

**RESOLUTION NO. 1705**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILSONVILLE ACTING AS THE LOCAL CONTRACT REVIEW BOARD MAKING FINDINGS, DETERMINATIONS AND CONCLUSIONS DENYING THE APPEAL OF DISQUALIFICATION OF ROBERT GRAY PARTNERS, INC., STATEMENT OF QUALIFICATIONS FOR THE PUBLIC IMPROVEMENT PROJECT KNOWN AS WILSONVILLE PUBLIC LIBRARY EXPANSION; AND DISQUALIFYING APPELLANT FROM BIDDING ON THIS PROJECT.**

WHEREAS, in the general election held November 7, 2000, the voters of the City of Wilsonville approved the issuance of general obligations bonds not to exceed \$4,000,000 to finance expansion and improvements to the Wilsonville Public Library; and

WHEREAS, following a public process and public hearing before the Development Review Board, a design for the improvements to the Wilsonville Public Library was approved; and

WHEREAS, the City of Wilsonville solicited Statements of Qualifications from firms to construct a 21,000 square foot, one-story wood, stucco and brick addition to the 7,500 square foot existing Wilsonville Public Library; as well as making interior modifications to the existing library, and site improvements including grading, parking, landscaping, irrigation, retaining walls, sidewalks and associated utilities while the Library facility remains in continuous operation; and

WHEREAS, the City received and through its Technical Evaluation Committee evaluated Statements of Qualifications from 14 firms; and

WHEREAS, City Council, acting as the Local Contract Review Board, has received one protest of disqualification from contract bidding on the Wilsonville Public Library Expansion Project; and

WHEREAS, the Building Official has filed his Staff Report and Recommendations dated April 16, 2001, together with exhibits regarding this protest, which report and exhibits are hereby marked as Exhibit A through Exhibit E, attached hereto and incorporated by reference as if fully set forth herein; and

WHEREAS, the City Council, acting as the Local Contract Review Board, has received a memorandum from its Assistant City Attorney dated April 16, 2001, regarding the current legal standards for disqualification and responsibility, which is attached as Exhibit A, attached hereto and incorporated by reference as if fully set forth herein; and

WHEREAS, the City Council acting as the Contract Review Board, finds and recites:

1. On March 5, 2001, the City of Wilsonville issued a Request for Qualifications ("RFQ") from firms to bid on the construction of the Wilsonville Public Library Expansion Project ("the Project"), attached as Exhibit E.

2. As provided by ORS 279.039, the City Council acting as Local Contract Review Board has authorized the City Engineer to adopt rules and procedures for submitting proposals for qualifications.

3. The RFQ, Exhibit E, provided that protest of any procedural or substantive terms and conditions shall be in writing and delivered to Martin Brown at the City of Wilsonville at the City of Wilsonville no later than March 16, 2001.

4. No protests of the RFQ were received.

5. The City received fourteen (14) Statements of Qualifications, which were evaluated by the City through its Technical Review Committee according to the criteria established in the RFQ, Exhibit E.

6. The Technical Review Committee determined that four (4) firms were not responsible bidders and were therefore disqualified for the reasons set forth in the report of the City Building Official attached as Exhibit B.

7. The City of Wilsonville sent a letter of disqualification to bid on the Wilsonville Public Library Expansion Project to the four disqualified firms, including Robert Gray Partners, Inc ("Appellant"). The Notice of Disqualification to Appellant is attached as Exhibit B.

8. Appellant sent a letter to the City Building Official discussing its Statement of Qualifications, and by note appended to the envelope indicated the letter was an appeal. Exhibit C p. 5.

9. In accordance with ORS 279.043, Appellant is procedurally required to file in writing an appeal of disqualification within three (3) days of the Notice of Disqualification sent by the City of Wilsonville.

10. The City Council acting as the Local Contract Review Board interprets and accepts Appellant's letter, Exhibit C as an appeal of a determination that the applicant is not a responsible bidder and disqualified from bidding on the Project.

11. Appellant has filed a written appeal (Exhibit C) within the required three (3) days and has otherwise met the procedural appeal requirements

12. The RFQ specifies that "selection will be based on demonstrated qualifications on projects of similar type, complexity, size, scope (including continuous operation) budget and schedule". Exhibit E, p. 4.

13. The RFQ specifies: "In order to be considered a 'responsible bidder', you must have experience with multiple, comparable, public projects". Exhibit E, p. 4.

14. The RFQ specifies: "Statements shall include recent examples of similar construction experience including type, contract value, schedule, and any peculiarities that may be germane to this *project specifically including continuous facility operation during construction*". Exhibit E, p. 8.

15. The RFQ indicates the maximum value of the project in soliciting "evidence that the Respondent's current bonding capacity is equal to or in excess of \$5,000,000." Exhibit E, p.8.

16. After carefully reviewing the information submitted by Appellant in its Statement of Qualifications application, attached as Exhibit D, the Technical Review Committee noted the following:

A. Out of five (5) projects listed as examples, none were identified as being constructed while the facility continued operations. Exhibit D, section 2.2.

B. Out of five (5) projects listed, none resembled projects of similar complexity involving continuous facility operation during construction. Exhibit D, section 2.2.

C. Out of five (5) projects listed as examples, only one (1) resembled projects of similar type, size and scope. Exhibit D, section 2.2 (2).

D. Out of five (5) projects listed as examples, all were significantly less than the Project contract value. Exhibit D, section 2.2 (1-5).

17. Based on these findings, the Technical Review Committee determined that Appellant did not demonstrate the level of complex construction experience needed for the Wilsonville Public Library Expansion Project and was therefore not responsible. Exhibit B.

18. The supplemental information submitted in the appeal by Appellant provides some additional evidence of construction experience demonstrated in past public works projects. None of the listed examples resembles projects of equivalent complexity involving continuous facility operation during construction. Only one (1) of the listed examples resembles projects of equivalent occupancy, size and budget, if adjusted for current dollar value. Exhibit C.

19. The supplemental information is not persuasive of responsibility and that the Appellant has the requested experience of complex construction performance, and additionally it demonstrates a lack of construction experience during continuous facility operation.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

The City Council, acting as the Local Contract Review Board, makes the following findings, determinations and conclusions:

1. The findings recited above are incorporated herein as if fully set forth.
2. By letter dated April 3, 2001, the City of Wilsonville gave Appellant notice and opportunity to appeal the City's determination that based on the information provided in its

Statement of Qualifications, Appellant was not a responsible bidder and therefore disqualified for bidding on construction of the Wilsonville Public Library Expansion Project.

3. By letter dated April 5, 2001, Appellant exercised its rights to appeal and has timely filed a protest of disqualification and has had an opportunity to be heard *de novo* in this matter.

4. Based on the information submitted by Appellant in its Statement of Qualifications and supplemental information supplied, the City finds that Appellant did not demonstrate the required level of public construction experience in major projects for bidding on the construction of the Wilsonville Public Library Expansion Project and is not a responsible bidder.

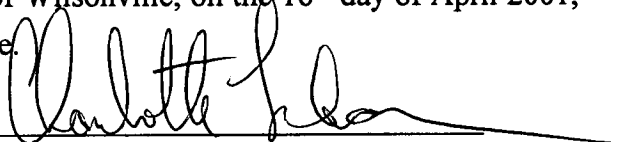
5. The construction of the major public improvement project known as Wilsonville Public Library Expansion Project requires extensive, proven experience in major, complex construction performed during continuous facility operation.

6. Given the particular requirements that are germane to the Project, and which were specified in the RFQ (Exhibit E), the City Council concludes it would not be prudent to qualify applicants as responsible bidders based on Statements of Qualifications that demonstrate applicants have less than the required necessary experience.

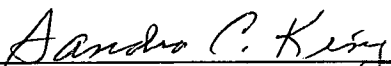
7. The City Council, acting as Local Contract Review Board, finds, determines and concludes that it is in the public interest to determine that Appellant is not a responsible bidder and to disqualify Appellant from bidding on the Project.

8. Appellant's protest is denied.

ADOPTED by the City Council of the City of Wilsonville, on the 16<sup>th</sup> day of April 2001, and filed with the Wilsonville City Recorder this date.

  
CHARLOTTE LEHAN, Mayor

ATTEST:

  
SANDRA C. KING, CMC, City Recorder

SUMMARY of Votes:

Mayor Lehan	No
Councilor Kirk	Excused
Councilor Helser	Yes
Councilor Barton	Excused*
Councilor Holt	Yes

Exhibits:

- A. Joan Kelsey, Assistant City Attorney, Memorandum to Mayor and Council dated April 16, 2001
- B. Martin Brown, Building Official, Staff Report dated April 16, 2001, including the Notice of Disqualification Letter to Mr. Robert Gray dated April 3, 2001
- C. Letter from Robert Gray Partners Inc. Appealing Disqualification
- D. Robert Gray Partners, Inc. Statement of Qualification Application
- E. Request for Qualifications Wilsonville Public Library Expansion

\*Councilor Barton declared a conflict of interest and did not participate in the discussion, decision or vote on this matter.

