wait until the Project Manager is able to verify the credentials and authority of the ICE agent and will direct the Consultant on how to proceed.

**Communications with the City:** All communications concerning this RFQ should be submitted in writing to the RFQ Project Manager listed on page 1 prior to the deadline for questions also indicated on page 1. It is the responsibility of the interested consultant to receive responses to questions and to learn of any addenda, responses, or notices issued by the City. The City will issue any such notices via the solicitation posting on <https://seattle.procurement.com/home>. Note: Some third-party services independently post City of Seattle solicitations on their own websites. The City does NOT guarantee that such services have accurately provided submitters with all the information published by the City and encourages those interested in this solicitation to use only the City’s procurement site listed in this paragraph.

**Licensing and Business Tax Requirement:** Any resultant contract may require the additional licensing listed below. The consultant needs to meet all licensing requirements that apply to their business immediately after

contract award or the City may reject the consultant. Companies must license, report, and pay revenue taxes for the Washington State business License (UBI#) and Seattle Business License, if they are required by the laws of those jurisdictions. The consultant should carefully consider those costs prior to submitting, as the City will not separately pay or reimburse those costs to the consultant.

**Seattle Business Licensing and associated taxes:**

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

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

**Federal Excise Tax:** The City is exempt from Federal Excise Tax (per Certificate of Registry #9173 0099K).

**Consultant Responsibility to Provide Full Response:** It is the consultant’s responsibility to provide a full and complete written response in its submittal, including all mandatory forms, which should not require interpretation or clarification by the RFQ Project Manager. The consultant is to provide all requested materials, forms, and information. The consultant is responsible to ensure the materials submitted properly and accurately reflect the RFQ specifications and offering. During scoring and evaluation (prior to interviews, if any), the City will rely upon the submitted materials and shall not accept materials from the consultant after the RFQ deadline. However, this does not limit the right of the City to consider additional information (such as references that are not provided by the consultant, but are known to the City, or past experience by the City in assessing responsibility), or to seek clarifications as needed by the City.



**No Guaranteed Use:** The City does not guarantee use of any contract(s) resulting from this solicitation. The solicitation may provide estimates of use; such information is for the convenience of the consultant and does not serve as a guarantee of usage. The City reserves the right to make multiple or partial awards, to terminate contracts, and/or to order projects based on City needs. The City reserves the right to use other appropriate contract sources to obtain these services, such as State of Washington contracts. The City may periodically re-solicit for new additions to the consultant pool, to invite additional consultants to submit for award. Use of such supplemental contracts does not limit the right of the City to terminate existing contracts for convenience or cause.

**Cost of Preparing Submittal:** The City will not be liable for any costs incurred by the consultant in the preparation and presentation of submittals delivered in response to this RFQ.

**Changes or Corrections in Submittal:** Prior to the RFQ closing date and time, a consultant may make changes to its submittal, if the change is initialed and dated by the consultant. No change shall be allowed after the closing date and time. Consultants are responsible for errors and omissions in their submittals.

**Withdrawal of Submittal:** A submittal may be withdrawn by written request of the submitter, prior to the closing date and time. After the closing date and time, the submittal may be withdrawn only with permission by the City.

**Rejection of Submittal and Rights of Award:** The City reserves the right to reject any or all submittals at any time with no penalty. The City also has the right to waive immaterial defects and minor irregularities in any submittals.

**Independent Contractor:** The consultant works as an independent contractor. Contract workers shall not be given City office space unless expressly provided for below, and in no case shall such space be made available for more than 36 months without specific authorization from the City Project Manager. The City will not provide space in City offices for performance of this work. Consultants are required to perform work from their own office space or in the field, as appropriate to the work.

**Equal Benefits:** Seattle Municipal Code Chapter 20.45 (SMC 20.45) requires consideration of whether submitters provide health and benefits that are the same or equivalent to the domestic partners of employees as to spouses of employees, and of their dependents and family members. The submittal package includes an "Equal Benefits Compliance Declaration" in the Consultant Questionnaire, which is the **mandatory form** on which you make a designation about the status of such benefits. If your company does not comply with Equal Benefits and does not intend to do so, you must still supply the information on the Declaration. Instructions are provided on the Declaration.

**Women and Minority Subcontracting:** The Mayor's Executive Order 2019-06 and City ordinance require the maximum practicable opportunity for successful participation of minority and women-owned businesses. All proposers must agree to SMC Chapter 20.42 and seek meaningful subconsultant opportunities with WMBE firms wherever possible. WMBE firms need not be state certified to meet the City's WMBE definition. The City defines WMBE firms as at least 51% (percent) owned by women and/or minority. To be recognized as a WMBE, register on the City's Online Business Directory at <https://web6.seattle.gov/FAS/OBD/Logon/Logon.aspx>. This is both a strong cultural value and a requirement of the City of Seattle for all contracts valued at \$328K or higher. Consultants submitting for this work will be required to complete a **MANDATORY** Consultant WMBE Inclusion Plan outlining its subconsultant team and intended robust use of women- and minority-owned businesses. This plan is mandatory for all primes submitting even those that are themselves a WMBE.

**Insurance Requirements:** Formal proof of insurance is required to be submitted to the City before execution of the contract, and the City will remind the apparent successful consultant in the Intent to Award letter. The apparent successful consultant must promptly provide such proof of insurance to the City, and any contract will not be executed until all required proof of insurance has been received and approved by the City. Consultants are

encouraged to immediately contact their Broker to begin preparation of the required insurance documents, in the event the consultant is selected as a finalist. Consultants may elect to provide the requested insurance documents within their submittal.

