

COVER PAGE

Oregon Sweet Cherry Commission

2018 COMMISSION ADMINISTRATION RFP

Request for Proposal (RFP)

Date of Issue: March 30, 2018

Closing Date and Time: April 20, 2018 5:00 p.m.

Single Point of Contact (SPC): Dana Branson, Administrator

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SECTION 1: GENERAL INFORMATION

1.1 INTRODUCTION

The Oregon Sweet Cherry Commission is issuing this request for a proposal (RFP) for administrative services from June 1, 2018 to June 30, 2019. Commission's intent for this RFP is to award a Personal Services Contract. Additional details on the Scope of the goods or services or both are included in the Scope of Work/Specifications section below.

1.2 BACKGROUND

The Commission is a commodity commission created under ORS 576.062 and represents approximately 275 producers in the state of Oregon. The Commission is administered by a board comprised of eight growers, two handlers, and a public member. Oregon Department of Agriculture (ODA) conducts oversight of the commissions. Commodity Commissions are audited, and budgets are established each year in a public hearing process. See OAR chapter 603 division 42. Commodity Commissions follow Oregon's public meeting and record laws.

1.3 AUTHORITY AND METHOD

The Commission is authorized to enter into a contract for personal services pursuant to ORS 576.304(4) and ORS 576.306(1), consistent with OAR chapter 122, division 50 and OAR chapter 603, division 42, as applicable. All contracts are reviewed by the ODA pursuant to ORS 576.306(9) and OAR 603-042-0010(10), and, depending on the anticipated amount of the procurement, the contracts must be approved by the Oregon Department of Justice (DOJ), prior to execution.

1.4 SCHEDULE

The table below represents a tentative schedule of events. All times are listed in Pacific Time. All dates listed are subject to change. N/A denotes that event is not applicable to this RFP.

Event	Date	Time
Questions / Requests for Clarification Due	April 6, 2018	10:00 AM
Answers to Questions / Requests for Clarification	April 11, 2018	
Closing (Proposal Due)	April 20, 2018 5:00 p.m.	
Presentations, Demonstrations, or Interviews	April 30, 2018	
Issuance of Notice of Intent to Award (approx.)	May 4, 2018	

SECTION 2: SCOPE OF WORK

2.1 SCOPE OF WORK/SPECIFICATIONS

The commission administrator is responsible for all functions of the OSCC that include but are not limited to:

Administrative: maintaining the commission office, which includes providing office space for all commission records, providing equipment and office supplies the commission considers necessary; office equipment includes: phone, copy machine, fax and computer with data backup system and e-mail, preparing administrative rules, preparing and administering all contract and research agreements; acting as a liaison with researchers and marketing team in Washington. Maintaining a list of interested parties.

Organize Commission Meetings: working with the Commissioners establish dates, times and locations of meetings, arrange for the room and meal service, if needed, prepare the agenda, email information pertinent to the agenda to members in a timely manner, record, prepare, email and post to website the minutes of the meetings, provide most current financial statements for each meeting. Ensure required paid legal notice of budget hearing and administrative rule hearings, when necessary.

Assessment Collection and Disbursements: mail assessment forms, receive, record and monitor collections, follow up on delinquencies as law requires, report to Commission on status of collections at meetings and maintain current mailing lists of handlers and growers. Disburse funds for research and promotion as authorized in OSCC contracts, pay all Commission expenses approved in budget on a timely basis.

Accounting: maintain an accounting system consistent with Government Accounting Practices required by the State of Oregon for state agencies, including monthly and annual financial reports and other reports, accounts receivable and account payable records, bank statement reconciliation and all other record keeping and reporting functions. Analyze expenses to prepare a draft budget for Commission discussion and approval and report monthly on revenue and expense in comparison with budget.

Communications: manage the correspondence of the Commission with its various constituents, industry associations and government agencies. Prepare, mail to growers and post to website a newsletter two to four time per year, maintain and update information on the website, prepare and mail (or email) other notices as needed to growers and interested parties.

