CITY OF BEND

REQUEST FOR PROPOSALS

Solicitation No. 27-3217

Reed Market Bridge Legal Services

Proposals Due: *November 10, 2026, 3:00 p.m. Pacific Time*

Introduction

The City of Bend, Oregon (the "**City**") requests proposals from qualified law firms to provide condemnation-related legal services for the Reed Market Bridge Project (the "**Project**"). The Project is being delivered using the Progressive Design-Build method and is receiving Federal financial assistance through the Federal Railroad Administration ("**FRA**"). The City has contracted with Stacy and Witbeck, Inc. for design and construction services, and Stacy and Witbeck has retained a right of way agent, Universal Field Services (UFS), to assist with acquisition of the temporary and permanent property interests necessary for Project delivery.

As the Project advances through right-of-way acquisition and construction, the City seeks outside legal counsel with demonstrated experience in federal and state (Oregon) eminent domain and condemnation law to support the City Attorney's Office. Services are expected to include legal advice regarding acquisition strategy and pre-condemnation activities, as well as condemnation litigation, including preparation and prosecution of condemnation actions as needed. The selected law firm will serve as special counsel for the City and perform services under the direction of the City Attorney's Office while supporting compliance with applicable federal and state requirements.

Detailed information regarding the services to be provided are provided in the "**Scope of Work**" which is attached as Exhibit A.

Attached Exhibit D contains the grant agreement between the FRA and the City and is provided for reference regarding the federal funding and compliance requirements applicable to this project.

The City has established a not-to-exceed budget of $350,000 for these services.

Issuing Officer

The Procurement & Public Contracts Manager is the issuing officer for this Request for Proposals ("**RFP**") and the point of contact for the City for all process and Agreement questions, excluding protests.

City of Bend
Justin Sweet
Procurement & Public Contracts Manager
710 NW Wall Street, 2nd Floor
Bend, Oregon 97703

Phone: 541-693-2156
E-mail: jsweet@bendoregon.gov

Questions; Requests for Clarification or Explanation

Any questions, including technical questions, must be directed to the Issuing Officer via the Portal (as defined below) by clicking on the Messages, Vendor Discussions tab of the desired solicitation. The City's written response to questions and/or requests for clarification will be posted on the Portal. The Issuing Officer must receive questions or requests for changes, in writing, a minimum of ten days prior to Closing (as defined below). Any questions or requests for clarifications submitted after this deadline will be answered at the City's discretion. Please contact the Issuing Officer for accessibility options.

Proposers must promptly notify the City of any ambiguity, inconsistency, or error which they discover upon examination of the solicitation documents. Any request for an explanation regarding the meaning or interpretation of requirements must be submitted in writing via the Portal, with sufficient time for the City to reply before Closing. The City may choose not to provide an explanation. Explanations will be made in the form of addenda.

Pre-Proposal Meeting

No pre-proposal meeting will be held for this RFP.

Submission Date and Location

Proposals must be submitted electronically through the City's eProcurement portal, Euna Procurement (the "**Portal**"), prior to the date and time specified in the Portal ("**Closing**"). The Portal is available at **https://bendoregon.bonfirehub.com**. Proposals received after Closing will not be considered. Proposers are strongly encouraged to allow sufficient time for uploading and submitting their Proposals, as transmission speeds and other technical factors beyond the City's control may affect the timeliness of submission. Failure to successfully submit a Proposal prior to Closing is the sole responsibility of the Proposer.

If technical assistance is needed, please contact Euna at 1-844-226-3862 (EUNA), email **support.bonfire@eunasolutions.com** or visit Euna's help forum at (**https://customer.eunasolutions.com/public/s/**).

As an alternative to electronic submission through the Portal, Proposals may be submitted in physical hardcopy directly to the City via mail, or in-person, by contacting the Issuing Officer no later than two business days prior to Closing to make arrangements. Hard copy Proposals will not be accepted unless the Proposer has made prior arrangements with the Issuing Officer. If a hard copy of the Proposal is submitted

without prior approval from the Issuing Officer, the Proposal will be returned to the Proposer without consideration. The City will not accept faxed or emailed Proposal submissions.

