

## Request for Proposals

Title:

Reserve Study & Policy  
project RFP

Due:

**10/06/2023**  
No later than 11:00 a.m. PST

Contact:

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### 01. SCHEDULE

<b>09/18/2023</b>	Public announcement of Request for Proposals
<b>10/06/2023</b>	Proposals Due no later than 3:00 p.m. PST
<b>10/13/2023</b>	Selection of Consultant and Negotiation of Specific Terms
<b>12/15/2023</b>	Anticipated Project Completion

\*NOTE: Dates as indicated are best estimates for informational purposes only.

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### 03. SUBMITTAL INSTRUCTIONS

Electronic submittal: Submit one (1) electronic proposal and any required attachments, the Submittal Packet first page shall be digitally signed by an authorized representative of the proposer's firm. For easy identification, please list "Reserve Study RFP" in the subject line of the email. Electronic submittals shall be sent to [scollins@portofbenton.com](mailto:scollins@portofbenton.com) and must be received by proposals due date referenced above.

Proposals shall contain all required information as defined herein and be submitted to the Port of Benton electronically no later than the date, time, and place as stated on the cover page of this RFP or as amended. Proposals will not be accepted in any format other than as required above. Late proposals will not be accepted and will be returned to the proposers unopened.

Proposers shall be fully responsible for any and all costs incurred in the preparation and submittal of their proposals.

### 04. PROJECT OVERVIEW

The Port of Benton ("Port") is soliciting proposals from an individual/firm/organization ("Proposer" or "Proposers") with demonstrated experience to provide the services necessary to establish a strategy for developing appropriate reserves and to develop a draft Reserve Policy.

#### **Scope of Services**

The Port would like a study to be conducted of Port operations and financial status in order to determine what reserve funds should be established as well as recommended ranges each reserve fund should maintain. The Port also desires that a draft Reserve Policy

In order to achieve the project objectives, the Port is requiring the following from the proposer:

- Obtain sufficient understanding of the Port, the Port operation and the Port's financial situation in order to develop appropriate recommendations.
- Perform a review of reserve practices of other Ports of similar size and nature of operations.
  - This review should be summarized and provided to the Port as part of the Deliverables.
  - Benchmark and identify best practices used by ports and other relevant/comparable government operations.
- Based on the Proposer's knowledge of ports and utilizing results from the survey mentioned above, the Proposer should:
  - Identify the types of Reserve Funds the Port should consider adopting.
  - Determine a range of target values the reserve should be maintained at. These ranges should be expressed as a formula so that the reserve amounts will change based on changes in the Ports Financial Operations.
- Based on the findings and recommendations of the Proposer, Port staff will make a decision on what Reserve Funds will be established and at what amounts.
- Based on the Port's decisions, the Proposer will develop a draft Reserve Policy.
- If the Port currently does not have the available financial resources available to meet the recommended reserve values, the Proposed should develop and recommend a funding strategy in order to be compliant with the recommended and approved Reserve Policy amounts.

## 05. BACKGROUND

The Port drives economic growth, trade and tourism by providing quality infrastructure, facilities, land and multimodal transportation for businesses and the community at a variety of sites in Benton County of Washington State.

Port of Benton is committed to developing local businesses, recruiting industrial and commercial companies, collaborating with partners to create economic prosperity in the region and maintaining multi-modal transportation networks. The Port has a diverse economic-development focus ranging from agribusiness, transportation, high-tech research and development to manufacturing.

The Port was established in 1958 as a special-purpose district under the Revised Code of Washington (RCW) Chapter 53.

As the Port continues to grow, both in terms of annual budget and complexity/variety of operations, the Port desires to establish a formal reserve policy. This reserve policy should include the recommended types of reserves (i.e., Operating Reserve, Capital Reserve, etc.)

## 06. DESIRED PROPOSAL

The Port desires a proposal that provides the Port with an assessment and identification of the types of Reserve Funds to implement and recommended range for reserve amounts for each Reserve Fund.

The proposal should address the following:

- Experience of the Proposer's firm in developing policies and procedures for government entities. Emphasis should be placed on experience with Ports and Reserve Assessments and Policy.
- Experience of the personnel assigned to the project, highlighting the experience with Ports and Reserve Policies.
- A description of the project management approach.
- A description of how the project objectives will be met.
- Identification of the workplan, including key project tasks and milestones.
- Proposed schedule to ensure completion of the Expected Deliverables by December 15, 2023. If the proposer does not believe that this is an achievable timeframe, Proposer shall provide a recommended schedule.
- Anything else that the Proposer believes is relevant and applicable to the project objectives.

Expected Deliverables are:

- Benchmark results of reserve funds and levels of other comparable Ports.
- Recommended Reserve Funds to establish.
- Recommended formula/approach for developing initial and ongoing reserve levels.
- Draft Reserve Fund Policy.

