

REQUEST FOR PROPOSALS
Recreational and Aquatic Center
Operations and Management Services

PUBLISHED DATE: Friday, March 31, 2017

Address Proposals to:

City of Sherwood
Attn: Kristen Switzer
Community Services Director
22560 SW Pine Street
Sherwood, OR 97140

Proposals due: Friday, May 26, 2017, at 4:00 P.M., Pacific Daylight Time

The City of Sherwood, Oregon, is requesting Proposals from qualified organizations for the management and operation of an existing 56,000 sq. ft. Recreation & Aquatic Facility owned by the City of Sherwood. Successful bidders should have experience in managing a wide range of multi-sport community recreation centers.

Proposals are to be submitted as seven (7) printed copies on standard 8.5" x 11" paper (with any supporting documentation on paper no larger than 11" x 17"), and one electronic version on a CD or flash drive in Microsoft compatible or Adobe PDF format. Misdirected, electronically mailed, or faxed Proposals will not be accepted. Please do not wait until the last minute for delivery. Proposers mailing a proposal should allow normal mail delivery time to ensure timely receipt of their proposals. Any Proposal received after the scheduled closing time for receipt of Proposals will not be considered and will be returned unopened. No responsibility will be attached to any official of the City for the premature opening of, or the failure to open, a Proposal not properly addressed and identified.

Envelopes must be sealed in an opaque envelope, plainly marked as follows: "Request for Proposals- Recreation and Aquatic Center Operations/Management," and sent to the attention of Kristen Switzer, Community Services Director, City of Sherwood, 22560 SW Pine Street, Sherwood, Oregon 97140. Include the name and address of the Proposer and identify whether or not Proposer is a "resident Bidder", pursuant to ORS 279A.120(1).

The complete Request for Proposals is on file with and may be obtained from Kristen Switzer, Community Services Director, City of Sherwood, 22560 SW Pine Street, Sherwood, Oregon 97140, (503) 625-4210, switzerk@sherwoodoregon.gov, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Table of Contents

Request for Proposals

I.	Project Overview	1
II.	Project Background	1
III.	Sherwood Overview.....	2
IV.	Minimum Qualifications.....	2
V.	RFP Documents.....	2
VI.	Project Manager.....	2
VII.	RFP Questions	3
VIII.	Facility Tour/Visit	3
IX	Proposal Submission.....	3
X.	Schedule.....	4
XI.	General RFP Information.....	4
	Confidentiality and Public Records.....	4
	Late Proposals.....	5
	Disputes.....	5
	Proposer Certifications	5
	Nondiscrimination.....	6
	Competition	6
	RFP Protests and Change Requests	6
	Proposal Costs	6
	City Requests for Clarification, Additional Research, and Revisions	6
	Rejection of Proposals	7
	Modification or Withdrawal of Proposal by Proposer.....	7
	Duration of Proposal.....	7
	Local and Federal Requirements.....	7
XII.	Scope of Services.....	8
XIII.	Operating Agreement.....	8
XIV.	Proposal Requirements	8
	Proposal Format.....	8
	Introductory Letter	8
	Organization Experience and Qualifications.....	9
	Operational Plan.....	9
XV.	Proposal Evaluation and Selection.....	11
	Written Evaluation.....	11
	Interview Evaluation.....	11

Successful Proposer Determination.....	12
Award Protest.....	12
City's Reservation of Rights	13

APPENDIX A

SCOPE OF SERVICES

APPENDIX B

MINIMUM INSURANCE REQUIREMENTS

REQUEST FOR PROPOSALS

The City of Sherwood, Oregon, is requesting Proposals from qualified organizations for the management and operation of an existing 56,000 sq. ft. Recreation & Aquatic Facility owned by the City of Sherwood. Successful bidders should have experience in managing a wide range of multi-sport community recreation centers.

Proposals are to be submitted as seven (7) printed copies and one electronic version on a CD or flash drive in Microsoft compatible or Adobe PDF format. The format for Proposals is outlined in Section XIII Proposal Requirements. Proposals are prepared at the sole expense of Proposer. The City will not reimburse any costs incurred by Proposer in the preparation, delivery, or presentation of the Proposal. Submittal of responses by proposers constitutes agreement by the proposers with all stipulations and requirements as written in this RFP.