Obtaining Solicitation Documents and Addenda

The solicitation documents are available for download on the Portal at **https://bendoregon.bonfirehub.com**. In order to download and respond to posted solicitations, Proposers will need to register as a vendor by visiting: **https://bendoregon.bonfirehub.com**. Once registered, follow the instructions to download the documents:

(1) Log in to the Portal.

(2) Under "Action" column of "Open Public Opportunities" page, click on "View Opportunity" next to Project.

(3) Scroll down to "Supporting Documentation" section to download documents.

Only documents formally published as Addenda by the City serve to change the RFP in any way. No other direction received by the Proposer, written or verbal, serves to change the requirements of this RFP.

Note: Prospective Proposers should frequently consult the Portal prior to Closing to assure they review any published Addenda.

Protests; Requests for Changes of Requirements

Protest of Solicitation

A prospective Proposer may protest the procurement process or the solicitation documents if the prospective Proposer believes that the procurement process is contrary to law, or if the prospective Proposer believes that the solicitation documents are unnecessarily restrictive, are legally flawed, or improperly specify a brand name. To be considered, the prospective Proposer's protest must be submitted (1) in accordance with the delivery requirements of this RFP, (2) not less than ten days prior to Closing, and (3) in conformance with the applicable requirements of Oregon Revised Statutes ("**ORS**") 279B.405 and Oregon Administrative Rules ("**OAR**") 137-047-0730.

Protest of Competitive Range

An adversely affected Proposer may protest the City's decision to exclude the Proposer from the Competitive Range. To be considered, the Proposer's protest must be submitted (1) in accordance with the delivery requirements of this RFP, (2) not more than seven days from issuance of the notice of competitive range, and (3) in conformance with the applicable requirements of OAR 137-047-0720. The City's determination of a Competitive Range is addressed in further detail in the Evaluation and Selection Process section of this RFP.

Protest of Contract Award

An adversely affected Proposer may protest the City's intent to award a contract as a result of this RFP. To be considered, the Proposer's protest must be submitted (1) in accordance with the delivery requirements of this RFP, (2) not more than seven days from issuance of the notice of intent to award, and (3) in conformance with the applicable requirements of ORS 279B.410 and OAR 137-047-0740.

Protest Delivery

Protests must be submitted, in writing, to Justin Sweet, Procurement & Public Contracts Manager at **jsweet@bendoregon.gov** or 710 NW Wall Street, Bend, Oregon 97703.

The City will address all properly submitted protests in accordance with applicable law.

Modification or Withdrawal

A Proposer may withdraw its Proposal, without prejudice, electronically through the Portal prior to Closing. The withdrawal of a Proposal does not prejudice the right of a Proposer to submit another Proposal prior to Closing.

Responsiveness, Rejection, and Cancellation

A Proposal may be deemed non-responsive and removed from further consideration if the City determines, in its sole discretion, that the Proposal fails to substantially comply with the requirements of this RFP or applicable public contracting requirements.

A Proposal that is entirely or predominantly identified as proprietary or confidential may be deemed non-responsive in the City's sole discretion.

A Proposal will not be deemed non-responsive solely because it contains unintentional omissions, incomplete responses, exceptions to requirements, or other deficiencies, unless the City determines, in its sole discretion, that the Proposal fails to substantially comply with the requirements of this RFP. Such deficiencies may be considered in the

evaluation and scoring of the Proposal. Furthermore, the City may waive minor informalities and irregularities.

The City may reject any or all Proposals for good cause or cancel this RFP at any time prior to execution of a contract if the City determines such action to be in the public interest.