## 07. CONTRACT LENGTH

The Port desires a short-term contract, as all funds for this project are to be expended by December 31, 2023. At the Port's discretion, and subject to relevant statutes, rules, and regulations, terms may be renewed upon mutual written consent but may be with vastly different terms, conditions, and rate.

## 08. PROPOSAL SUBMITTAL REQUIREMENTS

To ensure that all information provided is properly evaluated, please organize and label proposals in the structure provided below. Submittals shall not exceed twenty (20) pages total including all required components; proposer(s) will not be graded upon the length of their proposal or effort to reach the 20-page maximum. Proposer(s) are encouraged to focus on quality and brevity in their proposal.

Proposals (submittals) shall include, at a minimum, the following:

- 1) **Transmittal Letter with Original Signature:** A cover letter generally outlining the proposer's ability to perform the services outlined in this RFP; signed by an authorized individual representing the Proposer's firm in contractual obligations.
- 2) **Proposed Rate:** Proposer shall provide their proposed cost structure. **Proposer shall provide either, 1) a fixed price, or 2) an hourly rate with total proposed number of hours.**
- 3) **Proposed Scope of Work:** Proposer shall provide a more detailed overview of the method and strategy they intend to employ in fulfilling **Section 06. Desired Proposal**. Proposer shall also document how their commitment to the Project schedule and their plan to stick to that committed schedule.
- 4) **Licensing:** Provide a current business license or copy of a complete application to do business in Washington State.. If proposer holds an out-of-state business license and plans to complete the majority of the work remotely, provide a current business license for the state in which the Proposer is incorporated.
- 5) **Ability to Contract:** Proposer shall have the ability to negotiate a contract with the Port based on the exceptions/changes requested. Proposer may not be debarred, suspended or otherwise ineligible to contract with the Port. DUNS or Unique Entity IDs (UEI) are not necessary for this project.
- 6) **Experience:** Company identification and typical business statistics – years in operation, locations, business volume, number of employees, services provided, etc. List the Proposer's top three (3) business references for the type of work most relevant to the content of this RFP. Listing for each reference should provide the references business name or d.b.a., lead staff contact, staff contact phone, staff contact email, and a short description of the services rendered.
- 7) **CVs:** Company CV/Bio/Summary describing capabilities and performance relevant to Port's requirements for the key personnel performing this work.
- 8) **Legal Action:** Disclose any current or recent (within past five years) legal action in progress or taken against the firm or individuals.

- 9) **Disclosure:** List all business transactions and relations within the past five years that may create or be perceived to create a conflict of interest. Any business dealings or recommendations of a product or firm that may conflict with this project shall be disclosed. If it is determined by the Port that a conflict of interest exists, the Propose shall be disqualified from further consideration.

## 09. EVALUATION CRITERIA

Criteria	Value
<b>Transmittal Letter with Original Signature</b>	5%
<b>Proposed Rate</b>	10%
<b>Proposed Approach to Scope of Work</b>	35%
<b>Licensing (Does the business have applicable licenses?)</b>	Y or N
<b>Ability to Contract (Is the proposer and their business able to contract?)</b>	Y or N
<b>Firm Experience</b>	20%
<b>CV/Bio/Summary of the Key Personnel</b>	20%
<b>Legal Action (Does a legal action exist?)</b>	Y or N
<b>Disclosure (Does a conflict exist?)</b>	Y or N

Evaluation Criteria Explanation: The firm must demonstrate its qualifications, experience and competence related to the project with the following criteria:

- A. Specific recent experience on similar projects
- B. Proven capacity of the proposed team to deliver the project requirements on time and on, or under budget.
- C. Familiarity with the requirements of the project.
- D. Description of the of the approach to assess and recommend reserve types and amounts.
- E. A project schedule for the estimated project to ensure completion no later than December 15, 2023.
- F. Submittal of current Rate and Fee Schedule.

## 10. PROPOSAL EVALUATION

- 1) The Port may choose to invite one or more of the proposers to demonstrate their solutions or interview with the Port.
- 2) The Port reserves the right to award a contract with the single highest rated proposer without proceeding with interviews or demonstrations.

