



Deschutes County Board of Commissioners
1300 NW Wall St., Suite 200, Bend, OR 97701-1960
(541) 388-6570 - Fax (541) 385-3202 - www.deschutes.org

AGENDA REQUEST & STAFF REPORT

For Board Business Meeting of May 11, 2016

DATE: April 28, 2016

FROM: David Doyle  Legal Department 388-6625

TITLE OF AGENDA ITEM:

Board Adoption and signature of Order No. 2016-021; An Order Denying RFP Protest.

PUBLIC HEARING ON THIS DATE? No.

BACKGROUND AND POLICY IMPLICATIONS:

On April 8, 2016, Deschutes County issued a Notice of Intent to Award Contract regarding the Market Research & Development of Social Marketing Campaign to be administered by DCPH. Two unsuccessful proposers timely submitted a protest. The BOCC, convening as the Deschutes County Contract Review Board held a hearing on April 27, 2016, and after receiving testimony and information voted 3-0 to deny the protest.

FISCAL IMPLICATIONS:

None associated with protest.

RECOMMENDATION & ACTION REQUESTED:

Move approval and signature of Order No. 2016-021.

ATTENDANCE: Jessica Jacks, DCPH

DISTRIBUTION OF DOCUMENTS:

Original to BOCC

Copies to Public Health, Legal



For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON,
CONVENING AS THE DESCHUTES COUNTY CONTRACT REVIEW BOARD

An Order Denying the RFP Protest *
Submitted by Intrepid Marketing and Quon *
Design and Communications, Inc., * ORDER NO. 2016-021
Concerning the Notice of Intent to Award *
Contract for the Market Research & *
Development of Social Marketing Campaign. *

WHEREAS, on April 6, 2016, Deschutes County issued a Notice of Intent to Award Contract letter concerning the Market Research & Development of Social Marketing Campaign; and

WHEREAS, Intrepid Marketing and Quon Design and Communications, Inc., did, on April 14, 2016, submit a timely Bid Protest; and

WHEREAS, a hearing was held on April 27, 2016, during which testimony was received, the Board openly deliberated and then voted 3-0 to deny the protest; now therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, CONVENED AS THE DESCHUTES COUNTY CONTRACT REVIEW BOARD hereby ORDERS as follows:

Section 1. The protest of Intrepid Marketing and Quon Design and Communications, Inc., is denied.

Section 2. The Written Disposition – Findings, attached hereto as Exhibit 1 are adopted as the Written Disposition/Findings in support of the denial of the protest.

Section 3. This Order is effective upon signing.

Dated this ____ day of May, 2016.

THE BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON,
CONVENING AS THE DESCHUTES COUNTY
CONTRACT REVIEW BOARD

ALAN UNGER, Chair

TAMMY BANEY, Vice-Chair

ATTEST:

Recording Secretary

ANTHONY DEBONE, Commissioner

EXHIBIT "1"

WRITTEN DISPOSITION - FINDINGS

EXHIBIT 1 Written Disposition – Findings

Project: Market Research & Development of Social Marketing Campaign

Timeline of Events:

1. 2/19/16 RFP issued; Addendum A
2. 3/4/16 Deadline for submission of proposals
3. 3/17/16 Independent scoring completed; rankings determined; Addendum B
4. 3/25/16 Staff completes telephone interviews with three finalists
5. 4/8/16 County issues Notice of Intent to Award Contract; Addendum C
6. 4/14/16 Protest submitted; Addendum D
7. 4/19/16 County staff submits Staff Report; Addendum E
8. 4/22/16 GumCo (successful proposer) submits response to protest; Addendum F
9. 4/27/16 Board of County Commissioners Convening as the Deschutes County
Contract
Review Board holds hearing, receives testimony, deliberates and votes 3-0
to DENY the Protest; Addendum G

General:

1. Deschutes County Code (DCC) 2.36 authorizes the Board of County Commissioners to function as the local contract review board.
2. DCC 2.37 provides that the Model Rules of Public Contract Procedure, OAR 137, divisions 46, 47, 48 and 49 “shall be the rules of the Deschutes County Contract Review Board.”
3. ORS 279A and OAR 137-046-0300 permit local preference for certain goods and services provided however that the specific preference must be fully disclosed in the solicitation document.