Organizational Conflicts of Interest

The City's procurement processes, consistent with state and federal law, require full and open competition. To prevent firms from obtaining an unfair competitive advantage, the City, as set forth in the Public Contracts Conflict of Interest Policy (**Administrative Policy No. FIN-0102**), generally prohibits any firm that has previously performed services on behalf of the City for a particular project from proposing, bidding, or participating in the preparation of a proposal or bid, on another solicitation for that same project. This prohibition applies to projects with an estimated value exceeding $250,000. The City may determine, in its sole discretion, that despite a firm's prior work on a project, the firm is nonetheless eligible to propose or bid on a subsequent solicitation on that same project. The circumstances relevant to the City's determination are set forth in the Public Contracts Conflict of Interest Policy. If a firm is prohibited from proposing or bidding on a subsequent solicitation pursuant to the Public Contracts Conflict of Interest Policy, that firm is not "legally qualified to contract with the" City on that particular project. *See* ORS 279B.110(2)(d) (setting forth responsibility criteria); ORS 279C.375(3)(c) (same); OAR 137-047-0640(1)(c)(F)(iv) (same); OAR 137-049-0390(2)(d) (same).

Duration of Proposals

Proposals submitted are firm offers, irrevocable, valid, and binding on the Proposer for not less than 90 days following Closing. Proposals must be signed by an official authorized to bind the Proposer.

Public Records: Ownership of Proposals

Ownership of Proposals

All Proposals received by the City, except those withdrawn prior to Closing or received after Closing, become the property of the City and will not be returned to the Proposer.

Public Records

Following issuance of a Notice of Intent to Award, all documents received by the City are subject to public disclosure in accordance with Oregon Public Records Law.

If a Proposer believes that any portion of its Proposal is exempt from public disclosure, the Proposer shall comply with the following requirements:

(1) **Identify Proprietary Information.** The Proposer shall clearly label each page and specific section or subsection claimed to be exempt from public disclosure as "proprietary"; and

(2) **Provide Legal Justification.** Submit a legal memorandum to the "Proprietary Proposal Justification" Requested Information item in the Portal that:

(A) Identifies each portion of the Proposal material claimed to be exempt;

(B) Cites the specific exemption(s) under Oregon Public Records Law; and

(C) Explains how each cited exemption applies to the identified material.

Proposer's failure to comply with subsection 1 and 2 above, may result, in the City's sole discretion, that the material is not exempt from public disclosure.

The City will make an independent determination regarding the applicability of any claimed exemption. The City will attempt to maintain the confidentiality of properly marked Proposal materials to the extent permitted by the Oregon Public Records Law.

Incurring Costs

The City is not liable for any costs incurred by Proposers prior to execution of a contract. Proposers responding to this RFP do so at their own expense and the City will not reimburse any expense incurred by Proposers or any other party in the preparation or submission of a response to this RFP.

Business Inclusion and Diversity

Minority, Women Owned, Emerging Small and Veteran Owned businesses are encouraged to submit a proposal. Proposers are encouraged to involve participation of small, minority, women and veteran owned business enterprises. A Directory is available from the Certification Office for Business Inclusion and Diversity (COBID) web site at: **https://www.oregon.gov/biz/programs/COBID/Pages/default.aspx**, or by telephone, 503-986-0078.

Negotiations and Agreement

The City reserves the right to negotiate a final contract that is in the best interest of the City. Requests for modification to the contract terms provided as Exhibit C – Services Contract shall be included by Proposer on Exhibit B – Attachment 1 – Statement of Assurances & Certifications. At completion of the evaluation process, the City will notify Proposers of its intent to award a contract. The City will attempt to reach final agreement, including a detailed scope, project schedule, and fee schedule with the highest scoring Proposer. If it appears agreement cannot be reached, the City, in its sole discretion, may terminate negotiations and reject the Proposal. The City may then attempt to reach a final agreement with the second highest scoring Proposer. The negotiation process may continue in this manner through successive Proposers until an agreement is reached or the City terminates the contracting process.

Evaluation and Selection Process

Overview

The City will conduct a multi-phase evaluation process. The process is designed to ensure a fair, transparent, and objective evaluation of Proposals based on the criteria set forth in this Solicitation.

The City reserves the right to modify the evaluation process, including the number of phases, if doing so is in the best interest of the City and consistent with applicable law.

Phase 1 – Responsiveness Review

The Issuing Officer will review each Proposal on a pass/fail basis to determine whether the Proposal is responsive to the requirements of this RFP.