**MEMORANDUM**

EXHIBIT A

**RESOLUTION NO. 1705**

**To:** Honorable Mayor and City Council

**From:** Joan Kelsey, Assistant City Attorney

**Re:** Resolution 1705, Protest of Disqualification of Statement of Qualifications for bidding on construction of Wilsonville Public Library Expansion Project; Robert Gray Partners, Inc., Appellant

**Date:** April 16, 2001

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The City of Wilsonville issued a Request for Qualifications ("RFQ") on the Wilsonville Public Library Expansion Project in March 2001. The Library Expansion Project is a major public improvement project that involves complex construction management of this facility expansion construction so as not to impede or impact continuous facility operations. Some of the obvious management challenges to avoid impeding or impacting operations involve dust control, noise control, and the staging of materials and equipment. The RFQ included a provision for protest or appeal of any aspect of the RFQ or Statements of Qualifications application form. No protests were filed.

From the information submitted by four companies, the City deemed after review that they did not have the major public improvement construction experience to qualify as responsible bidders for the Library Expansion Project. On April 3, the City sent notice of acceptance of Statements of Qualifications to ten firms and sent notice of disqualification of Statements of Qualifications to four firms, including Robert Gray Partners, Inc. ("Appellant").

Within the time period allowed for appeal, Appellant sent a letter to the City dated April 5, 2001 that discussed the firm's qualifications and asserted that the firm was a responsible bidder. The note appended to the envelope stated in part that "this is a appeal". The substance of the letter and the envelope together meet the requirements for an appeal under ORS 279.043, which was timely filed.

The pertinent public contract laws provide that: "If the agency finds that the prospective bidder is not qualified as to any contracts covered by the rule, resolution, ordinance or other regulation, the notice shall specify the reasons found under ORS 279.029(6)(a)(B) for not prequalifying the prospective bidder and inform the person of the right to a



hearing under ORS 279.042 and 279.045." The City's letter of April 3, 2001 states that "based on the documentation and information provided by Robert Gray Partners, Inc., your firm does not meet the standard of expertise required because of limited experience with multiple, comparable, public projects."

The standards set forth in ORS 279.029(6)(a)(B) provide that in determining if a prospective bidder has met the standards of responsibility, the public contracting agency shall consider whether a prospective bidder has "available the appropriate financial, material, equipment, facility and personnel resources and expertise, or ability to obtain the resources and expertise, necessary to indicate the capability of the prospective bidder to meet all contractual responsibilities." There are also four other standards, including a satisfactory record of performance and integrity, legal qualifications, and supply of necessary information. (See ORS 279.029(6), attached.)

The Request for Qualifications describes the Library Expansion Project and requires that: **"In order to be considered a 'responsible bidder', you must have experience with multiple, comparable, public projects."** (Bold type in original.) In addition, the applicant must demonstrate "recent examples of similar construction experience, including type, contract value, schedule, and any peculiarities that may be germane to this project *specifically including continuous facility operation during construction.*" (Italics in original.) See Resolution 1705, Exhibit A, RFQ. The Technical Review Committee evaluated the Statements of Qualifications for the required experience based on comparable projects, assessing size, type, scope, value, complexity, and construction experience during continuous facility operation and concluded that four of the fourteen applicants including Robert Gray Partners, Inc., were not responsible bidders.

Under ORS 279.045(3), the City Council acting as Local Contract Review Board "shall consider de novo the notice of disqualification . . . , the reasons listed in ORS 279.029(6)(a)(B) on which the public contracting agency based the denial , \* \* \* and any evidence provided by the parties." The Appellant has the opportunity to testify and present evidence, including new evidence.

**BUILDING DEPARTMENT  
STAFF REPORT**

DATE: April 16, 2001  
TO: Honorable Mayor and City Councilors  
FROM: Martin Brown, Building Official  
SUBJECT: Appeal Regarding the City of Wilsonville Request for Qualification - Library Expansion Project

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**SUMMARY:**

The City of Wilsonville under the direction of the City's Building Department advertised a Request for Qualifications for the above project on March 5 & 7, 2001. The purpose of the request was to select qualified firms to complete the construction of the Wilsonville Public Library Expansion Project. This process will also enable the City to determine the 'lowest responsible' bidder based on demonstrated qualifications on projects of similar type, complexity, size, scope (including continuous operation), budget and schedule.

Respondents were required to submit a Statement of Qualifications application by 5:00 p.m. Friday, March 23, 2001. Fourteen (14) submittals were received from contractors in response to the public advertisement. Based on the evaluation of the Technical Review Committee, letters informing applicants they were not responsible bidders were sent to four (4) respondents by fax on Tuesday, April 3, 2001, followed by certified letters the same day. Letters of acceptance were sent on Tuesday, April 3, 2001, to ten (10) respondents.

One (1) of the four (4) respondents, Robert Gray Partners, Inc., has appealed the Technical Review Committee's findings.

**RECOMMENDATION:**

Staff respectfully recommends that the City Council affirm the Technical Review Committee's findings of qualifications for prospective bidders for construction of the City of Wilsonville Public Library Expansion project.

**BACKGROUND:**

A Technical Review Committee consisting of four staff representatives from the City evaluated the Statement of Qualifications applications based on a 25-point maximum rating in each of the following categories: Organization of Construction Firm; Management and Construction Experience; Financial Information and Capacity and Public Works Contract Experience. The score from each review committee member was computed and added to the score of that submittal from other committee members, for a total of the full "Evaluation Score" for each submittal. The maximum 'Evaluation Score' is 100 times four reviewers or 400 total points. Those respondents scoring higher than 320 points were considered responsible bidders.



To be considered a 'responsible bidder' respondents were required to have experience with multiple, comparable, public projects. Respondents were requested to provide five major comparable projects of similar type, complexity, size, scope (including continuous facility operation) budget and schedule. Based on the computed totals from the Technical Review Committee, Robert Gray Partners, Inc. received an evaluation score of 302 points. Specifically, Robert Gray Partners, Inc. fell short in the category of Management and Construction Experience for reasons outlined below:

1. Failure to meet the standards required for continuous facility operations during construction;
2. Failure to meet the standards required for comparable projects of equivalent occupancy, complexity, and size;
3. Failure to meet the standards required for contract values (four of the five listed projects were below \$2.3 million and one was \$3.4 million).

In reviewing the additional information provided in the appeal letter dated April 5, 2001, I determined that Robert Gray Partner, Inc. does demonstrate some past construction experience for public work projects, but only one of the eighteen listed examples resembled projects of equivalent occupancy, complexity, size and budget. No examples appeared to meet the requirement for construction management experience with continuous facility operations.

Respectfully submitted,

Martin C. Brown  
City Building Official



*Goax*

**FILE COPY**

April 3, 2001

Via Fax: 503-692-9292

Registered Mail: 7000 0520 0024 9493 9826

Mr. Robert Gray, Owner  
Robert Gray Partners, Inc.  
P.O. Box 1000  
Sherwood Oregon 97140

*RE: Wilsonville Public Library Expansion Project*

Dear Mr. Gray:

Thank you for submitting a Statement of Qualification Application for the Wilsonville Public Library Expansion Project. The technical review committee has reviewed your SOQ application and, based on the criteria outlined on page 4 of the Request for Qualifications, determined that Robert Gray Partners, Inc. does not meet the requirements to be considered a "responsible bidder".

The technical review committee noted that based on the documentation and information provided by Robert Gray Partners, Inc., your firm does not meet the standard of expertise required because of limited experience with multiple, comparable, public projects. These findings are specific to ORS 279.029(6)(a)(B)(i) and (ii).

All protests of the City's 'responsible bidder' decision must be submitted in writing to the City's primary contact within three (3) business days after the receipt of this notice. Any protest not filed within this time period is waived. The protest must state clearly the basis for the protest and any legal authority in support thereof. Protests may be mailed or delivered to:

By Mail

Martin Brown, Building Official  
City of Wilsonville

Mailing address:

30000 SW Town Center Loop East  
Wilsonville, Oregon 97070

RESOLUTION NO. 1705



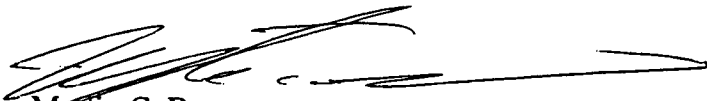
Mr. Robert Gray, Owner  
April 3, 2001  
Page 2

By Delivery  
Martin Brown, Building Official  
City of Wilsonville

Street address:  
8445 SW Elligsen Road  
Wilsonville, Oregon

Promptly upon receipt of the appeal the City will, within thirty (30) days, schedule a hearing before the City Council. At such hearing, the protester and other interested parties will have the opportunity to appear and make an oral presentation of the basis for the protest. The City Council will either uphold or deny the protest and will set forth in writing the reasons for the decision. If the protest is denied, the City will proceed as outlined in the Request for Qualification dated March 2001.