Governmental affairs: advocating industry interests with policy makers, if the OSCC directs, represent the OSCC at hearings and meeting on proposed administrative rules and legislation.

SECTION 3: PROCUREMENT REQUIREMENTS

3.1 MINIMUM QUALIFICATIONS

Available approximately May 23, 2018.

Experience in administering volunteer organizations with boards of directors or commissioners.

Experience/knowledge in complying with public meeting laws and governmental regulations.

Knowledge of budget processes, financial reporting, and bookkeeping.

Experience in written and oral communication, such as public speaking, organizing meetings or events.

Ability to secure and provide at least \$1 million of liability insurance coverage.

3.2 MINIMUM SUBMISSION REQUIREMENTS

3.2.1 Proposal Submissions

To be considered for evaluation, Proposal must contain each of the following elements (further detailed in Proposal Requirements section below):

- A. Executive Summary of Proposed Services, signed by the Proposer
- B. Proposal for Services
- C. Proposed Timeline for Provision of Services
- D. Proposer Information: include a description of office facility (location, equipment and space, number of staff, if any), accounting experience, communication skills, time management skills.
- E. Cost Proposal Form
- F. Key Persons and Resumes

3.2.2 Proposal Format and Quantity

Proposal should follow the format and reference the sections listed in the Proposal Requirements section. Responses to each section and subsection should be labeled to indicate the item being addressed.

Proposer shall submit both a hard copy on white 8 ½" x 11" paper and an electronic copy on electronic media such as thumb drive (USB Drive) of its Proposal by the Closing Date and Time in a sealed package addressed to the SPC with the Proposer's name and the RFP Title clearly visible on the outside of the package. Proposer's electronic copy of the Proposal on USB Drive must be formatted using Adobe Acrobat (PDF).

The Proposer Information must bear the Proposer's authorized representative's Signature. Failure of the authorized representative to sign the Proposal may subject the Proposal to be rejected by the Commission.

Proposer shall also submit an identical copy of its Proposal (both hard copy and electronic

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copy meeting specific requirements set forth above) in a sealed package to ODA Commodity Commissions Oversight Program, Attn: Kris Anderson, 1207 Naito Parkway, Suite 104, Portland, OR 97209, with the Proposer's name and the RFP Title clearly visible on the outside of the package.

3.3 PROPOSAL REQUIREMENTS

Proposal must address each of the items listed in this section and all other requirements set forth in this RFP. Proposer shall describe the Goods to be provided or the Services to be performed or both. A Proposal that merely offers to provide the goods or services as stated in this RFP may be considered non-Responsive to this RFP and will not be considered further.

Proposal should not include materials not essential to the utility and clarity of the Proposal. Proposal should be straightforward and address the requests of the RFP. Proposal containing excess marketing or advertising material not addressing the RFP requirements may receive a lower evaluation score if specific information addressing RFP requirements is difficult to locate.

3.3.1 3.3.1 References

Provide three (3) references from current or former client firms or employers for similar projects performed for any clients within the last 3 years. References must be able to verify the quality of previous, related Work. Commission will make two attempts to contact each of the references provided by the Proposer. If these attempts are unsuccessful, the Proposer will receive a score of zero for that reference.

Commission may also check to determine if references provided support Proposer's ability to comply with the requirements of this RFP. Commission may use references to obtain additional information, or verify any information needed. Commission may contact any reference (submitted or not) to verify Proposer's qualifications.

3.3.2 3.3.2 Proposal Rate/Cost

Provide a base bid to complete all the services required in this RFP. The Commission estimates that the services described herein should require approximately 480 hours per year. The base bid should not include reimbursement of allowed expenses such as materials and supplies, telephone, travel expenses, freight and postage, printing cost, etc.

In negotiating the contract with the selected Proposer, the Commission will define reimbursable expenses; for example office supplies, phone, postage, etc. The Commission will not accept mark-ups.

3.3.3 3.3.3 Key Person(s) and their Resume(s)

Specify key persons to be assigned to this project and include a current resume (not to exceed 2 pages each) for each individual that demonstrates qualifications and experience for the Work described.