Protest - Claims / Findings:

1. Claim: Objection to county funds being injected into another community, particularly into another state’s economy.

Finding: There is no identified legal basis for this claim and it is denied. Additionally, to the extent that this claim seeks after-inclusion of a local preference, same is prohibited by state law.

2. Claim: County should adhere to “Make Local Habit.”

Finding: There is no identified legal basis for this claim and it is denied. Additionally, to the extent that this claim seeks after-inclusion of a local preference, same is prohibited by state law.

3. Claim: The Utah firm lacks community insights and experience with the culture and people of Central Oregon and cannot utilize county resources.

Finding: This claim appears to challenge application and assessment of the Evaluation Criteria. In this context the protesting party(s) failed to identify any factual information establishing that staff failed or neglected to apply or assess the identified criteria. It is not relevant that the protesting party(s) has an opinion or assessment that differs with that of staff. Accordingly, this claim is incorrect and is denied.

4. Claim: The Bend area is home to world-class marketing agencies and is a hub for creative brand development; there is no need to contract outside of Deschutes County for services that can best be performed here.

Finding: This claim appears to challenge application and assessment of the Evaluation Criteria. In this context the protesting party(s) failed to identify any factual information establishing that staff failed or neglected to apply or assess the identified criteria. It is not relevant that the protesting party(s) has an opinion or assessment that differs with that of staff. Accordingly, this claim is incorrect and is denied.

5. Claim: Awarding the RFP to a Utah firm will ostensibly preclude benefits to other local businesses.

Finding: There is no identified legal basis for this claim and it is denied. Additionally, to the extent that this claim seeks after-inclusion of a local preference, same is prohibited by state law.

6. Claim: Local firms depend on securing larger projects such as this one, so that they can provide no cost assistance to local non-profits and small businesses.

Finding: There is no identified legal basis for this claim and it is denied. Additionally, to the extent that this claim seeks after-inclusion of a local preference, same is prohibited by state law.

Additional Findings:

The protesting party(s) has not identified a single legal basis supporting the protest. Applicable law does not allow for inclusion of a post-solicitation local preference. The bid protest is DENIED.

May 11, 2016

DESCHUTES COUNTY BOARD OF COMMISSIONERS, CONVENED AS THE
DESCHUTES COUNTY CONTRACT REVIEW BOARD.

ADDENDUM A



REQUEST FOR PROPOSAL

Market Research & Development of Social Marketing Campaign FOR DESCHUTES COUNTY PUBLIC HEALTH DIVISION

Deschutes County, a political subdivision of the State of Oregon, acting by and through the Deschutes County Health Services Department, Public Health Division (DCHS) is releasing this competitive solicitation to secure one (1) contract with a media agency to research, develop and test a social marketing campaign promoting healthy and positive norms for young adults.

One original proposal and one (1) copy must be submitted in a sealed envelope that is clearly marked "Proposed Deschutes County Market Research & Social Marketing Campaign", and addressed to:

Nicholas Stevenson
Health Services Project Coordinator
Deschutes County Health Services
1130 NW Harriman
Bend, OR 97703

Proposals must be received no later than 4:00 p.m. on Friday March 4, 2016 to be eligible for consideration. Postmarks will not be accepted in lieu of receipt by the due date and late proposals will not be considered. Submission and receipt of proposals by electronic means is not permitted.

All costs associated with preparing and submitting a proposal are solely the responsibility of the proposer. Deschutes County may reject any proposal not in compliance with prescribed procedures and requirements, may reject for good cause any and all proposals, and reserves the right to waive any informalities or irregularities in the proposals upon a finding of Deschutes County that it is in the public interest to do so. This solicitation does not obligate Deschutes County to select any single proposer and the County reserves the right to cancel the procurement, to retain all proposal materials in accordance with ORS 279B.100, and to use any material included in the proposal regardless of whether it is selected.