Sincerely,



Martin C. Brown  
Building Official

MB/bjh  
BH970-04-Gray Partners



30000 SW Town Center Loop E  
Wilsonville, Oregon 97070  
(503) 682-1011  
(503) 682-1015 Fax  
(503) 682-0843 TDD

April 9, 2001

Via Fax: 503-692-9292  
Registered Mail: 7099 3220 0005 4994 9835

Mr. Robert Gray  
Robert Gray Partners, Inc.  
P.O. Box 1000  
Sherwood, Oregon 97140

*SUBJECT: Hearing Notice ~ Appeal of disqualification for bidding on Wilsonville  
Public Library Expansion Project*

Dear Mr. Gray:

This letter shall serve as notice that a date has been scheduled for a public hearing on your appeal to the Wilsonville City Council of the City's decision regarding your eligibility for bidding on Wilsonville Public Library Expansion Project. The hearing will be held at the City Council meeting on Monday, April 16, 2001, which begins at 7:00 p.m. at the Wilsonville Community Center located at 7965 SW Wilsonville Road. For information regarding the time of hearing, and to arrange for pick up of the packet materials prior to the meeting, please contact Sandy King, City Recorder.

If you have any questions regarding this matter, please do not hesitate to contact me at 570-1557.

Sincerely,

Martin C. Brown  
Building Official

Cc Sandy King, City Recorder

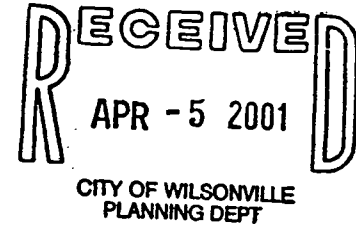
MCB/bjh  
BH998-04



*Joan*

April 5, 2001

Mr. Martin Brown  
City of Wilsonville  
30000 Town Center Loop  
Wilsonville, OR 97070



**Regarding: Wilsonville Library Expansion  
Qualification Committee Decision**

Dear Mr. Brown and Wilsonville City Council:

It is surprising to me that the City of Wilsonville would turn down a local company with thirty-seven years of construction experience, that is well financed and maintains an excellent safety record. We obviously do not understand the criteria to be a qualified bidder.

Your standards are both arbitrary and flawed if you do not consider Robert Gray Partners, Inc. a "responsible bidder".

Our list of public work projects is small because we choose not to pursue that type of work. Most of our work involves helping clients get the most for their investment. Traditionally, public projects do not want the input from the General Contractor regarding value engineering or suggested improvements. We have had the opportunity to demonstrate this ability recently for the Tigard-Tualatin School District. We made the Tualatin High School Auditorium a reality, by meeting difficult budget constraints when the job was bid a second time utilizing our input.

If the basis of the committee decision is weighed toward choosing a contractor with past experience of jobs with similar scope, how does any contractor ever achieve that first experience to prove themselves?

Your project would gain from a project manager with forty-two years of experience, and a superintendent with more than twenty years experience.

The selection committee obviously does not consider things we perceive as valuable assets of a stable construction company, such as being bonded to \$10,000,000.00 or maintaining working capital of \$700,000.00 to \$1,000,000.00. We have financial

backing of an additional \$2.3 million ready cash and \$4 million dollars worth of buildings owned outright, including (6) buildings, totaling 137,000 square feet. Our public works contract experience is as follows:

		Today's Dollar Value	
<b>Tigard-Tualatin School District</b>			
1966	Metzger school (8) classroom addition	\$ 1.0	Million
1978	Fowler Bridge	\$ 0.1	Million
1980	Tigard High School Stadium	\$ 1.2	Million
1991	Tigard High School Science Department	\$ 0.3	Million
1999	Tualatin High School Auditorium	\$ 4.0	Million
<b>U.S. Forest Service</b>			
1964	Ripplebrook Maintenance Station	\$ 0.3	Million
1966	(4) Timber Scale Stations	\$ 1.0	Million
1974	Timberline Lodge Maintenance Building	\$ 1.5	Million
<b>Tualatin Hills Parks and Recreation District</b>			
1991	Dryland Aquatic Center	\$ 1.0	Million
1992	Dryland Fire Protection Upgrade	\$ 0.2	Million
1993	Dryland Swimming Pool Remodel	\$ 0.4	Million
1995	Skate Park	\$ 0.1	Million
<b>Oregon National Guard</b>			
1982	Helicopter Hangar at Portland International Airport	\$ 4.0	Million
<b>City of Portland</b>			
1984	Coliseum Arena Remodel	\$ 0.25	Million
1986	Coliseum Retail Area	\$ 1.0	Million
1990	Winningstad Theater Remodel	\$ 0.2	Million
1994	Convention Center Forecourt	\$ 0.1	Million

These projects total about \$18 million in today's dollar value. How much experience is enough to demonstrate ability? Are references of any consequence?

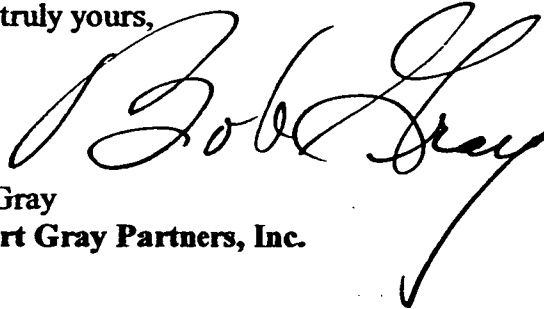
We at present are building the Stevens Administration Center at George Fox University, totaling \$5.7 million. Please call Mr. Clyde Thomas, Facilities Manager, at 503-554-2512.

We are just starting a new seminary building at Multnomah School of the Bible, totaling \$2 million. Call Mr. Lloyd Helm, Facilities Manager, at 503-251-6490.

For some past references, call Mr. Ron Hudson of Tigard-Tualatin School District at 503-620-1620, Mr. Xavier Rueda, Architect, at 503-224-0173, or Mr. Jim McElhinney, of Tualatin Hills Parks and Recreation at 503-645-6433.

If you do not take the time to check these references, you are cheating the residents of Wilsonville.

Very truly yours,

A handwritten signature in black ink that reads "Bob Gray". The signature is written in a cursive, flowing style with a large initial "B" and a long, sweeping underline.

Bob Gray  
Robert Gray Partners, Inc.

RAG/mt

# Tigard-Tualatin School District 23J

- Larry Hibbard Administration Center -

13137 S.W. Pacific Highway • Tigard • Oregon • 97223 • (503) 620-1620 • FAX (503) 684-2296 • <http://www.ttsd.k12.or.us>

## Board of Directors

Pat Biggs, Chair  
Al Hieb, Vice Chair  
Richard Carlson  
Tom Sharp  
Merrily Haas

Superintendent  
Russell Joki, Ed.D.

Associate Superintendent  
Maryalice Russell, Ed.D.

Business Manager  
George Fisher

Director of Staff Development  
Marilyn Adair

Director of Student Services  
Petrea Hogen-Gilden

Bridgeport Elementary  
Scott Baker, Principal

Byrom Elementary  
John Horn, Principal

Charles F. Tigard Elementary  
Jim Pierce, Principal

Deer Creek Elementary  
Vanessa Bunker, Principal

Durham Elementary  
Kip Gladder, Ph.D., Principal

Metzger Elementary  
Janis Allig, Principal

Templeton Elementary  
Nancy Longaker, Principal

Tualatin Elementary  
Fred Puhl, Principal

Mary Woodward Elementary  
Art Rutkin, Principal

Fowler Middle School  
Susan Carlie, Principal

Hazelbrook Middle School  
Vickie Foiles, Principal

Twality Middle School  
Jim Wasson, Principal

Tigard High School  
Mark Kubiacyk, Principal

Tualatin High School  
Larry Petterson, Principal

21st Century Academy  
Jennifer Nelson, Director

Aquatic Centers  
Mike Branam, Director

October 7, 1998

Robert Gray Partners, Inc.  
Attention: Robert Gray  
PO Box 1000  
Sherwood, OR 97140

Re: Tualatin High School Auditorium

Dear  Robert:

On Saturday, September 19, 1998 the Tigard-Tualatin School District held the grand opening for the new auditorium at Tualatin High School. This event was well attended by local dignitaries. Continually, during the event, people commented on both the beauty and function of the facility.

The quality of the auditorium is the result of several key organizations; one of the most critical is the construction contractor. The focus on quality throughout the project by you and that of your project superintendent, Robert Hubel, is appreciated by the school district. I would also like to specifically thank you for the numerous constructive comments by you and your staff we incorporated into the design to improve the auditorium. These were instrumental in achieving the exceptional facility the school district and community can be proud of for years to come. You and your staff are to be commended for their professionalism.

Sincerely,



Russell A. Joki  
Superintendent

RAJ:km



As the letter states we  
are not very pleased  
about the outcome of your  
process to Quality!

• So this is a Appeal!