A Proposal may be deemed non-responsive if it fails to comply with any material requirement, including submission instructions, required forms, or minimum qualifications. Non-responsive Proposals will not be further evaluated.

Phase 2 – Technical Evaluation

The City will form an "**Evaluation Committee**" of not less than three members to evaluate each responsive Proposal. The Evaluation Committee will consist of City staff, government partners, community partners, or other members. Utilizing the Evaluation Criteria and Evaluation Scoring, the Evaluation Committee will independently evaluate and score each responsive Proposal based upon the quantity and quality of information contained within the Proposal.

Points assigned by each Evaluation Committee member will be added together and divided by the quantity of Evaluation Committee members to compute an average score for each evaluation criterion.

Phase 3 – Cost Evaluation

Following completion of the technical evaluation, the Issuing Officer will evaluate and assign points to Cost Proposals as set forth in the evaluation criteria.

Competitive Range Determination

After completion of Phases 1, 2, and 3 of the evaluation process, the City may establish a "**Competitive Range**" consisting of the highest-ranked Proposers. The Competitive Range will include the Proposers determined to have a reasonable chance of being selected for contract award, based on their scores and other relevant considerations. The City may:

1. Include one or more Proposers in the Competitive Range;
2. Expand the Competitive Range where scores are closely grouped or competition would benefit the City; or
3. Decide not to establish a Competitive Range and proceed directly to award.

When applicable, the Issuing Officer will issue a Notice of Competitive Range identifying the Proposers included in the Competitive Range. Proposers excluded from the Competitive Range may protest their exclusion in accordance with the protest procedures set forth in this RFP and applicable law.

Phase 4 – Interviews (Discussions, Demonstrations, etc.)

If a Competitive Range is established, the City may conduct written or oral discussions with Proposers within the Competitive Range. Discussions may include interviews, presentations, demonstrations, and/or requests for additional clarifying information.

The purpose of discussions is to clarify Proposals and ensure full understanding of the Proposer's offering. Following discussions, the Evaluation Committee may assign additional points for interview or presentation performance, if applicable. If conducted, discussions will be carried out fairly and consistently among Proposers in the Competitive Range.

Final Scoring and Ranking

Following completion of all evaluation phases (including discussions, if held), the City will calculate final scores and ranking for each Proposer by adding together the points assigned to each Proposal. The highest-ranked Proposal will be identified as the apparent successful Proposer.

Clarifications

At any point in the evaluation process, the City may request clarifications from a Proposer to resolve ambiguities or questions regarding its Proposal.

Clarifications:

1. Are limited to explanation of existing Proposal content;
2. Do not permit submission of new or materially different information; and
3. Must be provided within the timeframe specified by the City.

Failure to respond timely to a clarification request may result in elimination from further consideration.

Responsibility Determination

The Issuing Officer will determine the responsibility of the highest-ranked Proposer in accordance with applicable law.

The City may investigate any Proposer, including, without limitation, the following

1. Past performance on similar projects,
2. Compliance with contractual obligations,
3. Ability to meet schedules and budgets,
4. Financial stability,
5. Lawful payment practices, and
6. References (whether provided or independently obtained).

The City reserves the right to obtain information from any lawful source.

Contract Award and Negotiations

The City will issue a Notice of Intent to Award to the highest-ranked Proposer, unless the RFP is canceled or otherwise withdrawn.

The City may enter into negotiations with the apparent successful Proposer. If negotiations are unsuccessful, the City may terminate negotiations and proceed to the next highest-ranked Proposer, or take any other action permitted by law.

Proposal Evaluation Scoring Methodology

The Evaluation Committee will evaluate each Proposal using the Evaluation Criteria and associated point values set forth in this RFP. For each evaluation criterion (or sub-criterion), evaluators will assign a whole-number rating using a 0 to 5 scoring scale as detailed below.