I. Project Overview

The intent of this Request for Proposals (RFP) is to identify facility management organizations qualified and capable of operating and managing the City of Sherwood Recreation and Aquatic Center. The 56,000 sq. ft. building accommodates the following:

- A 25 yard long, 3 lane pool
- Recreational pool with zero depth entry to 7' deep
- 65 foot water slide
- Family changing rooms
- 5,200 sq. ft. Teen Center
- Child Watch Center
- Full-size basketball/volleyball court
- 20' high rock climbing wall
- Dance and gymnastic studios
- Spin cycle studio
- Treadmills, elliptical machines, stair steppers, step mill, rowing machine
- Bikes (including recumbent, cycle pro, uprights, spin bike and hand crank cycles)
- Functional training room
- Free weights and Life Fitness and Matrix® Selectorized Strength machines
- 1/14-mile walking/running track

Proposer must be prepared to operate and manage all aspects of the facility including, but not limited to, programming, facility maintenance, budget and financial management, and marketing.

II. Project Background

In 1996, Sherwood residents passed a general obligation bond to construct a Recreation and Aquatic Facility. The City of Sherwood signed a 20-year Operating Agreement with the YMCA of Columbia-Willamette to operate the Facility upon completion. The 20-year Operating Agreement with the YMCA is due to expire on October 31, 2018.

In August 2016, the City of Sherwood hired a consultant to complete a Feasibility Study analyzing the operating options for the recreation and aquatic center. After reviewing the Feasibility Study, the City Council directed City staff to issue this RFP. Proposers are urged to review the Feasibility Study prior to submission of a proposal.

III. Sherwood Overview

Sherwood is located in Washington County, Oregon, and is home to approximately 19,000 residents. Located in the southeast corner of the county, it is a largely residential community in the Tualatin Valley, southwest of Portland. Established in 1892, Sherwood offers something for everyone. It's been nationally recognized as one of the "Best places to live in the nation" by CNN Money Magazine and "Best family towns" by Family Circle Magazine. It offers natural beauty at every turn, with things to do in and around town. The community is highly sought after for its great proximity to outdoor activities and the Portland urban area, thoughtfully planned residential communities, outstanding schools, and strong local economy.

IV. Minimum Qualifications

The City is seeking an organization that is highly regarded in the field, understands and appreciates the City's needs regarding the Recreation and Aquatic Center, and has qualified and established project management staff. Proposers must meet or exceed the following criteria:

- Proposer must be legally capable of operating within the State of Oregon.
- Proposer must have extensive and current experience in managing, owning, and/or operating multi-sport venues which provide leagues, tournaments, camps, clinics, training, aquatics programs, fitness activities, special events, and facility rentals for a variety of sports and recreational activities. Single-sport operators will not be considered.
- Proposer must provide profit and loss statements for facilities it has managed in the past three calendar years, in sufficient detail that represents a fair and accurate portrayal as to the financial viability of the organization to run such a facility in a financially sustainable way. At least one example must be for a facility Proposer currently operates.
- Proposer must provide no fewer than three references from accounts where Proposer is currently or has previously provided full-time, on-site management.
- Previous experience operating a public or non-profit center is strongly preferred.

V. RFP Documents

Request for Proposal documents may be obtained at Sherwood City Hall, located at 22560 SW Pine Street, Sherwood, OR 97224, between the hours of 8:00 a.m. and 5:00 p.m., or may be obtained by contacting Kristen Switzer, Community Services Director, at (503) 625-4210 or switzerk@sherwoodoregon.gov.

VI. Project Manager

The City's Project Manager for this Project is Kristen Switzer, Community Services Director. The Project Manager shall be the sole point of contact for all questions, concerns, and protests.

City of Sherwood
Attn: Kristen Switzer
Community Service Director
22560 SW Pine Street
Sherwood, OR 97140
switzerk@sherwoodoregon.gov

VII. RFP Questions

Interested Proposers shall direct all questions regarding RFP documents by email to:

City of Sherwood
Attn: Kristen Switzer
Community Services Director
22560 SW Pine Street
Sherwood, OR 97140
switzerk@sherwoodoregon.gov

All questions shall include "Recreation and Aquatic Center Operations/Management – RFP Questions" in the subject line and must be submitted by 4:00 p.m., Pacific Daylight Time, on Friday, April 21, 2017. Questions and answers will be provided by email to all Proposers on the RFP holders list. Questions submitted after the deadline on April 21, 2017 will not be addressed.

For the sake of fairness, Proposers are not to contact any City staff or official, other than the Project Manager, concerning this RFP. Contact with any other City staff or officials concerning this RFP will be grounds for disqualification.