- 3) Ownership of Material - Ownership of all data, materials, and documentation originated and prepared for the Port pursuant to the RFP shall belong exclusively to the Port and be subject to public inspection after award by the Commission in accordance with the Washington State Public Records Act (RCW 42.56). Trade secrets or proprietary information submitted by the Respondent shall not be subject to public disclosure under the Public Records Act, unless otherwise required by law or a court. However, the Proposer must invoke the protection of the Public Records Act, in writing, either before or at the time the data or other material is submitted. The written notice must SPECIFICALLY identify the data or materials to be protected and state the reason why protection is necessary. The proprietary or trade secret material submitted must be identified by some distinct method such as highlighting or underlining and must indicate only the specific words, figures, or paragraphs that constitute trade secret or proprietary information. The classification of an entire proposal document, line-item prices, and/or total proposal prices as proprietary, or trade secrets, is NOT ACCEPTABLE and may result in REJECTION of the proposal.
- 4) With regard to submittal of a proposal (individually and collectively referred to as “response”), the proposer agrees to and hereby waive any and all claims it has or may have against the port, and its director’s, persons, officers, commissioner’s , committee’s, employees, or agents arising out of or in connection with (1) the administration, evaluation, or recommendation of any response; (2) any requirements under the solicitation, the RFP, or related documents; (3) the rejection of any response or any part of any response; (4) waiver by the port of any technicalities in the RFP package or any response; (5) waiver or change in any non-material provision of the RFP solicitation package or materials that do not adversely and specifically affect the previously submitted response; and/or (6) the award of a contract, if any.
- 5) The Port reserves the right to reject any or all responses, to waive any irregularities and/or technicalities in response received or not award. The Port, in its sole discretion, will determine whether any or all the responses are responsive and reserves the right to make a determination as to whether any one or more Proposals are qualified. The submission of a response to this RFP is an offer by the Proposer to contract only and does not constitute a contract. There will be no contractual obligations on the part of the Port to any Proposer, nor will any Proposer have any property interest or other right in the contract unless and until all terms of the contract have been agreed upon by the Port, including, without limitation, all provisions of the contract have been negotiated to the satisfaction of the Port; the contract is unconditionally signed by the Port and the selected Proposer the contract is delivered by all parties; and all conditions to be fulfilled by the Proposer prior to contracting have either been fulfilled by the Proposer or waived in the writing by the Port.

## 11. RFP QUESTIONS AND CLARIFICATIONS

Questions shall be submitted to the Port of Benton by email to: [scollins@portofbenton.com](mailto:scollins@portofbenton.com), not later than the date and time referenced in the Schedule on the title page. Please reference the “Reserve Study RFP” in the subject line when submitting questions via email.

Oral questions will not be answered. Questions must be in written form, by email. To the extent any oral questions are answered, those answers will be considered non-binding. An addendum to this RFP may be issued by the Port as a result of the questions generated under this competitive solicitation to all plan holders.

## 12. ADDENDA

If at any time, the Port changes, revises, deletes, clarifies, increases, or otherwise modifies the RFP, the Port will issue a written addendum to the RFP. Proposer must register for this RFP to be notified of addendum and new documents on this RFP. It is the Proposer's responsibility to check for addenda and other new documents online.

## 13. SUBMITTAL EFFECTIVE DATE

The submittals shall remain in effect for 180 days after the RFP due date, unless extended by mutual agreement between the Port and the applicable proposers.

## 14. DEBRIEF PROCEDURES

After award, submitters may contact the Port to request a phone or in person debrief conference.

## 15. INSURANCE REQUIREMENTS AND INDEMNIFICATION

Evidence of financial stability and credit worthiness; ability to meet port's insurance requirements is mandatory. Insurance and contract terms will be covered during contract negotiations.

## 16. TITLE VI (FEDERAL) NON-DISCRIMINATION

The Port of Benton assures that no person shall on the grounds of race, color, national origin, or sex as provided by Title VI of the Civil Rights Act of 1964, as amended, and the Civil Rights Restoration Act 1987 (P.L. 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Port sponsored program or activity. The Port of Benton further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

## 17. PORT NON-DISCRIMINATION

By signing and submitting a response to this RFP, the proposer (firm or individual) certifies that, in the event it is awarded a contract under this competitive solicitation (i.e., becomes the "successful proposer"), and as of the date of contract award, it shall comply with the "Anti-Discrimination Clause" provided below:

Non-discrimination. Port of Benton complies with applicable federal civil rights and Washington state civil rights laws and does not discriminate on the basis of race, color, national origin, religion, sex, families with children, marital status, honorably-discharged veteran or military status, sexual orientation, age, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, in the administration of its programs and activities.



The Vendor shall comply with the substantive requirements of RCW 49.60, which are incorporated herein by this reference. Execution of this Agreement constitutes a certification by the Vendor of the Vendor's compliance with the requirements of Chapter RCW 49.60. If the Vendor is found to have violated this provision, or to have furnished false or misleading information in an investigation or proceeding conducted pursuant to this Agreement or Chapter RCW 49.60, this Agreement may be subject to a declaration of default and termination at the Port's discretion. This provision shall not affect the Vendor's obligations under other federal, state, or local laws against discrimination.

## 18. OTHER PUBLIC AGENCY ORDERS

The Washington State Interlocal Cooperative Act, RCW 39.34, provides that other governmental agencies may purchase goods or services on this RFP or contract in accordance with the terms and prices indicated herein if all parties agree. The Port does not accept any responsibility or involvement in the purchase orders or contracts issued by other public agencies.