Scoring Rubric

Category	Rating	General Assessment
High	5	Exceptional response that fully addresses the evaluation criterion and demonstrates significant strengths, a high level of detail, and a strong likelihood of successful performance.
	4	Strong response that addresses the evaluation criterion well and demonstrates meaningful strengths with minimal weaknesses.
Medium	3	Acceptable response that adequately addresses the evaluation criterion but may contain minor weaknesses, omissions, or areas requiring clarification.
	2	Marginal response that partially addresses the evaluation criterion but contains notable weaknesses, omissions, or concerns.
Low	1	Poor response that minimally addresses the evaluation criterion and contains significant weaknesses, omissions, or concerns.
	0	Unacceptable response that fails to address the evaluation criterion, is materially deficient, or provides insufficient information for evaluation.

When assigning a rating, evaluators may consider factors such as the completeness of the response, alignment with the desired attributes, level of detail provided, and the extent to which claims and representations are supported by the information contained in the Proposal.

Conversion of Ratings to Points

Each evaluation criterion (or sub-criterion) is assigned a maximum point value. To calculate the score awarded for a criterion, the evaluator's rating will be multiplied by a conversion factor determined by dividing the maximum available points by five.

The equation is:

$$evaluator\ rating \times (maximum\ available\ points\ per\ subcriterion \div 5) = points\ awarded$$

Proposal Evaluation Criteria and Scoring

The evaluation and scoring will be based on technical and administrative capabilities in relation to the needs of the project. If discussions (interviews) are conducted, there will

be an additional 25 points available. The criteria below and associated scoring will be used in evaluating the proposals.

The "Project" is defined as condemnation-related legal services for the City of Bend's Reed Market Bridge Project, described in further detail in Exhibit A - Scope of Work.

Evaluation Criteria	**Maximum Points Possible**
Project Understanding and Approach	40
Project Team, Experience, and Quality of Service	35
Cost Proposal	25
Subtotal	**100**
Interviews (Discussions, Demonstrations, etc.)	25
Total	**125**

1. **Project Understanding and Approach (40 points)**

   Evaluate the Proposer's understanding of the Project and their approach to successfully perform the Scope of Work. Consider the following:

   a. Understanding of the Project and Objectives

      i. How clearly does the proposal demonstrate an understanding of the Project goals, requirements, constraints, and key considerations? (5 points)

      ii. Does the Proposer adequately identify important nuances, risks, or challenges relevant to the work? (5 points)

   b. Approach and Methodology

      i. How effective and appropriate is the proposed approach for accomplishing the Scope of Work? (5 points)

      ii. Are the proposed methods, processes, and use of information (including applicable Federal and state laws and regulations) practical, well-reasoned, and aligned with the Project's objectives? (5 points)

c. Project and Schedule Management

i. How clearly does the Proposal describe how the work will be planned, managed, and kept on schedule, and how advantageous is the proposed plan? (5 points)

ii. Does the Proposal propose effective methods to monitor progress, communicate issues and legal advice with the City, and escalate risks or delays if needed? (5 points)

d. Flexibility and Problem-Solving

i. To what extent does the Proposal demonstrate flexibility, creativity, or adaptability in addressing changing conditions or unforeseen issues that may arise in condemnation litigation? (5 points)

ii. Does the Proposal identify value-added practices that may improve outcomes or reduce risk for the City? (5 points)

2. Project Team, Experience, and Quality of Service (35 points)

Evaluate the Proposer's team, experience, and demonstrated ability to successfully perform work of similar scope, size, and complexity. Consider the following:

a. Relevant Experience

i. How relevant is the Proposer's recent experience performing legal services similar to the Project in scope, funding, complexity, and size? (5 points)

ii. To what extent were the proposed team members actively involved in the referenced projects? (5 points)

iii. How effectively has the Proposer demonstrated high-quality service, successful performance, and positive working relationships on previous relevant projects? (5 points)

b. Past Performance and Quality of Service

i. How well does the Proposal demonstrate a track record of successful project outcomes, including quality of deliverables? (5 points)

ii. How clearly does the Proposal reflect the Proposer's ability to provide high-quality service, including responsiveness, collaboration, and client satisfaction? (5 points)

c. Team Qualifications and Role Alignment

i. How clearly does the Proposal demonstrate that the proposed team members have the qualifications, skills, competence, and experience necessary to perform the Scope of Work? (5 points)

ii. How well are roles and responsibilities defined and aligned to support successful project delivery? (5 points)