Proposers are hereby notified that verbal communication may not be relied upon as official communication concerning the RFP. Only answers to those questions responded to by the City's Project Manager via email or posted on the City's website may be relied upon. Proposers should also check the City's website frequently at www.sherwoodoregon.gov to look for any addenda to the RFP.

VIII. Facility Tour

Interested Proposers may contact Kristen Switzer at (503) 625-4210 or switzerk@sherwoodoregon.gov to arrange for a tour of the facility. Interested Proposers must make arrangements ahead of time if they are interested in touring.

IX. Proposal Submission

Proposals shall be delivered in opaque sealed envelopes, plainly marked "Request for Proposals - Recreation and Aquatic Center Operations/Management," and include the name and address of the Proposer. Proposals shall be addressed and submitted to the following location by 4:00 p.m., Pacific Daylight Time, on the 26th day of May, 2017:

City of Sherwood
Attn: Kristen Switzer
Community Services Director
22560 SW Pine Street
Sherwood, OR 97140

Proposals must arrive at the issuing office on or before the listed time and date due. Late proposals will be returned unopened and without review. Electronically mailed or faxed proposals will not be accepted.

X. Schedule

The following is the anticipated timeline for receiving and evaluating Proposals and awarding a contract to the most qualified organization. This schedule is subject to change as additional time is needed.

Advertise Request for Proposals	Friday, March 31, 2017
RFP Change Request Deadline	Friday, April 21, 2017, 4:00 p.m.
RFP Question Submission Deadline	Friday, April 21, 2017, 4:00 p.m.
Addenda Issuance Deadline	Friday, April 28, 2017, 4:00 p.m.
Proposals Due	Friday, May 26, 2017, 4:00 p.m.
Opening of Proposals	Friday, May 26, 2017, 4:00 p.m.
	Sherwood City Hall, Community Rm (1 st Floor) 22560 SW Pine Street, Sherwood, OR 97140
Interviews Scheduled	June/July 2017
Notice of Intent to Award	Tuesday, August 15, 2017
End of Contract Award Protest Period	Tuesday, August 22, 2017

XI. General RFP Information

The City reserves the right to make changes to the RFP by written addendum, which shall be issued by email to all those who have obtained the RFP documents by contacting the City, and will be made available for download at www.sherwoodoregon.gov under "Business & Development/Bids & RFPs".

All addenda shall have the same binding effect as though contained in the main body of the RFP documents.

No addenda will be issued later than April 28, 2017, except by an addendum, if necessary, postponing the date for receipt of Proposals or canceling the RFP altogether.

Each Proposer is responsible for obtaining all addenda prior to submitting a Proposal and shall acknowledge in the Proposal receipt of each addendum as part of the Proposal. Failure to acknowledge receipt of all addenda as part of the Proposal may result in rejection of the Proposal.

Response to this RFP indicates agreement by the proposer with all stipulations and requirements of this RFP and is subject to subsequent contract negotiation. It is the intention of the City of Sherwood to offer the successful Proposer a limited time contract, with an option to renew.

Confidentiality and Public Records

All information submitted by a Proposer shall become and remain the property of the City and is considered public information and subject to disclosure pursuant to the Oregon Public Records Law, except such portions of the Proposal which are exempt from disclosure consistent with Oregon law. If a Proposal contains any information that the Proposer believes is exempt from disclosure under the various grounds specified in the Oregon Public Records Law, the Proposer must clearly designate each such portion of its Proposal as exempt, along with a justification and citation to the authority relied upon. Identifying the Proposal, in whole, as exempt from disclosure is not acceptable. Failure to identify specific portions of the Proposal as exempt shall be deemed a waiver of any future claim of that information as exempt.

The City will make available to any person requesting information, through the City processes for disclosure of public records, any and all information submitted as a result of this RFP not exempted from disclosure, without obtaining permission from any Proposer to do so. However, if a public records request is made for material marked by the Proposer as exempt, the City will attempt to notify the impacted Proposer prior to any release of the material. Application of the Oregon Public Records Law by the City will determine whether any information is actually exempt from disclosure. The City accepts no liability for the release of any information submitted.

Late Proposals

All Proposals that are not received by the Proposal Due Date will not be considered and will be returned unopened to the Proposer. Electronically mailed or faxed Proposals will not be accepted. Delays due to mail and/or delivery handling, including but not limited to delays within the City's internal distribution systems, do not excuse the Proposer's responsibility for submitting the Proposal to the correct location by the Proposal Due Date.