3.3.4 3.3.4 Project Timeline for Delivery of Services

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Briefly describe how Proposer would carry out the major activities of this Proposal within a proposed timeline in context of the Scope of Work.

SECTION 4: SOLICITATION PROCESS

4.1 PUBLIC NOTICE

Notification of the availability of this RFP was mailed to the entities as identified by the Commission and advertised in appropriate periodicals.

Modifications, if any, to this RFP will be made through the list identified above. Prospective Proposers are solely responsible for checking with the Single Point of Contact prior to the RFP Closing Date to determine whether any Addenda have been issued. Addenda are incorporated into the RFP by this reference.

4.2 QUESTIONS / REQUESTS FOR CLARIFICATIONS

All inquiries, whether relating to the RFP process, administration, deadline or method of award, or to the intent or technical aspects of the RFP, or relating to the potential Contract terms and conditions, or both, must:

- Be delivered to the SPC via email.
- Reference the RFP Title
- Identify Proposer's name and contact information
- Refer to the specific area of the RFP being questioned (i.e. page, section and paragraph number) or Contract term or condition, as applicable; and
- Be received by the due date and time for Questions/Requests for Clarification identified in the Schedule

4.3 PROPOSAL DELIVERY

Proposer is solely responsible for ensuring its Proposal is received by the SPC before Closing.

Commission is not responsible for any delays in mail or by common carriers or by transmission errors or delays, or for any miss-delivery for any reason. A Proposal submitted by any means not authorized below will be rejected:

A Proposal must be submitted through the mail or via parcel carrier, and must be clearly labeled and submitted in a sealed envelope, package or box. The outside of the sealed submission must clearly identify the Proposer's name and the RFP title. It must be sent to the attention of the SPC at the address listed on the Cover Page.

Proposers are reminded that a copy of the Proposal must be submitted to the ODA Commodity Commission Oversight Program pursuant to section 3.2.2 of this RFP.

4.4 PROPOSAL DUE

A Proposal (including all required submittal items) must be received by the SPC on or before Closing. All Proposal modifications or withdrawals must be received prior to Closing.

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4.5 PROPOSAL REJECTION

Commission may reject a Proposal for any of the following reasons:

- Proposer fails to substantially comply with all prescribed RFP procedures and requirements, including but not limited to the requirement that Proposer's authorized representative sign the Proposal.
- Proposer makes any contact regarding this RFP with State representatives such as but not limited to Commission employees or officials other than the SPC or those the SPC authorizes, or inappropriate contact with the SPC.
- Proposer attempts to influence a member of the Evaluation Committee.
- Proposal is conditioned on Commission's acceptance of any other terms and conditions or rights to negotiate any alternative terms and conditions that are not reasonably related to those expressly authorized for negotiation in the RFP or Addenda.

4.6 EVALUATION PROCESS

4.6.1 4.6.1. Responsiveness determination

A Proposal will be reviewed to determine if it meets all RFP requirements. If an aspect of the Proposal is unclear, the SPC may request clarification from Proposer. If the SPC finds the Proposal does not meet any one or more requirements of the RFP, including but not limited to compliance with requirement for submission by Closing, the Proposal may be rejected; however, the Commission may waive mistakes in its sole discretion.

4.6.2 4.6.2 Evaluation Criteria

Each Proposal that the Commission finds meets RFP requirements will be independently evaluated by members of an Evaluation Committee. Evaluation Committee members may change. Evaluators will assign a score for each evaluation criterion listed below in this section up to the maximum points available in the Point and Score Calculation section.

SPC may request further clarification to assist the Evaluation Committee in gaining additional understanding of a Proposal. A response to a clarification request must be to clarify or explain portions of the already submitted Proposal and may not contain new information not included in the original Proposal.