RECEIVED  
APR -5 2001

CITY OF WILSONVILLE  
PLANNING DEPT

ROBERT GRAY PARTNERS INC.

P.O. Box 1000  
SHERWOOD, OREGON 97140  
(503) 692-4675  
CCB #65424

RECEIVED  
APR -5 2001  
CITY OF WILSONVILLE  
PLANNING DEPT

City of Wilsonville  
Martin Brown  
30000 Town Center Loop  
Wilsonville, OR 97070

RE: Library Expansion  
Qualification Committee  
Decision

## STATEMENT OF QUALIFICATION APPLICATION

Statement of Robert Gray Partners, Inc.  
(Contractor's Registered Company Name)

**Address to which all correspondence should be mailed:**

Physical Address: 9675 SW Tualatin-Sherwood Rd. Tualatin, OR 97062

Mailing Address: P.O. Box 1000 Sherwood, OR 97140

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone Number: (503) 692 - 4675

Fax Number: (503) 692 - 9292

Date Application Prepared: 03 / 19 / 01

**This Statement of Qualifications is submitted for the following project:**

WILSONVILLE PUBLIC LIBRARY EXPANSION PROJECT

**Anticipated Bid Opening:** May 18, 2001

# INSTRUCTIONS

## INTRODUCTORY STATEMENT

In accordance with the statutes of the State of Oregon, every public contracting agency contemplating receiving bids for and awarding any contract for public improvements may require any prospective bidder (*hereafter referred to as Respondent*) to submit a full and complete statement concerning their experience in constructing public improvements.

The application and questionnaire forms which are bound herein comply with the requirements of public contracting rules and shall be used in determining the qualifications of Respondents for the Wilsonville Public Library Expansion Project.

The Respondent should use care and integrity in preparing this information. The public contracting agency may make independent inquiries concerning the contractors' past performance and/or capabilities.

### *Manner of Preparing and Filling in Forms*

This application shall include information for only the specific single business organization or entity which is applying for qualification and which would be the signatory on a contract with the public contracting agency.

All answers and other entries on the forms, except signatures, should be filled in on a typewriter or printed. To make this possible, the forms may be taken apart by removing the staples by which they are bound. It shall be the responsibility of the Respondent to return all pages whether applicable or not. Failure to do so may be grounds for rejection. The forms are available in electronic format from the City of Wilsonville (contact Brenda Howe at 503-682-4960 or [howe@ci.wilsonville.or.us](mailto:howe@ci.wilsonville.or.us)). All pages whether applicable or not must be submitted in hard copy. No electronic submissions will be accepted.

All answers and entries shall be specific and complete in detail.

The qualification application shall be signed by the Respondent and sworn to as required by the form. The signatory of the statement guarantees the truth and accuracy of all statements and of all answers to questions.

**AN ORIGINAL SIGNED APPLICATION MUST ACCOMPANY THE QUALIFICATION APPLICATION. COPY OR FAX SIGNATURES WILL NOT BE ACCEPTED.**

**Use of Attachments**

Schedules, reports and other forms of qualification statements may be used as attachments to the prescribed form, provided that the information contained therein specifically includes the information required by this form.

**Requests for Further Information**

For general information regarding this SOQ Application refer to the Request for Qualifications packet, General Instructions section. All requests for additional information and clarifications shall be made directly to the City's primary contact person, Mr. Martin Brown. In Mr. Brown's absence, Respondent may contact the City's alternate contact person, Ms. C. J. Sylvester. Contact information is provided in the General Instructions section of this packet.

*(THIS SPACE INTENTIONALLY LEFT BLANK)*

PLEASE COMPLETE EACH SECTION AND ANSWER EACH QUESTION IN THE APPLICATION.  
FAILURE TO DO SO MAY RESULT IN DISQUALIFICATION.

## SECTION 1 – ORGANIZATION OF CONSTRUCTION FIRM

### 1.1 Organization chart or outline of construction firm including number of employees in each section.

Robert Gray, Principle, Project Manager  
45 years experience in estimating, managing, & building

David Hoff, President, Project Sequencing & Scheduling  
27 years experience in construction  
15 years as construction superintendent  
7 years as project manager

Robert Hubel, Vice President, Principle Superintendent  
27 years experience in construction  
15 years as construction superintendent

Total Employees = 70 includes:  
Superintendents, carpenters, laborers, welders, and a full  
metal fabrication shop and cabinet shop.

### 1.2 Organization chart or outline of prime contractor and subcontractors.

Robert Gray Partners, Inc.	Prime Contractor
Western Plumbing	Sub Contractor
Arrow Mechanical	Sub Contractor
Firestop Inc.	Sub Contractor
Snyder Roofing	Sub Contractor

\*See attached letters of introduction and references for  
the above listed sub contractors

**SECTION 2 – MANAGEMENT AND CONSTRUCTION EXPERIENCE**

2.1 Indicate the anticipated major subcontractors for this project and the class of work.

Amount	Class or Type of Work	Contract %
	Plumbing	1.9%
	HVAC	7.0%
	Fire Protection	4.0%
	Electrical	10.0%
	Roofing	3.0%

2.2 List five major comparable projects Respondent has undertaken in the last five years. (Most recent project first.)

1. Name of Project: New Dormitories, Multnomah Bible College  
 Owner & Contact: Lloyd Helm, Multnomah Bible College  
 Address: 8435 N.E. Glisan Street Portland, OR 97220  
 Phone Number: (503) 251-6490  
 Project Description: New 120 unit student dormitory  
 Project Location: MBC Campus Portland, Oregon  
 Contract Amount: \$2,100,000.00 Over/Under Contract & Amount: \$16,000.00  
 Dates Started & Completed: February 1999 - December 1999  
 Project Construction Supervisor: Robert Hubel  
 Architect/Engineering Firm & Contact: R.L. Leach Architects  
 Address: P.O. Box 1016 Sherwood, OR 97140  
 Phone Number: (503) 692-4675  
 Indicate whether:  Prime Contractor  Subcontractor  Joint Venture  
 Remarks: \_\_\_\_\_

2. Name of Project: New Auditorium, Tualatin High School  
 Owner & Contact: Ron Hudson, Tigard-Tualatin School District 23J  
 Address: 6960 S.W. Sandburg St. Tigard, OR 97223  
 Phone Number: (503) 620-1620  
 Project Description: \_\_\_\_\_  
 Project Location: 22300 S.W. Boones Ferry Rd. Tualatin, OR 97062  
 Contract Amount: \$3,400,000.00 Over/Under Contract & Amount: \$ \_\_\_\_\_  
 Dates Started & Completed: May 1997 - September 1998  
 Project Construction Supervisor: Robert Gray, Robert Hubel  
 Architect/Engineering Firm & Contact: Selig Lee Rueda Architects, Xavier Rueda  
 Address: 213 S.W. Ash Portland, OR 97204  
 Phone Number: (503) 224 - 0173  
 Indicate whether:  Prime Contractor  Subcontractor  Joint Venture  
 Remarks: \_\_\_\_\_

3. Name of Project: D.E.Q. Test Facilities - Hillsboro & Sherwood  
 Owner & Contact: Dave Parr, Parr Financial Corp.  
 Address: 330 S.W. Lincoln St. Portland, OR 97201  
 Phone Number: (503) 226 - 6500  
 Project Description: Full service clean air stations  
 Project Location: 5130 S.W. Five Oaks Dr. Hillsboro, OR  
 Contract Amount: \$1,500,000. Over/Under Contract & Amount: \$ \_\_\_\_\_  
 Dates Started & Completed: February 1997 - July 1997  
 Project Construction Supervisor: David Hoff  
 Architect/Engineering Firm & Contact: R.L. Leach, Architect  
 Address: P.O. Box 1016 Sherwood, OR 97140  
 Phone Number: (503) 692 - 4675  
 Indicate whether:  Prime Contractor  Subcontractor  Joint Venture

Remarks: \_\_\_\_\_  
\_\_\_\_\_

4. Name of Project: 124 Student Dormitory, George Fox University  
Owner & Contact: Don Millage, George Fox University  
Address: 414 N. Meridian Newberg, OR 97132  
Phone Number: ( 503 ) 538 - 8383  
Project Description: New 124 unit student dorm, tilt-up & poured in place  
Project Location: George Fox University Campus, Newberg, Oregon  
Contract Amount: \$ 2,200,000.00 Over/Under Contract & Amount: \$ \_\_\_\_\_  
Dates Started & Completed: October 1995 - August 1996  
Project Construction Supervisor: David Hoff  
Architect/Engineering Firm & Contact: R.L. Leach, Architect  
Address: P.O. Box 1016 Sherwood, OR 97140  
Phone Number: ( 503 ) 692 - 4675  
Indicate whether:  Prime Contractor  Subcontractor  Joint Venture  
Remarks: \_\_\_\_\_  
\_\_\_\_\_