Disputes

In case of any doubt or differences of opinion as to the items or services to be furnished hereunder, or the interpretation of the provisions of the RFP, the decision of the City shall be final and binding upon all parties.

Proposer Certifications and Acknowledgements

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

Proposer has carefully examined all RFP documents, all addenda, and all other attachments, fully understands the RFP intent, is able to perform all tasks as described in the Scope of Services (Appendix A), and its Proposal is made in accordance therewith. Except as otherwise noted as part of the Proposal, Proposer certifies as follows:

1. Proposer is familiar with the local conditions under which the work will be performed.
2. The Proposal is based upon the requirements described in the RFP, without exception, unless clearly stated in the Proposal.
3. Proposer will fully meet all of the City minimum insurance requirements (Appendix B).
4. To the best of Proposer's knowledge and belief, and in the case of sole proprietorship, partnership, or corporation, each party thereto certifies as to its own organization, under penalty of perjury, that, no elected official, employee, or person whose salary is payable in whole or part by the City has a direct or indirect financial interest in the Proposal, or in the services to which it relates, or in any of the profits thereof, other than as fully described in the Proposal.
5. Proposer has examined all parts (including addenda) of the RFP, including all requirements and contract terms and conditions thereof, and if its Proposal is accepted, Proposer shall accept contract documents conforming thereto.
6. Proposer, if an individual, is of lawful age, is the only one interested in this Proposal, and no person, firm, or corporation, other than that named, has any interest in the Proposal, or in the proposed contract.
7. Proposer has quality experience providing the types of services and duties as described within the Scope of Services of this RFP.
8. Proposer shall also certify whether Proposer is an Oregon Proposer or a non-resident Proposer.

The Proposer must acknowledge in its response the following:

1. The Proposer agrees with all stipulations and requirements, as presented in this RFP.
2. The Proposer acknowledges that, if selected as the successful proposer, the operation of the facility per the requirements of this RFP is contingent upon successful negotiation of a limited-duration operating contract with the City of Sherwood.

Nondiscrimination

By the act of submitting a Proposal in response to this RFP, Proposer certifies, under penalty of perjury, that: Proposer has not discriminated against minorities, women, or emerging small business enterprises in obtaining any required subcontracts.

Competition

Prospective Proposers are encouraged to comment, in writing, on any specification or requirement within this RFP that the Proposer believes will inordinately limit competition. City will consider all Proposals equally and shall not favor any particular Proposer over another in analyzing the Proposals to encourage fair competition.

RFP Protests and Change Requests

A prospective Proposer may protest anything contained in the RFP documents and request a corresponding change to any provision, specification, or contract term contained in the RFP documents by submitting a written request to:

City of Sherwood
Attn: Kristen Switzer
Community Services Director
22560 SW Pine Street
Sherwood, OR 97140
switzerk@sherwoodoregon.gov

All change requests shall include "Recreation and Aquatic Center Operations/Management – RFP Protest" in the subject line or written on the front of the envelope and be submitted, in writing, by 4:00p.m., Pacific Time, on April 21, 2017. Any such protest must include the information required by ORS 279B.405(4) and a statement of the desired change(s) to the procurement process or solicitation document(s) that the prospective proposer believes will remedy the conditions upon which the protest is based. The City will not consider any solicitation protest submitted after the deadline or any protest which does not include the required information.

The City will review the protest and respond in writing in accordance with ORS 279B.405. If the City determines it is necessary in order to consider and respond to a protest, the City may extend closing. If the City upholds a protest, in whole or in part, the City may, in its sole discretion, either issue an addendum reflecting its disposition or cancel the solicitation. Before seeking judicial review, a Proposer must file a written protest with the City and exhaust all administrative remedies.

Proposal Costs

Proposers responding to this RFP do so solely at their expense, and the City is not responsible for any Proposer expenses associated with responding to the RFP. Finalists invited to participate in interview evaluations are responsible for scheduling and paying for their own travel arrangements. The City is not liable for any cost incurred by a Proposer in protesting any portion of the RFP documents or the City's selection decision.

City Requests for Clarification, Additional Research and Revisions

The City reserves the right to obtain clarification of any portion of a Proposal or to obtain additional information necessary to properly evaluate a particular Proposal. Failure of a Proposer to timely respond to such a request for additional information or clarification may result in a finding that the Proposer is non-responsive and consequent rejection of the Proposal.