3. Cost Proposal (25 points)

The City will evaluate Cost Proposals using a "dollar-per-point" methodology that measures Proposed Cost (as defined below) relative to the quality (technical evaluation score) demonstrated by each Proposal. The technical evaluation score is the sum of scores from the *Project Understanding and Approach* and *Project Team, Experience, and Quality of Service* evaluations. The Proposal offering the best overall value, as determined by the lowest dollar-per-point, will receive the maximum points available under the Cost Proposal evaluation. Other Proposals will receive proportionally fewer points based on their relative value. The City will apply the hourly rates and other costs and fees identified in each Cost Proposal to a uniform evaluation scenario. The sum of the total costs calculated under the uniform evaluation scenario for each Proposer will be that Proposer's "**Proposed Cost.**"

4. Interviews (Discussions, Demonstrations, etc.) (25 points)

If discussions are held, the Issuing Officer will provide the evaluation criteria and associated scoring to those Proposers selected to take part in the discussion prior to the discussion.

Proposal Format

Proposals shall not exceed ten pages; any pages provided beyond this limit will not be evaluated. The page limit does not include the following

- Letter of Transmittal,
- Statement of Assurances & Certifications,
- Certification Regarding Debarment, Suspension, and Other Responsibility Matters,

- Certification Regarding Delinquent Tax Liability or a Felony Conviction Under any Federal Law,
- Certification Regarding Lobbying,
- Cost Proposal, and
- Covers or dividers (unless they are used to convey project information).

Any 11 x 17" pages will be counted as two pages. Text must be at least 11-point font.

Proposers are strongly encouraged to exercise brevity in compiling their Proposal. Elaborate artwork, head shots, or other promotional presentations beyond those necessary to present a complete and effective Proposal are not desired.

Proposal Content

Letter of Transmittal

Proposals should include an introductory letter expressing interest in this project. Include the Proposer's name, primary point of contact for this RFP, mailing address, email address, and telephone number. The letter of transmittal should be signed by Proposer's authorized representative.

Statement of Assurances and Certifications

Proposer shall provide a completed copy of the Statement of Assurances & Certifications provided as Exhibit B – Attachment 1 to the "Statement of Assurances & Certifications" Requested Information item in the Portal.

Federal Certifications

Proposer shall provide a signed copy of each of the following certifications to the applicable Requested Information item in the Portal:

- Exhibit B – Attachment 2 – Certification Regarding Debarment, Suspension, and Other Responsibility Matters;
- Exhibit B – Attachment 3 – Certification Regarding Delinquent Tax Liability or a Felony Conviction Under any Federal Law; and
- Exhibit B – Attachment 4 – Certification Regarding Lobbying.

Project Understanding and Approach

Proposers should describe their understanding of the project and approach to successfully perform the Scope of Work. At a minimum, the Proposal should address the following:

Understanding of the Project and Objectives

Describe the Proposer's understanding of the Project goals, requirements, constraints, and key considerations. Project considerations include but are not limited to legal implications of the Project's federal funding. Identify any significant risks, challenges, assumptions, dependencies, or other factors that may affect successful performance of the work.

Approach and Methodology

Describe the proposed approach and methodology for accomplishing the Scope of Work. Explain the processes, tools, data, information (including applicable Federal and state laws and regulations), resources, or techniques the Proposer intends to use and how they support achievement of the project objectives.

Project and Schedule Management

Describe how the work will be planned, managed, coordinated, and completed in a timely manner for general review and legal advice, and within applicable litigation timeframes for condemnation litigation as applicable. Explain the Proposer's approach to monitoring performance, communicating progress and general advice, managing issues, and addressing litigation schedule impacts, risks, or delays.

Flexibility and Problem-Solving

Describe the Proposer's approach to addressing changing conditions, unforeseen challenges or issues that may arise in condemnation litigation, or other evolving Project needs. Identify any value-added services, innovative practices, efficiencies, or other measures that may improve Project outcomes or reduce Project risk.