5. Name of Project: New Sanctuary & Remodel, Calvin Presbyterian Church  
Owner & Contact: Ray Beyer, Calvin Presbyterian Church  
Address: 10445 S.W. Canterbury Lane Tigard, OR 97224  
Phone Number: ( 503 ) 639 - 3273  
Project Description: Outstanding roof structure, wood frame  
Project Location: 10445 S.W. Canterbury Lane Tigard, OR 97224  
Contract Amount: \$ 2,300,000.00 Over/Under Contract & Amount: \$ \_\_\_\_\_  
Dates Started & Completed: Phase I completed in 1992, Phase II in 1994, Phase III in 1996, Phase IV under construction  
Project Construction Supervisor: Robert Gray, Robert Hubel  
Architect/Engineering Firm & Contact: R.L. Leach, Architect  
Address: P.O. Box 1016 Sherwood, OR 97140  
Phone Number: ( 503 ) 692 - 4675



Indicate whether:  Prime Contractor  Subcontractor  Joint Venture

Remarks: \_\_\_\_\_  
 \_\_\_\_\_

2.3 How many years has Respondent been in business under present name?

As a prime contractor: 11 As a subcontractor: \_\_\_\_\_

2.4 How many years' experience in construction work has Respondent had?

As a prime contractor: 37 As a subcontractor: \_\_\_\_\_

2.5 Indicate Respondent's principal contact person for this application:

Contact: Robert Gray

Address: P.O. Box 1000 Sherwood, OR 97140

Phone Number: (503) 692 - 4675

Fax Number: (503) 692 - 9292

2.6 What is the construction experience of all owners, officers, partners and principal individuals in Respondent's organization as well as key individuals assigned to this project, including any independent contractors? Also list any other individuals or organization that are involved, in any manner, in the preparation of bids for your company.

Individual's Name	Present Position	Years of Construction	Magnitude & Type of Work	In What Capacity
Robert Gray	Principle, Estimator, Project Manager	45		
David Hoff	President, Estimator, Project Manager	27		
Robert Hubel	Vice President, Project Superintendent	27		
John Gray	Sec./Treas., Construction Coordinator	18		

Individual's Name	Present Position	Years of Construction	Magnitude & Type of Work	In What Capacity

2.7 Indicate contractor's licenses or registration numbers held as required by Oregon Statutes:

Corporation Division Registration Number: 188792 - 88  
 Construction Contractors Board Number: 65424  
 Other License Number(s): \_\_\_\_\_

**SECTION 3 – FINANCIAL INFORMATION AND CAPACITY**

3.1 Indicate the total amount of work, expressed in dollars, for which the Respondent can be bonded (attach evidentiary letter from licensed bonding company or agent):

\$ 10,000,000.00

The contract for which this qualification is sought requires bid and performance bond(s); the Respondent shall state the name of the agent and name, address, and telephone number of the surety company Respondent expects to provide the bonds.

Agent Name: Jeffrey Draper  
 Surety Company: ICW Group  
 Address: 8050 S.W. Warm Springs St., Ste.140 Tualatin, OR 97062  
 Phone Number: ( 503 ) 885 - 8833

3.2 Indicate the firm's form of business.

a) If an Oregon Corporation, answer this:

When incorporated: March 1990  
 President: David P. Hoff  
 1st Vice President: Robert Hubel  
 Secretary/Treas.: John Gray  
~~Treasurer~~ Robert Gray, Partner

Which officers are authorized to execute contracts: David P. Hoff,  
Robert Gray

b) If a general partnership, answer this:

Date of organization: \_\_\_\_\_

If an out of State co-partnership, or persons engaging in business in the state under an assumed name but not domiciled within this state, state whether or not such partnership or business organization has been registered as may be required in compliance with Chapter 648, Oregon Revised Statutes:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name and address of partners: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c) If an out of State corporation, answer this:

When incorporated: \_\_\_\_\_

In what State: \_\_\_\_\_

Date of authorization to transact business in the State of Oregon: \_\_\_\_\_

Has Respondent filed the Department of Revenue forms required by ORS279.021? \_\_\_\_\_

President: \_\_\_\_\_

1<sup>st</sup> Vice President: \_\_\_\_\_

Secretary: \_\_\_\_\_

Treasurer: \_\_\_\_\_

Which officers are authorized to execute contracts: \_\_\_\_\_  
\_\_\_\_\_

Name and address of registered agent in Oregon: \_\_\_\_\_  
\_\_\_\_\_

d) If a limited liability company, limited liability partnership or limited partnership indicate below: *(check one)*

- Limited Liability Company
- Limited Liability Partnership
- Limited Partnership

Have you registered with the State Corporation Division, Business Registry?

- Yes
- No

Name and address of organizer: \_\_\_\_\_  
\_\_\_\_\_

List who is authorized to execute contracts: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e) If doing business under an assumed business name, fill out the following information:

Name of assumed business: \_\_\_\_\_  
Owner's Name and address: \_\_\_\_\_  
\_\_\_\_\_

Registration Date: \_\_\_/\_\_\_/\_\_\_ Expires: \_\_\_/\_\_\_/\_\_\_

f) If doing business as a sole proprietorship, fill out the following information:

Individual's name liable for all obligations of business: \_\_\_\_\_

If you are a sole proprietor using an assumed business name, please list names below:

\_\_\_\_\_  
\_\_\_\_\_

Registration Date: \_\_\_/\_\_\_/\_\_\_ Expires: \_\_\_/\_\_\_/\_\_\_

3.3 List those individuals, companies or corporations owning 10% or more of Respondent firm:

Robert Gray, David Hoff, Robert Hubel, John Gray

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3.4 Financial report attachment: *(See SOQ Submittal Content and Organization Section 3 for instructions.)*

#### SECTION 4 – PUBLIC WORKS CONTRACT EXPERIENCE

4.1 Is your firm currently certified by the State of Oregon as a Disadvantaged Business Enterprise (DBE)? *(check one)*

Yes       No

4.2 Have you ever been disqualified or denied qualification for bidding by any state, local or federal agency in this or any other state? *(check one)*

Yes       No

If yes, please explain: \_\_\_\_\_

---

4.3 Have you ever been barred from bidding on contracts by any state, local or federal agency in this or any other state under any State Law or Federal Law? *(check one)*

Yes       No

If yes, please explain: \_\_\_\_\_

---

4.4 Has any officer or partner of the Respondent ever applied for qualification for public improvement (work) contract with the City of Wilsonville under a different name? *(check one)*

Yes       No

If yes, please explain: \_\_\_\_\_

---

4.5 Has the Respondent ever failed to complete a state, local or federal public improvement (work) contract? (check one)

Yes       No

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_

4.6 Has any officer or partner of the Respondent ever had a judgement against them involving a local, state or federal contract: (check one)

Yes       No

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_

4.7 Does the Respondent have any unpaid judgements and/or unadjudicated claims in excess of \$5,000? (See SOQ Submittal Content and Organization Section 4 for instructions.) (check one)

Yes       No

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_


**IF THIS INFORMATION IS CONFIDENTIAL, ATTACH A SECOND SEALED ENVELOPE CLEARLY MARKED AS SUCH.**

## SECTION 5 – AUTHORIZED EMPLOYEE

### 5.1 Authorized Employee Representative of the Respondent

By submitting a Statement of Qualifications (SOQ) for the Project, Respondent expressly represents that (s)he has taken no exception to any term, condition, obligation or requirement of the RFQ that is not clearly and expressly stated in his/her SOQ.

Respondent further represents that (s)he is an Authorized Employee Representative of the Respondent and will report immediately to the City of Wilsonville in writing any errors, inconsistencies, ambiguities, terms which limit competition, or terms which are otherwise unlawful that (s)he discovers in the RFQ.

  
\_\_\_\_\_  
(Signature)      Owner  
(Title)

SECTION 6 - AFFIDAVIT

STATE OF Oregon )  
 ) ss.  
County of Washington )

I, Robert Gray being first sworn, state that I am (title) Owner/Principle of the Respondent herein and that the statements made in this application are true and I acknowledge that any false, deceptive or fraudulent statements on the application or at a hearing will result in the denial of qualification, and may subject me to charges of false swearing or perjury; should there be any subsequent material reduction in Respondent's ability to carry out any project for which Respondent desires to submit a bid, Respondent will give written notice of such change to the designated officer to whom this application is submitted at least ten days prior to the bid opening and it is understood that such notice may change the eligibility of Respondent to submit a bid.

*Robert Gray* \_\_\_\_\_  
(Signature) (Title)  
Owner

On this 19th day of March, 2001, before me, a notary public in and for said County and State, personally appeared Robert Gray, known to me to be the person whose name \_\_\_\_\_ subscribed to the within instrument and acknowledged that \_\_\_\_\_ executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year above written.