The City may obtain information from any legal source for clarification of any Proposal. The City need not inform the Proposer of any intent to perform additional research in this respect or of any information thereby received.

The City may perform, at its sole option, investigations of any Proposer. Information may include, but shall not necessarily be limited to, current litigation and contracting references. All such information, if requested by the City, become part of the public record and may be disclosed accordingly.

The City reserves the right to request revisions of any Proposal after the date and time due and before award for the purpose of obtaining best and final offers.

Rejection of Proposals

The City reserves the right to reject any or all irregularities in Proposals submitted in response to this RFP. Furthermore, the City reserves the right to reject any or all Proposals, or portions thereof, submitted in response to this RFP. Proposals may be rejected for reasons including, but not limited to:

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

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

Modification or Withdrawal of Proposal by Proposer

Any Proposer may modify its Proposal at any time, in writing, prior to the scheduled closing time for receipt of proposals, provided communication of such is received by the City prior to the closing time. Any modification of a proposal must include a statement that the modification amends and supersedes the prior offer. All such communication shall be so worded as not to reveal the contents of the original Proposal. Withdrawn Proposals may be resubmitted prior to the time and date the Proposals are due, provided that they are then fully in conformance with the RFP.

Duration of Proposal

Proposal prices, terms, and conditions shall be firm for a period of at least one-hundred eighty (180) days from May 26, 2017. Proposals shall not be subject to future price escalation or changes of terms during that period.

Local and Federal Requirements

The City of Sherwood intends to select an organization in accordance with OAR 137-047-0255 and the City's municipal code. Selection of an organization under this process is not a guarantee of a contract award, nor is the award of a contract for any portion of the work a guarantee of award of a contract for any subsequent work. All work is subject to budgetary and funding constraints of the City of Sherwood.

The selected organization shall comply with all federal, state, and local laws, regulations, executive orders, and ordinances applicable to the work under this contract, including, without limitation, the provisions of: (i) Title VI of the Civil Rights Act of 1964; (ii) Section V of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659.425; (iv) all applicable state and federal wage and hour laws; (v) all regulations and administrative rules established pursuant to the foregoing laws; and (vi) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules, and regulations.

Proposer is subject to the Oregon Workers Compensation Law and shall comply with ORS 656.017, which requires the provision of Workers Compensation coverage for all employees working under this contract. The City of Sherwood's programs, services, employment opportunities, and volunteer positions are open to all persons without regard to race, religion, color, national origin, sex, age, marital status, disability, or political affiliation.

XII. Scope of Services

The Scope of Services, outlined in Appendix A, will be subject to refinement and negotiation with the selected Proposer based on the Proposal submitted.

XIII. Operating Agreement

The City will negotiate with the preferred Proposer to enter into an Operating Agreement that is acceptable to both parties, based on the Proposal and the goals and objectives of the City. The Operating Agreement will contain, among other provisions, the scope of management services, the duration of the Operating Agreement, insurance and indemnity requirements, and a variety of other legal provisions, including those required by public contracting laws. The City envisions a specified term Operating Agreement with a renewal option. Proposers may propose additional extensions for the City's consideration.

If in the judgement of the City, the City and the preferred Proposer cannot agree on the terms of an Operating Agreement within a reasonable time, the City may elect to begin negotiations with its next highest rated Proposer, and so on. The City may also elect to reject all Proposals.

XIV. Proposal Requirements

Interested Proposers shall prepare and submit Proposals in accordance with the requirements stated within this RFP. Adherence to these requirements will ensure a fair and objective analysis of submitted Proposals. Proposals should provide a clear, concise description of the Proposer's capabilities to satisfy the requirements of this RFP. Emphasis should be placed on completeness, brevity, and clarity of content. Failure to comply with or complete any part of the RFP may result in rejection of the Proposal. The ability to follow these instructions demonstrates attention to detail.

Proposal Format

1. Proposals shall contain the heading "Request for Proposals- Recreation and Aquatic Center Operations/Management."
2. Proposals shall be typewritten, with a standard body text font (e.g., Calibri, Times New Roman, Garamond) of at least 12-point.

3. Proposals shall include an introductory letter and a table of contents that provides a clear identification of the written material by section and by page number.

Introductory Letter

The introductory letter shall address the Proposer's understanding of the work to be accomplished, its willingness and commitment, if selected, to provide the services offered, a brief outline of Proposer's strengths in providing the required services, and a description of why Proposer believes its organization should be selected. The letter should also acknowledge agreement with stipulations and requirements of this RFP.