Questions concerning the proposal process may be directed to Nicholas Stevenson via email to Nicholas.stevenson@deschutes.org.

1. INTRODUCTION and BACKGROUND

This Request for Proposal (RFP) is intended to solicit information for the purpose of selecting an agency which will provide marketing research and develop and test a social marketing campaign.

Deschutes County Health Services' (DCHS) Substance Abuse Prevention Program seeks to reduce and prevent substance use and abuse as well as related risk behaviors such as suicide, bullying and problem gambling. Focused primarily on school aged youth and young adults (12-25), the DCHS Prevention Team seeks to address the environments with which this population lives, works, studies and plays. DCHS Substance Abuse Prevention Team are certified as Prevention Specialists and apply the Strategic Prevention Framework to ensure that programs and strategies produce results.

Research has identified the Positive Cultural Framework (PCF) as an effective strategy at reducing substance abuse and fostering positive community norms with teens. This approach includes social marketing strategies which aim to bring awareness to existing positive community norms, and encourage peers to adhere to these norms. Social marketing is an integral component of PCF and must work in conjunction with the assumptions and guiding principles of the overall framework and the direction of the Deschutes County Health Services Prevention Team.

Public opinion and policy concerning marijuana has seen many significant changes in recent years in Oregon and across the nation. Despite these changes in Oregon, marijuana remains illegal for use with minors (except under certain medical conditions) and the health concerns regarding youth marijuana use are more pertinent than ever.

The State of Oregon has created a campaign called mORe, which utilizes the PCF to reduce underage and high risk drinking. The State has provided materials and support to Deschutes County to implement the mORe campaign. The mORe materials and messages may or may not be utilized for this project.

It is expected that the selected proposer will establish a social marketing campaign promoting healthy and positive norms for young people (aged 12-25) in order to discourage illegal and unhealthy marijuana use in Deschutes County. This should include messaging for parents.

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2. SCOPE OF SERVICES

The purpose of this Request for Proposal (RFP) is to execute a contract with a media or advertising agency with recognized expertise in the field of marketing, research and successfully releasing a multi-media campaign. DCHS will accept and consider the proposal or proposals which, in the estimation of DCHS, will best serve the interests of Deschutes County and reserves the right to award a contract to the proposer whose proposal is most advantageous to the County based upon the evaluation process, proposer's submitted budget and timeline, and other evaluation factors contained within this RFP.

Selected Proposer will provide a social marketing campaign that will launch during the fall of 2016. The scope of services outlined below shall be completed no later than June 30, 2016. It is expected that the compensation for the awarded contract shall not exceed the agreed upon budget.

Scope of Services Requested:

1. Conduct market research to determine target audiences and strategies to best meet the objective.
2. Following the principles of PCF, develop an overarching brand for the campaign. This may or may not utilize the mORe brand.
3. Develop three (3) to five (5) media messages directed towards young people (12-25 years old) and two (2) to three (3) media messages directed towards parents spanning both social and traditional media outlets.
4. Test brand and messages with members of the target audiences to determine effectiveness. Adjust content as necessary. Methodology to be agreed upon between DCHS Prevention Team and selected proponent.
5. Create content for the campaign utilizing all appropriate traditional and social media.
 - a. Each message may utilize one (1) or more of the following media outlets: video, audio, posters, posts, memos, etc.
6. Create a marketing plan to assist in the timing and delivery of the campaign content.
7. Assist with developing a campaign evaluation plan and help to identify metrics to gauge outputs and outcomes.
8. Create a detailed timeline and budget for all services.