*Marjorie Bruemmer*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 4/19/04

# ICW GROUP

- INSURANCE COMPANY OF THE WEST
- EXPLORER INSURANCE COMPANY
- INDEPENDENCE CASUALTY AND SURETY COMPANY



A Tradition  
Of Innovation

March 12, 2001

City of Wilsonville  
30000 S.W. Town Center Loop East  
Wilsonville, Oregon 97070

Attn: Martin Brown, Building Official

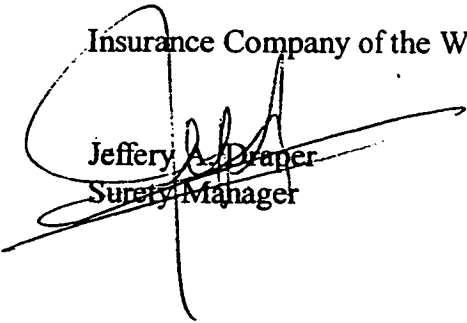
Subject: Robert Gray Partners, Inc.  
Wilsonville Library Addition

Dear Mr. Brown:

Please be advised that Insurance Company of the West has had a bonding relationship with Robert Gray Partners, Inc. since March 1998. During that time we have provided Robert Gray Partners, Inc. up to \$10,000,000 of bond credit and hold this firm in the highest regard. Should Robert Gray Partners, Inc. be awarded a contract in connection with the subject project, we stand ready to provide the surety bonds as required.

Should you have any questions or require further assistance please do not hesitate to contact our office.

Insurance Company of the West

  
Jeffery A. Draper  
Surety Manager



# FIRESTOP CO.

AUTOMATIC FIRE PROTECTION  
9384 S.W. TIGARD STREET TIGARD, OREGON 97223  
(503) 620-6140

3-19-01

Martin Brown, Building Official  
City of Wilsonville  
30000 S.W. Town Center Loop East  
Wilsonville, Oregon 97070

Gentlemen:

Our company has been actively involved with the installation of fire sprinkler systems since 1978.

A few of the public service projects that we have installed or in the process of installing systems are:

George Fox University Administration Bldg. - in process

Hillsboro School Dist. Administration Bldg. - Completed 1/1/01

Tualatin High School Auditorium

City of Portland Computer Room special hazard system

Lake Oswego City Hall Building

Sauvie Island School Building

We have also been involved with several projects in the Wilsonville area.

Vision Plastics

Kershaw Kai

Kinsman Road Warehouse Bldgs.

Lazer Quick Office Bldg.

Commerce Center South (4 Bldg. Complex)

Wilsonville Town Center

Please feel free to contact me if you need any further information.

Sincerely,  Bruce Pearson

# ARROW MECHANICAL CONTRACTORS, INC.

10330 S.W. TUALATIN RD.  
TUALATIN, OREGON 97062  
503/692-1565

March 20, 2001

City of Wilsonville  
30000 SW Towne Center Loop East  
Wilsonville OR 97070

REF: Public Library

Attn: Martin Brown

We appreciate the opportunity to work with you to serve your HVAC needs. The following information about our company will give you an overall picture of our company's abilities for your present and future projects.

Over the past 40 years, Arrow has grown to the position of a full development design group. We have worked in the high technology industry to serve its specialized needs. We have experience in working with specialized materials, such as, aluminum, stainless steel, and plastics.

Conventional sheetmetal construction, round and rectangular fiberglass ductwork, spiral duct and specialty metal work are but a few of the services available from our shop. A complete service organization is in place to provide complete refrigeration systems, automatic temperature control installation, as well as preventative maintenance, service and warranty programs.

## ABOUT OUR PERSONNEL:

**John Chamberlain: President**

A registered mechanical engineer in the state of Oregon. John has assumed the responsibility of managing the company, along with project estimating. Raised in the sheetmetal business, John has used his field experience, keyed with his educational background, to effectively direct our projects from the design stages to the final project completion.

**Jerry Pillar: Service Manager**

Jerry has worked for Arrow Mechanical since 1979. With his knowledge of all phases of temperature controls, air conditioning and heating installation, Jerry's department provides complete installation and servicing of all types of HVAC products. This includes preventative maintenance and exhaust/makeup air systems. His service department provides quick, thorough and complete service at a fair price.

**Art Schacher: Project Estimator**

Art has over 39 years experience in the HVAC industry. He has been with Arrow for over 13 years. Art's coordination of resources help him deliver projects on time and within budget.

The following are but a few of the negotiated design-build and plan and spec projects Arrow has completed in the past years. The full listing of projects is too long to include, but covers multi-story offices, high-tech manufacturing, grocery stores, schools and medical facilities.

Merix Corporation  
Hillsboro, OR

DEQ Test Stations  
Various locations

Calvin Presbyterian Church  
Tigard, OR

Wilsonville Industrial Park  
Industrial Development  
Wilsonville, OR

Puget Corporation  
Tigard, OR

Rogers Instruments  
Hillsboro, OR

Fabricland  
Beaverton, OR

J.C. Penney Co.  
Washington Square  
Tigard, OR

Weyerhaeuser  
Portland, OR

Kress Building  
4 Story Building  
Portland, OR

Nike, Inc.  
Office & Manufacturing  
Beaverton, OR

Stanford Restaurant  
Portland, OR

George Fox University  
Newberg, OR

Multnomah Bible School  
Portland, OR

Ted Nelson Co.  
Warehouse & Office  
Tualatin, OR

Kadels Auto Body  
Various locations

Beaverton Middle School  
Beaverton, OR

Ted Nelson Co.  
Warehouse & Office  
Tualatin, OR

Floating Points Systems  
Electrical Manufacturing  
Beaverton, OR

Epson Corporation  
Various Projects  
Beaverton, OR

Oregon Graduate Institute  
Various projects  
Beaverton, OR

Coca-Cola Bottling Co.  
Bend and Portland, OR

Mentor Graphics  
Portland, OR

Albertsons Distribution Ctr.  
Gresham, OR

Vintage Plaza Hotel  
10 Story Hotel  
Portland, OR

GTE Northwest  
Various Projects

Milwaukie Market Place  
Shopping Center  
Milwaukie, OR

Mervyn's Store  
Albany, OR

N. Clackamas Elem. School  
Portland, OR

Peter Boscow School  
Hillsboro, OR

Newport Bay Restaurants  
Various locations

Olive Garden Restaurant  
Portland, OR

Payless: Food 4 Less  
Portland, OR

Albertsons  
Various locations

Oregon Primate Center  
Animal Services Building

S.E.H  
Office  
Vancouver, WA

Martinazzi Square  
Shopping Center  
Tualatin, OR

Tektronix Projects  
Various locations

Target Store  
Vancouver, Wa

Act III Cinemas  
Various locations

Safeway  
Various locations

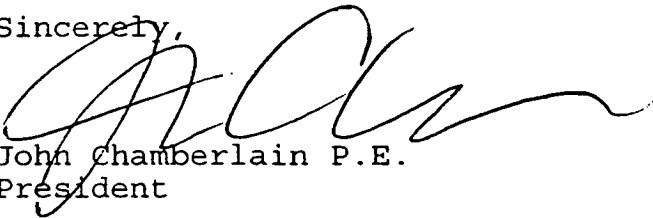
Resers Fine Foods  
Beaverton, OR

Fred Meyer  
Vancouver, Wa

Copelands, Staples  
Portland, OR

Arrow Mechanical Contractors is a name to remember and a firm to consider. Please let us know how we might be of service to you.

Sincerely,



John Chamberlain P.E.  
President

# Tigard-Tualatin School District 23J

- Larry Hibbard Administration Center -

13137 S.W. Pacific Highway • Tigard • Oregon • 97223 • (503) 620-1620 • FAX (503) 684-2296 • <http://www.ttsd.k12.or.us>

## Board of Directors

Pat Biggs, Chair  
Al Hieb, Vice Chair  
Richard Carlson  
Tom Sharp  
Merrily Hoas

Superintendent  
Russell Joki, Ed.D.

Associate Superintendent  
Maryalice Russell, Ed.D.

Business Manager  
George Fisher

Director of Staff Development  
Marilyn Adair

Director of Student Services  
Petrea Hagen-Gilden

Bridgeport Elementary  
Scott Baker, Principal

Byrom Elementary  
John Horn, Principal

Charles F. Tigard Elementary  
Jim Pierce, Principal

Deer Creek Elementary  
Vanessa Bunker, Principal

Durham Elementary  
Kip Gladdet, Ph.D., Principal

Metzger Elementary  
Janis Allig, Principal

Templeton Elementary  
Nancy Longaker, Principal

Tualatin Elementary  
Fred Puhl, Principal

Mary Woodward Elementary  
Art Rutkin, Principal

Fowler Middle School  
Susan Carfile, Principal

Hazelbrook Middle School  
Vickie Foiles, Principal

Twality Middle School  
Jim Wasson, Principal

Tigard High School  
Mark Kubiacyk, Principal

Tualatin High School  
Larry Petterson, Principal

21st Century Academy  
Jennifer Nelson, Director

Aquatic Centers  
Mike Branam, Director

October 7, 1998

Robert Gray Partners, Inc.  
Attention: Robert Gray  
PO Box 1000  
Sherwood, OR 97140

Re: Tualatin High School Auditorium

Dear Robert:

On Saturday, September 19, 1998 the Tigard-Tualatin School District held the grand opening for the new auditorium at Tualatin High School. This event was well attended by local dignitaries. Continually, during the event, people commented on both the beauty and function of the facility.