1. The letter shall be addressed to the City's Project Manager and shall include the Proposer's name, as well as the printed name, title, telephone number, and email address of the officer authorized to represent Proposer in any correspondence, negotiations, and signing of any contract that may result.
2. The letter shall include the address of the office that will be providing the service and the project manager's name, title, telephone number, and email address.
3. Proposer's federal and state tax ID numbers and the state of incorporation, if applicable, shall also be included.
4. The letter must be signed by the Proposer, if an individual, or by a legal representative of the Proposer authorized to bind the entity in contractual matters, and shall include a description of Proposer's current legal status (i.e., corporation, partnership, sole proprietor, joint venture, etc.).

Organization Experience and Qualifications

Provide a description of Proposer's capabilities to:

1. Provide a profile of the organization and describe its legal structure, principal officers and organizational structure. If Proposer is a newly-formed entity comprised of multiple individuals or entities that is compiling projects from prior experience, Proposer should state this clearly.
2. Provide a copy of any organization profile, sales brochure, or other documentary information pertaining to the organization.
3. Provide resumes of key personnel including proposed facility manager and principals of Proposer's firm/organization.
4. Provide the year and month when Proposer's organization was formed.
5. Provide a complete and detailed history of Proposer's facility management experience over the last five years. Include contact information.
6. Provide a list of facilities managed by Proposer on behalf of clients. Include contact information.

Operation Plan

All of the following shall be based on the same amenities listed on page 1. Proposals must include the following information:

1. Management Plan- Provide an explanation of the overall philosophy on how Proposer would manage and operate the facility. This may include:
 - An overview of the timeline of critical milestones, and a description of roles and responsibilities.

- A suggested management organizational chart of key management of the facility. Identify all full time and part-time positions and their operational roles.
 - A description of the reporting structure between facility management and corporate offices, and to the City of Sherwood. Describe proposed form of governance for the facility.
 - Provide information on the operational performance of a comparable recreational facility/activity that is relevant to the proposal. Include at least one comparable community to the City of Sherwood with a public agency as a partner.
 - Operational reports to be provided on a quarterly basis.
2. Marketing Plan- Provide an explanation of the overall philosophy to market the facility, including:
- An overview of marketing and promotional concept that will further the goals of the City as a premiere venue and maximize the economic impact to the region.
 - A description of Proposer's approach to booking/scheduling, promoting, advertising, and marketing events, programs and services.
 - Identification of any competing facilities managed by Proposer.
 - Identification of any synergies, alliances, key relationships, and other marketing opportunities Proposer will establish between other facilities it manages and how these could benefit the Sherwood facility.
 - Sponsorship strategies.
3. Staffing
- Describe your personnel management philosophy and describe the steps you will take to ensure that only individuals of the highest quality are employed to provide recreational services.
 - Describe your philosophy on retaining these highly qualified individuals.
 - Provide a staffing plan for the facilities showing coverage during a normal operating day.
 - Provide a hiring plan for initial start-up.
 - Provide a copy of a current employee handbook and/or regulations.
4. Program or Curriculum
- Describe proposed hours of operation.
 - Describe the services that you would provide to the public.
 - Provide details on how you would design, implement, administer, and evaluate high quality operations.
 - Provide a statement of the educational/guiding philosophy by which the services would be operated if the Proposer were awarded the contract.
 - Describe how you would evaluate the quality of services and programs on an on-going basis.
5. Financial Plan- Provide an explanation of the overall financial plan including:
- A spreadsheet model that displays revenue and expenditure categories in dollar figures by fiscal year of July 1 to June 30, beginning with the 1st year of operations and carried out a minimum of five years. The spreadsheet model will clearly identify the operating net income each fiscal year, with a narrative explanation of how deficits will be funded or gains will be utilized.
 - Revenue and expenditure assumptions should be clearly footnoted and explained.
 - A narrative summary of Proposer's strategy for minimizing the annual operating expenses and maximizing the annual operating revenues. The proposed strategy should be based on Proposer's

existing understanding of similar operations and/or its overall approach for maximizing revenues and minimizing expenses.

- A proposed strategy for a scholarship programs and approximate amount of funds set aside each year for scholarships.
- A summary of Proposer's proposed strategy for maximizing advertising and sponsorship sales for the facility.
- User Fee Schedule, including a differentiation between residents of Sherwood and non-residents.