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3. GENERAL REQUIREMENTS AND COMPENSATION

Minimum Qualifications

Prospective proponent must be able to demonstrate the following experience and/or knowledge:

1. Experience with or knowledge of positive social norms advertising campaigns;
2. Demonstrated ability to infuse an appropriate sense of humor into a serious topic;
3. Familiarity with positive messaging and social marketing best practices;
4. Ability to create a themed campaign which fits within the culture of the Deschutes County community;
5. Experience in test-marketing messages, gathering audience responses and revising/developing messages based on audience input;

Compensation

The successful proposer will be responsible for invoicing DCHS in accordance with the work performed and the agreed upon timeline and budget submitted in response to this RFP. Services shall not commence and proposer shall not invoice DCHS until a contract has been signed and executed. The contracted agency may expect payment thirty (30) days from the date the contracted agency's invoice has been reviewed and approved by applicable DCHS Program Manager.

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4. INSTRUCTIONS AND CONDITIONS

Proposers must follow the instructions and conditions detailed in this RFP. Proposals that do not conform may be excluded from further review. Proposals must be signed by an authorized representative of the Proposer.

Proposals are not to be marked as confidential or proprietary. Proposals submitted in response to this RFP are subject to public disclosure as required by Oregon State statutes and regulations. Additionally, all proposals shall become the property of DCHS. DCHS reserves the right to make use of any information or ideas included within the proposals submitted.

DCHS, in its sole discretion, reserves the right to modify or cancel this RFP in whole or in part. If modification or cancellation is determined to be in DCHS' best interest, all Proposers will be notified in writing of the specific reasons for such modification or cancellation.

DCHS anticipates that it will announce the results of this RFP process on or about March 25, 2016. DCHS and the selected Proposer will then negotiate terms and sign a legally-binding contract by April 15, 2016 (estimated). A sample copy of Deschutes County's standard contract may be obtained by request. Ideally, the selected Proposer will begin providing services pursuant to the contract by April 1, 2016.

Proposals must be submitted as described above no later than 4:00 p.m. on March 4, 2016 ("Due Date"). Proposals received after that time will be considered late and will be returned unopened. Postmarks will not be accepted in lieu of receipt by the specified deadline.

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5. TENTATIVE SCHEDULE OF EVENTS

Proponents must follow the instructions and conditions detailed in this RFP. Proposals that do not conform may be excluded from further review.

- | | |
|---|--|
| 1. Request for Proposals is issued. | February 19, 2016 |
| 2. Proposals are due. | March 4, 2016
4:00 p.m. |
| 3. Proposals are opened. | March 7, 2016 |
| 4. Proposals are evaluated | March 7 - March 11, 2016 |
| 5. Interviews are conducted with top ranking Proposers, if needed. | March 9 - March 11, 2016 |
| 6. Recommendation of selected Proposer is forwarded to the Board of Commissioners. Board considers selection and award. | The week of March 23rd
(contingent on Board of
County commissioner's
calendar dates
March 25, 2016 |
| 7. Notice of Intent to Award is Issued | March 25-April 1, 2016 |
| 8. Protests of decision are accepted. | starting March 25, 2016 |
| 9. Contract for services is developed and negotiated. | April 15, 2016 (tentative) |
| 10. Contracted services commence. | |

Announcement of the results for this RFP process is contingent upon proposals submitted and Proponents successful completion of RFP requirements. DCHS and the selected Proponent will then negotiate terms and sign a legally-binding contract by April 15, 2016 (estimated). A sample copy of Deschutes County's standard contract is available upon request. Proposals must be submitted as described above no later than 4:00 p.m. on March 4, 2016 ("Due Date"). Proposals received after that time will be considered late and will be returned unopened.

Proposals will be opened in a manner that avoids disclosure of contents to competing proposers. Immediately following the receipt date, a list of the submitting proposers will be available by request. A register of all proposals received will be prepared and available for public inspection after a contract is awarded.