The quality of the auditorium is the result of several key organizations; one of the most critical is the construction contractor. The focus on quality throughout the project by you and that of your project superintendent, Robert Hubel, is appreciated by the school district. I would also like to specifically thank you for the numerous constructive comments by you and your staff we incorporated into the design to improve the auditorium. These were instrumental in achieving the exceptional facility the school district and community can be proud of for years to come. You and your staff are to be commended for their professionalism.

Sincerely,



Russell A. Joki  
Superintendent

RAJ:km

September 10, 1998



414 N. MERIDIAN ST.

EWING, OR 97132-2697

503.538.8383

Robert Gray Partners Inc.

Bob Gray, Russ Leach, Dave Hoff, Tony DaSilva, and others,

I want to take this opportunity to thank each one of you for your part in making the new Plant Services Building at George Fox University the stable, super building it is.

Russ, thank you for "selling" Clyde and me on the "concrete bldg." idea, and for the plans drawn for the permits and construction.

Bob and Dave, thank you for the bidding that made it the "best buy", and other details throughout the project.

Tony, and others, thank you for your daily work, rain or shine, that got the bldg. done in a timely manner and in splendid condition!

The attention to details by all of you was marvelous! You guys were great to work with!

Thank you again,

A handwritten signature in cursive script that reads "John D. Lyda".

John D. Lyda  
Supt. of New Const.  
George Fox University



March 3, 2000

Mr. David Hoff  
President  
Robert Gray Partners, Inc  
P.O. Box 1000  
Sherwood, Oregon 97140

Dear Dave,

Thank you for your letter of February 28<sup>th</sup>. What a pleasant surprise to see the reduction in contract of \$15,820. We appreciate very much that reduction!

We appreciate greatly the partnership with your company in building the new dorm. The dorm is a delight to the men, and to all of us at Multnomah. My own experience in this project was one of great appreciation for the professionalism of all of you at Robert Gray Partners. Having come from a very difficult building experience just three years earlier, with our married student apartments, I had some serious concerns, and no small amount of apprehension as we started this new dorm project. What a great relief it was to work with you all! Instead of a drudgery, you turned the building project into an exciting positive experience. I cannot overstate how grateful I am for your work, attitude, and the excellence of the finished building. You, Russ, and Bob are all outstanding men to work with.

I look forward now to the next building project, knowing that if Robert Gray Partners does the building, it will be done with excellence, on time, and within budget. It is amazing to our Board of Trustees that there was only one change order on this job, and that one change order was requested by Multnomah.

Thanks, Dave. Please convey my thanks to all your team, and especially to Bob and Russ.

Sincerely,

A handwritten signature in cursive script that reads "Paul Griffin".

Paul Griffin

Senior Vice President Finance and Administration

8435 NE Glisan St  
Portland, OR 972  
503-255-0333

*If it's Bible you want, then you want Multnomah!*

[www.multnomah.edu](http://www.multnomah.edu)

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**CITY OF WILSONVILLE  
REQUEST FOR QUALIFICATIONS (RFQ)**

Subject: Request for Statement of Qualifications (SOQ) from firms to construct a 21,000 square foot one-story wood, stucco and brick addition to the 7,500 square foot existing Wilsonville Public Library; as well as making interior modifications to the existing library. Site improvements will include grading, parking, landscaping, irrigation, retaining walls, sidewalks and associated utilities.

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**INTRODUCTION**

The City of Wilsonville is soliciting Statements of Qualifications (SOQ) from firms to construct improvements to the Wilsonville Public Library and its site as described below.

The City's purpose in using this process will be to determine the 'lowest responsible bidder' for this project through an evaluation of the demonstrated ability to successfully complete projects of a similar nature at the lowest competitive construction price proposal.

**NOTE: SUBMISSION OF THE STATE OF OREGON 'CONTRACTOR'S QUALIFICATION APPLICATION' IS UNSATISFACTORY. UNDER THE PROVISIONS OF ORS 279.039 THE CITY HAS ADOPTED THE BASIC FORMAT AS OUTLINED HEREIN TO DETERMINE QUALIFICATION ON ITS PROJECTS.**

The Terms used throughout this document are summarized below:

**Contractor**

The firm that will execute a construction contract with the City of Wilsonville for the Project.

**Construction Price**

The lowest competitive bid price for the construction of the referenced project as described in this document.

**Respondent**

The legal entity responding to this Request for Qualifications (RFQ) by submitting the required Statement of Qualifications (SOQ) as defined in this document.

**BACKGROUND**

In conjunction with goals adopted by the City Council, construction of improvements to the Wilsonville Public Library are planned. In November 2000, voters approved a bond measure to finance this project.

## **PROJECT INFORMATION**

### **Project Description**

The improvements contemplated for this solicitation are described below:

- ◆ 21,000/sf wood, stucco and brick addition to the existing Wilsonville Library.
- ◆ Remodel existing 7,000/sf library.
- ◆ Site improvements including parking lot, landscaping, irrigation, concrete flatwork, and utilities.

### **Project Schedule Milestones**

Issue Request for Qualifications:	March 5, 2001
SOQ Submittal Deadline:	March 23, 2001
Identify Qualified Contractors Based on Requirements:	April 2, 2001
Appeal Hearing (if necessary):	April 16, 2001
Solicit Bids from 'Responsible Bidders'	April 23 ~ May 18, 2001
Award Construction Contract:	June 4, 2001
Project Complete:	Phase 1 - February 2002 Phase 2 - May 2002

### **Site Location and Site Area**

The Wilsonville Public Library is located at 8200 SW Wilsonville Road on the southwest corner of the intersection of Wilsonville Road and Memorial Drive in the City of Wilsonville, Oregon.

### **Retainage**

The City follows statutory requirements.

### **Owner's Representative**

It is anticipated that Richard P. Turi Architecture & Planning will provide services as the owner's representative through all project phases, including owner inspection services.

## PROCUREMENT PROCESS

### Selection Process

Selection will be based on demonstrated qualifications on projects of similar type, complexity, size, scope (including continuous operation), budget and schedule. **In order to be considered a 'responsible bidder', you must have experience with multiple, comparable, public projects.**

Submittals will be evaluated by a technical review committee consisting of four staff representatives from the City of Wilsonville. The SOQ will be evaluated based on the following rated criteria:

<u>Categories</u>	<u>Maximum Score</u>
1. Organization of Construction Firm	25
2. Management and Construction Experience	25
3. Financial Information and Capacity	25
4. Public Works Contract Experience	25
<b>Total Maximum Possible Score</b>	<b>100</b>

For each respective SOQ, the total score from each review committee member shall be computed; this figure will be added to that submittal's score from other committee members, which shall total to the full 'Evaluation Score' for each submittal. The maximum 'Evaluation Score' is 100 times four reviewers or 400 points. At its sole discretion, the review committee may reconvene and collectively review the scoring, making changes as the committee as a whole deems appropriate. Though original scoring is done on an independent member-by-member basis, each committee member may change his/her score as (s)he deems appropriate as a result of the discussions during any collective meeting. Those Respondents scoring higher than 320 shall be considered responsible bidders.

Based on the outcome of the review and scoring process, the technical review committee will determine if a list of 'responsible bidders' can be made based on the SOQ alone or if Respondent will be invited to participate in an interview process. If an interview process is implemented, Respondents will be asked to present the firm's qualifications and to answer questions.

At the completion of the review process, the Respondents determined to be 'responsible bidders' will be invited to participate in the competitive bid process in accordance with ORS 279. Staff will then forward a recommendation to the City Council requesting that a construction contract be entered into. If the 'lowest responsible bidder' does not enter into a construction contract within the specified time, upon forfeiting the required bid guarantee, the firm submitting the second lowest responsible bid will be deemed the 'lowest responsible bidder' and so on. The City also reserves the right to reject in the public interest, any or all submittals at its discretion with or without cause, and may waive any informalities or minor defects as it deems appropriate.

**Compensation**

The City of Wilsonville follows the usual and customary process for monthly progress payments during construction.

**Communication Protocol**

All requests for information and clarification shall be made directly to the City’s primary contact person, Mr. Martin Brown. In Mr. Brown’s absence, Respondent may contact the City’s alternate contact person, Ms. C. J. Sylvester. Contact information is provided below. The City requests that potential Respondents’ refrain from contacting City representatives other than Mr. Brown and Ms. Sylvester. Direction of questions to other City staff or elected officials will not be viewed favorably.