The Commission reserves the right to investigate references and past performance of any Offeror with respect to the Offeror's (a) successful performance of similar projects; (b) compliance with specifications and contractual obligations; (c) completion or delivery of a project on schedule, and (d) lawful payment of suppliers, subcontractors, and workers. The Commission reserves the right to postpone the award in order to complete its investigation.

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SCORE	EXPLANATION
10	OUTSTANDING - Response meets all the requirements and has demonstrated in a clear and concise manner a thorough knowledge and understanding of the subject matter and project. The Proposer provides insight into its expertise, knowledge, and understanding of the subject matter.
6 - 9	VERY GOOD - Response provides useful information, while showing experience and knowledge within the category. Response demonstrates above average knowledge and ability with no apparent deficiencies noted.
5	ADEQUATE - Response meets all requirements in an adequate manner. Response demonstrates an ability to comply with guidelines, parameters, and requirements with no additional information put forth by the Proposer.
1 - 4	FAIR - Proposer meets minimum requirements, but does not demonstrate sufficient knowledge of the subject matter.
0	RESPONSE OF NO VALUE - An unacceptable response that does not meet the requirements set forth in the RFP. Proposer has not demonstrated knowledge of the subject matter.

4.6.2.1 Evaluation Item 1 - Administrative Experience

Time management skills, computer skills, meeting and event planning experience, etc.
How well have you performed in delivering projects within specified deadlines?
Complying with regulations.

4.6.2.2 Evaluation Item 2 - Communication Skills

Verbal Presentations, interpersonal skills and writing correspondence, minutes and newsletters.

4.6.2.3 Evaluation Item 3 - Working with a Volunteer Organization Board

Working with a variety of personalities.
Carrying out policy direction.
How well have you performed in completing tasks with minimal oversight?

4.6.2.4 Evaluation Item 4 - Accounting

Accounts payable and receivable, monthly financial reports, bank reconciliations, collections, etc.

4.6.2.5 Evaluation Item 5 - Cost

Show administrative costs only. Commission will reimburse for reasonable expenses such as postage, phone, copies, meeting space, etc.

4.6.3 COST EVALUATION

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As part of the scoring and ranking of Proposals, based on the qualifications-based criteria, the cost proposals will be scored as follows:

- a. Proposer with the lowest price proposal will receive 10 points.
- b. Proposer with the second lowest price proposal will receive 7 points.
- c. Proposer with the third lowest price proposal will receive 5 points.
- d. All other Proposers will receive 0 points.

4.7 POINT AND SCORE CALCULATIONS

Scores are the points assigned by each evaluator.

The maximum points possible for each evaluation item are listed in the table below.

The SPC will average all scores for each evaluation criterion.

Cost points are calculated as stated in the Cost Evaluation section.

TOTAL POINTS POSSIBLE :		50
POINTS POSSIBLE		50
4.6.2.1	Evaluation Item 1	10
4.6.2.2	Evaluation item 2	10
4.6.2.3	Evaluation item 3	10
4.6.2.4	Evaluation item 4	10
4.6.2.5	Evaluation item 5	10
4.7	Interview Points Possible	50

4.8 RANKING OF PROPOSERS

The SPC will average the scores for each Proposal (calculated by totaling the points awarded by each Evaluation Committee member and dividing by the number of members).

If Commission receives only one Proposal, Commission may dispense with the evaluation process and intent to award protest period and proceed with Contract award, as Commission deems in its best interest.

4.9 PROPOSER INTERVIEWS

Proposers may be invited to participate in Proposer interviews. Interviews may be in person at a location determined by Commission; however, Commission may elect to conduct interviews via teleconference.

SECTION 5: AWARD

5.1 AWARD NOTIFICATION PROCESS

5.1.1 Award

Commission, if it awards a Contract, shall award a Contract to the highest-ranking Proposer(s) based upon the scoring methodology and process described in Section 4.