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6. WITHDRAWAL, ACCEPTANCE OR REJECTION OF PROPOSAL

Withdrawal of Proposals

Proposals may be withdrawn via written request submitted by the Proposer prior to the due date. Negligence on the part of the Proposer in preparing the proposal confers no right for the withdrawal of the proposal after it has been opened. The proposal will be irrevocable until such time as the Deschutes County Board of County Commissioners specifically cancels the procurement, rejects the proposal, or awards a contract.

Acceptance or Rejection of Proposals

In awarding a contract, the Board of County Commissioners will accept and consider the proposal or proposals which, in their estimation, will best serve the interests of Deschutes County and reserves the right to award a contract to the proposer whose proposal is most advantageous to the County based upon the evaluation process, proposer's submitted budget and timeline, and other evaluation factors contained within this RFP. The Board of County Commissioners reserves the right to accept or reject any or all proposals. Any proposal which is judged to be incomplete or nonconforming may be rejected. Only one proposal will be accepted from any one agency. Any evidence of collusion between proposers may constitute a cause for rejection of any proposals so affected.

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7. SELECTION PROCESS

All proposals will initially be screened by Deschutes County staff. Those proposals determined to be late, incomplete, or noncompliant and those agencies that do not meet the minimum qualifications listed above may be eliminated from further evaluation at this time.

A selection committee representing the Health Services Department will assess the written proposals based on the evaluation criteria attached. Following the assessment, the highest ranking Proposers may be invited to attend an interview with the selection committee to answer additional questions.

Based on the proposal rating and interviews, if any, the selection committee will evaluate and rank the Proposers, then forward a recommendation to the Deschutes County Board of Commissioners. The Board of Commissioners will vote on the recommendation in a public meeting. The successful candidate will then enter into negotiations with the County to develop a mutually acceptable contract for services.

Narrative responses to each section of the application and any required attachments will be reviewed to determine compliance with the requested information and the feasibility and reasonableness of the proposed program design, cost, and expected services.

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8. NARRATIVE & SELECTION CRITERIA

Please provide a written response to each section. Your application will be reviewed and scored according to the following evaluation criteria. All proposals will be reviewed for demonstrated capacity to provide the services sought through this solicitation and evaluated for any proposed costs to the county.

Proposers must address each of the following questions in narrative form.

1. **Minimum Qualifications:** Describe your agency's ability to meet the minimum qualifications as outlined under General Instructions and Compensation section.
2. **Budget and Project Timeline:**
 - a. Create a detailed timeline and budget for all services.
3. **Relevant Experience:**
 - a. Describe your agency's experience in providing research and advertising campaigns infusing an appropriate sense of humor into a serious topic.
 - b. Describe your agency's familiarity with positive messaging and social marketing best practices.
4. **Scope of Basic Services:**
 - a. Provide a detailed description of how the social marketing campaign will be created. Please include specific details regarding:
 - i. Supplies and materials that will be purchased;
 - ii. What is expected from DCHS to supply and/or purchase;
 - b. Provide a proposed methodology for test brand and messages. Describe the process to incorporate changes based upon audience and DCHS feedback.
 - c. Describe what coordination will be expected from DCHS
5. **Additional Services:**
 - a. Describe your agency's ability to contribute some in-kind services toward the overall costs of the project (while not required, highly desired).

Selection Criteria and Scoring

The evaluation criteria and associated scores in the box provided below will be used by the selection committee to rate and rank qualified proposals based upon the Narrative answers provided by the Proposer:

Evaluation Criteria	Point Value
Minimum Qualifications	Pass/Fail
Budget and Project Timeline	35
Relevant Experience	20
Scope of Basic Services	35
Additional Services	10
Total	100 Points

9. AWARD AND COMMENCEMENT OF WORK

Protest of Award

After the Deschutes County Board of Commissioners decides and selects the service provider/agency, the County will provide notice of its intent to award the contract. If no written protest is filed by 4:00 p.m. on the seventh day following announcement of the decision, the award will be deemed final. The County will not entertain protests submitted after this time period. The written protest must specify the grounds upon which the protest is based. If a protest is filed, the decision of the County will be considered final only upon issuance of a written notice denying the protest and affirming the award. The award and any written decision denying protest will be sent to each proposer.