Any consultant selected from this solicitation will be required to provide the following evidence of insurance for the entire term of the contract:

- \$2,000,000 Professional Liability**
- \$1,000,000 Commercial General Liability**
- \$1,000,000 Auto Liability**
- Must provide Workers Compensation**
- City of Seattle named as Additional Insured on Endorsement**

## **6. SUBMITTAL FORMAT**

All submittals must be received into the City no later than the date and time given on page 1 except as revised by Addenda. The submitter has full responsibility to ensure the response is received by the City before the deadline. A response submitted after the time fixed for receipt will not be accepted unless waived as immaterial by the City given the specific fact-based circumstances. Submittals arriving after the deadline will be returned to the consultant.

### **A. Submittal Response:**

The Statement of Qualifications shall be 8-1/2" x11" in format, double sided, and no more than ten (10) pages (20 surfaces excluding covers or tabs, and not including the city's mandatory forms) and should include:

- **Letter of Interest.** Letters are encouraged to summarize interest in the project.
- Completed **Consultant WMBE Inclusion Plan.** This is a **mandatory** form and will become a material part of this contract for any consultant selected.
- Completed **Consultant Questionnaire including Equal Benefits Compliance Declaration.** This is a **mandatory** form and will become a material part of this contract for any consultant selected.
- **Minimum Qualifications:** Provide a response stating how you meet each Minimum Qualification requirement listed in Section 3.
- **Executive Summary of Additional Desired Consultant Qualifications:** Provide a response stating how you meet each of the additional desired qualifications listed in Section 3. The determination that you have met each qualification is made from these pages. The City's Project Manager is not obligated to check references or search other materials to make this determination.

- B. The City requires one PDF submission uploaded to the Capital Development FTP site or emailed to the City's RFQ Project Manager named on page 1. *Due to ongoing social distancing and remote working protocols,* hardcopy responses via mail or courier will not be accepted. While hard copies are not accepted, the City may opt to print submittals for easier review. Submittals should be formatted to be readily printable by City staff. Email [mark.miller@seattle.gov](mailto:mark.miller@seattle.gov) after uploading to the FTP site so the city may verify it was received.
- C. Submit as outlined above with all completed attachments. Failure to provide all information clearly and completely on forms provided and in order requested, may result in rejection as non-responsive.

### **Right to Reject Submittals**

The City reserves the right to reject any and all submittals at any time with no penalty or to waive immaterial defects and minor irregularities in any submittal.

### **Submittal Disposition**

All material submitted in response to this RFQ shall become the property of the City upon delivery to the RFQ Project Manager.

### **Negotiation**

The City has significant and critical timeframes impacted by this work. The City shall initiate contract negotiations with the successful consultant(s) and retains the option to terminate negotiations and continue to the next apparent successful consultant if contract negotiations are not progressing in a productive manner, at the sole determination of the City. As previously stated, for your information prior to submitting for this work, the City's standard contract terms and Conditions of Agreement are available in this solicitation on the ProcureWare web site at <https://seattle.procureware.com/home>.

**Instructions to the Apparently Successful Consultant.**

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

- Seattle Business License is current and all taxes due have been paid.
- State of Washington Business License.
- Evidence of Insurance
- Vaccine Attestation form (available at [www.seattle.gov/contractorvax](http://www.seattle.gov/contractorvax))
- W-9. Unless the Consultant has previously submitted a Taxpayer Identification Number and Certification Request Form (W-9) to the City, the Consultant must execute and submit this form prior to the contract execution date.

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

**7. SELECTION PROCESS**

- A. **Initial Screening:** All submittals will initially be reviewed for compliance with all mandatory forms. The RFQ Project Manager will then review submittals for responsiveness and responsibility. Those found in compliance, responsive and responsible based on these initial reviews will proceed to next steps.
- B. **Submittal Evaluation:** The City's selection team will evaluate submittals per the criteria specified below based on the qualifications detailed in Section 3. Responses will be evaluated, scored, ranked and shortlisted. The shortlisted firms will advance to the interview round.

<b>Evaluation Criteria:</b>	<b>Points</b>
Consultant & Team Experience	45
Additional Desired Qualifications Executive Summary	40
Inclusion Plan	15
Interviews	100
References	Pass/Fail
<b>TOTAL POINTS:</b>	<b>200</b>

- C. **Interviews:** Consultants invited to interview are to bring the assigned project manager and team named by the consultant in the submittal that will be assigned to this project. Interviews will be weighted at 100 points and shall be combined with the evaluated results from the previous round (shortlist scoring) to determine the overall highest ranked firm. The City will make a final selection based on the combined results.
- D. **Professional References:** The City may contact one or more professional references that have been provided by the top ranked consultant(s), or other sources that may not have been named by the consultant but can assist the City in determining performance.
- E. **Selection:** The City shall select the highest ranked responsive consultant for contract award.
- F. **Contract Negotiations:** The highest ranked responsive consultant will be asked to provide the appropriate evidence of insurance as outlined in the RFQ and will be asked to bring forward a pricing proposal for negotiation and discussion with the City. The City may negotiate any aspect of the proposal or the solicitation

but does not intend to negotiate boilerplate contract terms and conditions, which have been posted with this solicitation. The RFQ Project Manager intends to provide written notice of the intention to award in a timely manner and to all consultants responding to the Solicitation. That letter will advise selected consultant on the documentation required for the contracting process.

G. **Equivalent Scores:** In the event the top two consultants receive the same total score, the contract will be awarded to that consultant who, in the opinion of the City, best meets the City needs.

H. **Right to Award to next ranked Consultant.**

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

*Daily Journal of Commerce advertisement dates:*

**February 18**

**February 22**