6. Maintenance Plan

- The Maintenance Plan must consist of daily upkeep as well as maintaining the major systems and infrastructure of the facility. How the Maintenance Plan is foreseen to be funded must also be included.

7. Compensation

- Please provide an outline of a potential compensation proposal should Proposer be selected to operate and manage the facility.

8. Other

- Please include any other information that would be applicable to Proposer's complete operational plan. This may include alternative Proposals.

XV. Proposal Evaluation and Selection

The Sherwood City Council will serve as the Selection Review Committee to review and evaluate the Proposals received. Each committee member will evaluate each Proposal in accordance with the criteria stated below.

The Selection Review Committee may also seek expert advice to help review Proposals. Advisors to the Selection Review Committee may attend evaluation meetings and Proposer presentations, evaluate the Proposals, and lend expertise to the process as requested by the Selection Review Committee. However, any such person that is contacted by the Selection Review Committee for their expert advice shall not, from first being contacted until the RFP process is completed or otherwise brought to an end, have communications with any Proposers regarding their Proposals or the RFP process.

At any point during the evaluation process, the Selection Review Committee is permitted to seek clarification of any Proposal.

The Selection Review Committee reserves the right to reject any or all Proposals, or portions thereof, to negotiate modifications of Proposals, and to negotiate specific elements within a Proposal.

The City of Sherwood has a variety of ordinances and policies which may or may not apply to a subsequent agreement, including, but not limited to, living wage, affirmative action, background checks of employees, and licensing requirements, among others. Application of these requirements will be determined based on the structure of any subsequent agreement.

Written Evaluation

Based on their evaluation, each member of the Selection Review Committee will score each Proposal according to the following scoring criteria. Each member will rank, in descending order, each Proposal by total score.

Criteria	Maximum Score
Introductory Letter (not scored, but considered)	
Overall Experience	30
Proposed Programming/Operational Plan	30
References	15
Budget/Financial Proposal	25
TOTAL POINTS	100

Interview Evaluation

Finalists from the written evaluation will be invited to participate in an additional interview evaluation process. The number of finalists will be determined by the Selection Review Committee. The interview evaluation process will provide an opportunity for Proposers to make a presentation to clarify their Proposals and for the Selection Review Committee to ask additional questions related to the Proposal and Scope of Services. The City will notify finalists of the interview evaluation time and location and allow for a reasonable period of time for finalists to prepare presentations.

If an interview is scheduled, the finalists will be provided interview evaluation criteria with the notification of their selection for an interview.

Successful Proposer Determination

Written Proposals shall be evaluated, but no final decision will be made until one or more Proposers are interviewed. The finalists for the interview evaluation shall be selected from those Proposals with the highest Written Proposal Evaluation Scores.

After the interview evaluation process has been completed, determination of the successful Proposer will be based on the interview evaluation and written Proposal scoring.

The Selection Review Committee shall determine the final ranking of Proposers, and the Committee's decision is final. Upon determination of the successful Proposer, the City will issue a Notice of Intent to Award letter notifying all Proposers of the RFP process having concluded, the Selection Review Committee's selection of the successful Proposer, and protest procedures.

After the Selection Review Committee has selected a preferred Proposer, it will direct the City Manager to negotiate a contract.

The City reserves the right to negotiate a final contract that is in the best interest of the City. The City will attempt to reach a final agreement with the successful Proposer but may in its sole discretion, terminate negotiations and reject the Proposal in the event additional information becomes available which affects the Selection Review Committee's evaluation, or agreement on a final contract cannot be reached within a reasonable time. The City may then attempt to reach final agreement with the next ranked Proposer, and so on with the remaining Proposers, until an agreement is reached. In the alternative, the City may at any time elect to reject all Proposals and begin the process over.

Award Protest

A Proposer believing itself to have been adversely affected or aggrieved by the selection of the Successful Proposer may submit a protest to the City in accordance with OAR 137-047-0740. The protest must be in writing and submitted to:

City of Sherwood
Attn: Kristen Switzer
Community Services Department
22560 SW Pine Street
Sherwood, OR 97140
switzerk@sherwoodoregon.gov

Award protests shall include "Recreation and Aquatic Center Operations/Management - Award Protest" in the subject line or written on the front of the envelope. The written protest must be received by the City no later than seven (7) calendar days after the date the Notice of Intent to Award letter was issued. A protest must specify the grounds for the protest, include evidence or supporting documentation, and specify the relief sought. The City shall not consider any written protest not received by the deadline or which does not contain the required information. The City will issue a written disposition of the protest in a timely manner in accordance with ORS 279B.410. If the City upholds the protest, in whole or in part, the City may, in its sole discretion, either issue an addendum reflecting its disposition or cancel the solicitation. Before seeking judicial review, a proposer must file a written protest with the City and exhaust all administrative remedies.