Project Team, Experience, and Quality of Service

Proposers should demonstrate their experience, qualifications, and ability to successfully perform work of similar scope, size, and complexity. At a minimum, the Proposal should address the following:

Relevant Experience

Describe the Proposer's recent experience performing projects similar in scope, complexity, and size to this project. Include project examples that best demonstrate the Proposer's qualifications and ability to successfully perform the Scope of Work. Relevant

project examples are projects involving legal advice and condemnation litigation for federally-funded transportation projects.

For each project example, identify the proposed team members who participated in the project and describe their specific roles, responsibilities, and level of involvement.

Describe how the Proposer has delivered high-quality service, successful outcomes, and positive working relationships on previous projects. If applicable, include relevant experience performing work for the City of Bend.

Past Performance and Quality of Service

For each project example, describe the project outcomes and the quality of the deliverables provided. Include information demonstrating successful performance, such as achievement of project objectives, adherence to schedules, budget performance, or other relevant measures of success.

Describe the Proposer's approach to providing high-quality service, including communication, responsiveness, collaboration, customer service, and client satisfaction.

Provide three references for projects similar in scope, complexity, and size to the Project. For each reference, provide:

1. Client/organization name;
2. Project name;
3. Reference contact name and title;
4. Email address and telephone number; and
5. Brief description of the services provided.

Team Qualifications and Role Alignment

Identify all members of the proposed project team, including any support staff, and describe the qualifications, skills, certifications, licenses, training, and relevant experience of each key team member assigned to perform the work. Describe each team member's proposed role and responsibilities and explain how the proposed team structure will support successful project delivery. Include an organizational chart or similar diagram, if applicable, illustrating reporting relationships, lines of communication, and key responsibilities.

Cost Proposal

Proposers shall provide a separate detailed Cost Proposal for performing the Scope of Work to the “Cost Proposal” Requested Information item in the Portal. At a minimum, the Cost Proposal should include:

1. Hourly billing rates for all members of the Project team, with job titles (e.g., Partner, Associate, Paralegal) identified as applicable;
2. Any other costs or fees that may arise in connection with performance of the Scope of Work, such as filing fees or travel expenses; and
3. A copy of the Proposer's proposed client agreement.

The submitted hourly billing rates may be used by the City in negotiating amendments, under the resulting Contract.

EXHIBIT A – SCOPE OF WORK

The selected law firm shall provide condemnation-related legal services for the City of Bend's (the "**City**") Reed Market Bridge Project (the "**Project**"). The Project is receiving Federal financial assistance under a Grant Agreement between the City and the Federal Railroad Administration (FRA), an agency of the United States Department of Transportation. The Project includes design, right-of-way acquisition, and construction activities. The selected law firm's legal services will relate to the Project's right-of-way acquisition activities, which will involve the acquisition of temporary and/or permanent private property interests necessary to construct the Project.

The selected law firm's legal services will include general advice and litigation as needed. These areas of service are described below:

1 **General Advice**

Provide legal advice to the City relating to condemnation proceedings and pre-condemnation negotiations with property owners. This legal advice may involve the City's right of way agent if requested and facilitated by City. Assist the City Attorney's Office in pre-condemnation procedures, including review of documents, appraisals, proposed Project plans for impact on potential eminent domain litigation, and other aspects of easement and/or right of way acquisition as requested by the City Attorney's Office.

2 **Condemnation Litigation**

Prepare and file condemnation complaints as needed. Work with the City Attorney's Office and provide legal advice relating to condemnation proceedings. Conduct all phases of condemnation litigation, up to and including trial(s) as needed.

3 **Applicable Federal and State Law**

The law firm will apply and follow all applicable Federal and state laws and regulations when performing the legal services, including the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. §4601 et seq.) and its implementing regulations in 49 CFR Part 24 as applicable.

4 **Proposal Recommendations Encouraged**

The City encourages Proposers to identify opportunities to improve project outcomes, reduce risk, increase efficiency, or otherwise add value. Proposers may recommend modifications, alternative approaches, or additional considerations to achieve the project objectives.

Law firm's services will be performed at the direction of the City Attorney's Office.