Notwithstanding the foregoing, the Commission reserves the right at its sole discretion and without any liability: (1) to amend this RFP, among other reasons, to revise the scope of work or to extend the resulting Contract; (2) to extend the deadline for proposal submission; (3) to determine whether a proposal does or does not substantially comply with the requirements of this RFP; (4) to waive any minor irregularity, informality, or nonconformance with this RFP's requirements; (5) to request references from other public agencies or private businesses regarding the Offeror's previous contract performance; and (6) at any time prior to contract execution (including after announcement of the tentative award): (a) to reject any proposal that fails to substantially comply with all prescribed RFP procedures and requirements; and (b) to reject all proposals received and cancel this RFP upon a finding by Commission that there is good cause and that such cancellation would be in the best interest of the Commission.

5.1.2 Intent to Award Notice

Commission will notify all Proposers in Writing that Commission intends to award a Contract to the selected Proposer(s) subject to successful negotiation of any negotiable provisions, if any.

5.2 APPARENT SUCCESSFUL PROPOSER SUBMISSION REQUIREMENTS

Proposers who are selected for a Contract award under this RFP will be required to submit additional information and comply with the following:

5.2.1 Insurance

Prior to award, Proposers shall secure and demonstrate to Commission proof of insurance as required in the Sample Contract (Exhibit A), if any.

5.2.2 Taxpayer Identification Number

The apparent successful Proposer shall provide its Taxpayer Identification Number (TIN) and backup withholding status on a completed W-9 form when requested by Commission or when the backup withholding status or any other relevant information of Proposer has changed since the last submitted W-9 form, if any.

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5.2.3 Business Registry

If selected for award, Proposer shall be duly authorized by the State of Oregon to transact business in the State of Oregon before executing the Contract. Information about these requirements may be found at <http://sos.oregon.gov/business/pages/register.aspx>.

5.2.4 Other Required Information

A Social Security number if no Federal Employer Identification number.

SECTION 6: ADDITIONAL INFORMATION

6.1 GOVERNING LAWS AND REGULATIONS

This RFP is governed by the laws of the State of Oregon. Venue for any administrative or judicial action relating to this RFP, evaluation and award is the Circuit Court of Marion County for the State of Oregon; provided, however, if a proceeding must be brought in a federal forum, then it must be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. In no event shall this Section be construed as a waiver by the State of Oregon of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the eleventh amendment to the Constitution of the United States or otherwise, to or from any Claim or from the jurisdiction of any court.

6.2 OWNERSHIP/PERMISSION TO USE MATERIALS

All Proposals are public record and are subject to public inspection after Commission issues the Notice of the Intent to Award. Application of the Oregon Public Records Law will determine whether any information is actually exempt from disclosure.

All Proposals submitted in response to this RFP become the Property of Commission. By submitting a Proposal in response to this RFP, Proposer grants the State a non-exclusive, perpetual, irrevocable, royalty-free license for the rights to copy, distribute, display, prepare derivative works of and transmit the Proposal solely for the purpose of evaluating the Proposal, negotiating an Agreement, if awarded to Proposer, or as otherwise needed to administer the RFP process, and to fulfill obligations under Oregon Public Records Law (ORS 192.410 through 192.505). Proposals, including supporting materials, will not be returned to Proposer.

6.3 CANCELLATION OF RFP; REJECTION OF PROPOSAL; NO DAMAGES.

Commission may reject any or all Proposals in-whole or in-part, or may cancel this RFP at any time when the rejection or cancellation is in the best interest of the State, as determined by Commission. Neither the State nor Commission is liable to any Proposer for any loss or expense caused by or resulting from the delay, suspension, or cancellation of the RFP, award, or rejection of any Proposal.

6.4 COST OF SUBMITTING A PROPOSAL

Proposer shall pay all the costs in submitting its Proposal, including, but not limited to, the costs to prepare and submit the Proposal, costs of samples and other supporting materials, costs to participate in demonstrations, or costs associated with protests.

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6.5 SAMPLE CONTRACT STANDARD TERMS AND CONDITIONS

The successful submitted proposal will be incorporated into the final contract between the Commission and the awarded contractor, which will include the terms and conditions as set forth in the attached Sample Contract (Exhibit A), which is incorporated here into this RFP by this reference.