**Primary Contact Person**

Martin Brown, Building Official  
City of Wilsonville

**Mailing address:**

30000 SW Town Center Loop East  
Wilsonville, Oregon 97070

**Street address:**

8445 SW Elligsen Road  
Wilsonville, Oregon

Telephone number: 503-682-4960  
Fax number: 503-682-7025  
Email: [brown@ci.wilsonville.or.us](mailto:brown@ci.wilsonville.or.us)

**Alternate Contact Person**

C. J. Sylvester, Economic Development Director  
City of Wilsonville

**Mailing address:**

30000 SW Town Center Loop East  
Wilsonville, Oregon 97070

**Street address:**

8445 SW Elligsen Road  
Wilsonville, Oregon

Telephone number: 503-682-4960  
Fax number: 503-682-7025  
Email: [sylvester@ci.wilsonville.or.us](mailto:sylvester@ci.wilsonville.or.us)

**Complaint Process and Remedies**

Protests of any of the terms or conditions (procedural or substantive) of this RFQ shall be in writing and delivered to Mr. Martin Brown, at the referenced addresses, no later than 12:00 PM (noon) Pacific Standard Time, Friday, March 16, 2001. Protests should include sufficient information to enable the City to evaluate the protest and, if the City deems appropriate, amend the RFQ. It is the responsibility of the Respondent to inquire about, comment on, or clarify any

requirement, provision, or feature of this RFQ that the Respondent disagrees with, does not understand, finds ambiguous, unclear, unfair, or likely to limit competition, within the time frame set forth above.

The purpose of this timing requirement is to permit the City time to correct any term or condition in the RFQ which may be unlawful, improvident, unduly restrictive of competition, or otherwise inappropriate. By permitting corrections prior to the opening of the SOQs, much of the waste inherent in protests and in the possible rejection of all proposals should be minimized. To be considered, protests must be submitted within the time established herein or be completely waived by the protestor. The City shall not consider protests at a subsequent time.

All protests by the Respondent of the City's 'responsible bidder' decision must be submitted in writing to the City's primary contact within three (3) business days after the receipt of said notice. Any protest not filed within this time period is waived. The protest must state clearly the basis for the protest and any legal authority in support thereof.

Promptly upon receipt of the appeal the City will, within thirty (30) days, schedule a hearing before the City Council and city staff and will so notify the Respondent of the appropriate date and time. At such hearing, the protester and other interested parties will have the opportunity to appear and make an oral presentation of the basis for the protest. The City Council will either uphold or deny the protest and will set forth in writing the reasons for the decision. If the protest is denied, the City will proceed as outlined herein.

## **REQUIREMENTS FOR STATEMENT OF QUALIFICATIONS APPLICATION**

### **General Instructions**

The Statement of Qualification must be received on or before 12:00 PM (noon) Pacific Standard Time, Friday, March 23, 2001. SOQs received after this deadline will not be opened and will be returned unopened. The SOQ must be addressed and submitted to:

#### By Mail

Martin Brown, Building Official  
City of Wilsonville

#### Mailing address:

30000 SW Town Center Loop East  
Wilsonville, Oregon 97070

*RE: Statement of Qualifications ~ Wilsonville Pubic Library Expansion Project*

#### By Delivery

Martin Brown, Building Official  
City of Wilsonville

#### Street address:

8445 SW Elligsen Road  
Wilsonville, Oregon

*RE: Statement of Qualifications ~ Wilsonville Pubic Library Expansion Project*

The box or envelope must be clearly labeled as 'Statement of Qualifications: Wilsonville Public Library Expansion Project'. Five (5) copies of the SOQ are required. SOQs will not be opened publicly. The City will publish a list of Respondents submitting SOQs and will distribute, via mail or fax, the list to all Respondents within three (3) business days.

No interpretations or clarifications of the meaning of any part of the RFQ will be made orally by the City to any potential Respondent. Requests for interpretation or clarifications by any Respondent must be made in writing to Mr. Martin Brown at the referenced address. Responses to requests for information will be provided to all recipients of the RFQ. Any and all such interpretations and supplemental instructions will be made in the form of written addenda that will be sent to all recipients of the RFQ and will become part of the RFQ. Mr. Martin Brown, Building Official, no later than 5:00 PM Pacific Standard Time, Friday, March 16, 2001 must receive any requested changes or clarifications to the request for SOQ in writing.

### **SOQ Submittal Content and Organization**

The Statement of Qualifications must be separated into sections as follows:

1. Organization of Construction Firm
2. Management and Construction Experience
3. Financial Information and Capacity
4. Public Works Contract Experience
5. Authorized Employee
6. Affidavit

Narrative and attachment pages are to be 8 ½ by 11 inches, and shall be bound into one volume with the Statement of Qualification Application. A clear and concise presentation of information is encouraged with a cover letter summary signed by an authorized employee representative of the Respondent.

#### **1. Organization of Construction Firm**

The qualification statement shall provide a clear description and outline or chart showing the organization of the construction firm. This should include identification of all components of the construction firm along with his/her project roles, responsibility, reporting accountability and employee count.

The statement should also explain how the organization would be able to function as a fully integrated and cohesive unit; anticipated lines of authority and communication; responsibility of individuals within the organization; and the methods that will be used to coordinate and integrate the activities and responsibilities of these individuals. Changes to the Respondent's proposed team that are made anytime during or after the qualification process, including major subcontractors and key personnel, must be forwarded in writing to the City.

Section Listing

- 1.1 *Organization chart or outline of construction firm.*
- 1.2 *Organization chart or outline of prime contractor and subcontractors.*

2. Management and Construction Experience

The Respondent shall list major subcontractors identifying type of work and anticipated contract percentage.

Statements shall include recent examples of similar construction experience including type, contract value, schedule, and any peculiarities that may be germane to this project *specifically including continuous facility operation during construction*. The statement shall identify one or more individuals in the Respondent's proposed firm who held responsible positions on each cited example and explain the position. The statement should also include owner and architect/engineering firm references for each project cited, including address and phone numbers.

The Respondent shall list the company's and its owners' relevant construction experience. The principal contact person shall be clearly identified in this section, including, address, phone number, fax number, and email address.

Section Listing

- 2.1 *Indicate the anticipated major subcontractors for this project and the class of work.*
- 2.2 *List five major projects Respondent has undertaken in the last five years.*
- 2.3 *How many years has Respondent been in business under present name?*
- 2.4 *How many years' experience in construction work has Respondent had?*
- 2.5 *Indicate Respondent's principal contact person for this application.*
- 2.6 *What is the construction experience of all owners, etc., in Respondent's organization?*
- 2.7 *Indicate contractor's licenses or registration numbers held as required by Oregon Statutes.*

3. Financial Information and Capacity

The statement shall include evidence that the Respondent's current bonding capacity is equal to or in excess of \$5,000,000. This evidence may be in the form of a letter from a licensed bonding company or from an agent representing such a company.

The qualification statement shall indicate the firm's form of business: single entity, joint venture, association of contractors or other. The qualification statement shall also list other financial interests in the company.

Financial report attachments should include a copy of the Respondent's annual financial statement, audited if available, for the most recent three (3) years, and the quarterly updates since the most recent annual financial statement. If the Respondent is a joint venture, the statement should include similar information for each member of the joint venture.

### Section Listing

- 3.1 *Indicate the total amount of work, expressed in dollars, which the Respondent can be bonded for at one time.*
- 3.2 *Indicate the firm's form of business.*
- 3.3 *List those individuals, companies or corporations owning 10% or more of Respondent's firm.*
- 3.4 *Financial report attachment.*

#### 4. Public Works Contract Experience

The Respondent shall list the company's past experience with regards to fulfilling public works contracts.

The qualification statement should also disclose any unpaid judgements against the Respondent and/or any disputed or unadjudicated claims in excess of \$5,000. If the Respondent is not a public company, this financial information will be held in confidence and the City Attorney and the City's Finance Director will examine it. If this information is to be held as confidential please include it in a second sealed envelope clearly marked as such.

### Section Listing

- 4.1 *Is your firm currently certified by the State of Oregon as a Disadvantaged Business Enterprise (DBE)?*
- 4.2 *Have you ever been disqualified or denied qualification for bidding by any state, local or federal agency in this or any other state?*
- 4.3 *Have you ever been barred from bidding on contracts by any state, local or federal agency in this or any other state under any State Law or Federal Law?*
- 4.4 *Has any officer or partner of the Respondent ever applied for qualification or Public Works contract with the City of Wilsonville under a different name?*
- 4.5 *Has the Respondent ever failed to complete a state, local or federal public improvement (works) contract?*
- 4.6 *Has any officer or partner of the Respondent ever had a judgement against them involving a local, state or federal contract?*
- 4.7 *Does the Respondent have any unpaid judgements and/or unadjudicated claims in excess of \$5,000?*

#### 5. Authorized Employee Representative of the Respondent

By submitting a Statement of Qualification for the Project, Respondent expressly represents that they have taken no exception to any term, condition, obligation or requirement of the RFQ that is not clearly and expressly stated in his/her SOQ.

Respondent further represents that they are an Authorized Employee Representative of the Respondent and will report immediately to the City in writing any errors, inconsistencies, ambiguities, terms which limit competition, or terms which are otherwise unlawful that they discover in the RFQ.

#### 6. Affidavit