City's Reservation of Rights

The City reserves the right to waive minor irregularities or omissions in compliance with the requirements of this RFP to the extent the Selection Review Committee and Project Manager determine it is in the best interest of the City to do so. The City also reserves the right to cancel this RFP at any time if it determines it is in the best interest of the City to do so. Proposers therefore, by proposing, agree that doing so is at their own risk and the City shall have no liability related thereto.

APPENDIX A
SCOPE OF SERVICES

The Scope of Services must, at a minimum, include a proposal for managing the facility, together with all of the amenities, described in this RFP.

The operator will be responsible for:

- The cost of all aspects of the facility's operation including staffing, operating supplies, contractual services and capital replacement (with the exception of the exterior of the structure itself).
- Staffing of the center including operations, programming, administration and maintenance.
- All cleaning and maintenance functions associated with the interior of the building.
- Maintaining all the building's mechanical and operating systems including capital replacement.
- All facility and program equipment (including fitness and aquatics).
- Maintaining the grounds immediately in front of the building as well as the parking lot.

Operational considerations:

- A commitment to operating the center 7 days a week for a minimum of 100 hours a week.
- A commitment to a full offering of programs and services in all areas of the center.
- Minimal changes to the current fee schedule in the first year of operation. Approval of any future fee changes by the City.
- A discount on membership/use fees for City residents.
- A clearly identified scholarship program for individuals/families that cannot afford the membership fees.
- Operator cannot change the permanent use of existing spaces in the center without City permission.
- Quarterly operations and management reports that detail basic performance measures, including but not limited to:
 - Membership numbers
 - Operational budget/actuals
 - Revenues/actuals
 - Program/service numbers and users
 - Scholarships given out (number and amounts)
 - Comparisons of all figures to the previous quarter(s) and year

The City is responsible for maintaining the exterior of the building including the roof and skin (walls) of the structure. The City also pays for the following:

- Basic grounds maintenance (beyond the immediate landscaping near the front entrance and parking lot).
- Building and property insurance (for the City's ownership of the building).

The Scope of Services will be further negotiated and refined between the City and the selected Proposer.

APPENDIX B

MINIMUM INSURANCE REQUIREMENTS

Indemnity - Standard of Care

Contractor

1.1. Operator acknowledges responsibility for liability arising out of the performance of this Contract and shall defend, indemnify, and hold harmless City and its officers, agents, volunteers, and employees against any and all liability, settlements, loss, damage, costs, and expenses arising from or in connection with any action, suit, demand, or claim resulting or allegedly resulting from, attributable in whole or in part to, or in any way connected with Contractor's and Contractor's officers', agents', volunteers', and employees' acts, omissions, activities, or services in the course of performing this Contract. Contractor's activities are deemed to include those of Contractor's subcontractors. This section will survive the termination or revocation of this Contract, regardless of cause.

11. Insurance

Contractor shall obtain at its expense, and maintain for the term of this contract, occurrence form commercial general liability and commercial automobile liability insurance, including coverage for all owned, hired, and non-owned automobiles, for the protection of Contractor, the City, its Councilors, officers, agents, volunteers, and employees. Such coverage shall be primary and non-contributory. Coverage shall include personal injury, bodily injury, including death, and broad form property damage, including loss of use of property, occurring in the course of or in any way related to Contractor's operations, in an amount not less than \$2,000,000 combined single limit per occurrence and \$2,000,000 aggregate. Such insurance shall name the City as an additional insured. Contractor, its subcontractors, if any, and all employers providing work, labor, or materials under this Contract, who are subject employers under the Oregon Workers' Compensation Law, shall comply with ORS 656.017, which requires them to provide workers compensation coverage that satisfies Oregon law for all their subject workers. Out-of-state employers must provide workers' compensation coverage for their workers that complies with ORS 656.126. Employers' Liability Insurance with coverage limits of not less than \$1,000,000 each accident shall be included. All policies will provide for not less than thirty (30) calendar days' written notice to the City before they may be canceled. Prior to commencing work under this Contract, and thereafter upon request, Contractor shall furnish the City certificates of insurance and necessary endorsements evidencing the effective dates, amounts, and types of insurance required by this Contract.