Written protests should be submitted to:

Nancy Mooney
Contract Specialist
Deschutes County Health Services
2577 NE Courtney Drive
Bend, OR 97701

Award and Commencement of Work

Recommendation for award is contingent upon successful negotiation of the contract and resolution of any protests. The successful Proposer shall be required to sign the negotiated contract, which will be in form and content as approved by DCHS.

The final authority to award a contract rests solely with the Deschutes County Board of Commissioners. The successful Proposer shall not be allowed to begin work under any negotiated contract until such time as the contract has been approved and executed by the Deschutes County Board of Commissioners.

The successful Proposer must agree to all terms, insurance coverage provisions, and conditions of the contract with Deschutes County.

If only one proposal is received and it is deemed that such proposal meets requirements for funding, Deschutes County reserves the option to award such Proposer a contract on a sole-source basis. In the event no proposals are received, or proposals received do not meet requirements for funding under this RFP, Deschutes County reserves the right to be the contractor of last resort, or to designate another qualified entity to operate the program on a sole-source basis.

If revisions or additional information to this RFP become necessary, DCHS will post the addenda or supplements on the Deschutes County website at www.deschutes.org.

Misrepresentation during the procurement or contracting process in order to secure the contract will disqualify a bidder or contractor from further consideration in the procurement or contracting process. Failure to comply with contract requirements once a contract has been awarded will constitute a material breach of the contract and may result in the suspension or termination of the affected contract and debarment from future Deschutes County contracting opportunities for a period not to exceed three (3) years. Other penalties may also apply.

Duration

The contract term for market research and development of social marketing campaign services resulting from this RFP will initially tentatively extend from April 1, 2016 through June 30, 2016. At the conclusion of this period, Deschutes County may opt to extend the contract under the same or new terms. The County may also decide to initiate a new RFP process at the close of any contract period or upon termination for any reason.

Format

All proposals must be submitted on single-sided, 8 ½ x 11-inch paper, with one-inch margins, and typed single-spaced with a standard 12-point font. Content of the written response is limited to no more than 15 pages, exclusive of items included in the appendix.

One original proposal and one (1) copy must be submitted in a sealed envelope that is clearly marked "Proposed Deschutes County Market Research & Social Marketing Campaign", and addressed to:

Nicholas Stevenson
Health Services Project Coordinator
Deschutes County Health Services
1128 NW Harriman Street
Bend, OR 97701

Proposals must address all questions listed in the section titled "narrative" and include the following supporting documents attached in an appendix:

1. A signed proposal response form (included in attachments section).
2. Samples or portfolio of previous media releases and/or media campaign as proof of work quality.

Submission Package

Proposals submitted in response to this RFP must include the items and be in the order as listed below. All of the items combined comprise your completed Proposal pursuant to this RFP.

1. Signed Proposal Response Form-**Attachment 1**
2. Narrative Section: Prepare a written response to the narrative section that fully addresses each of the evaluation criteria listed. The narrative must be typed in 12 point font, one inch margins, 8½" x 11", paginated, on white paper. Narrative section is limited to fifteen (15) pages.
3. Samples or portfolio of previous media releases and/or media campaign as proof of work quality.

It is the responsibility of the Proponent to ensure the proposal is submitted by the time and date and to the location as specified. Postmarks will not be accepted in lieu of this requirement. Therefore, use of the U.S. Mail is at the bidder's own risk. Proposals submitted to any other office will not be accepted.

To be considered for this RFP, all proposals submitted must be received no later than 4:00 p.m. on March 4, 2016 ("Due Date").

Attachments

- Attachment 1: Proposal Response Form.

DESCHUTES COUNTY HEALTH SERVICES DEPARTMENT

REQUEST FOR PROPOSALS

FOR

MARKET RESEARCH & DEVELOPMENT OF SOCIAL MARKETING CAMPAIGN

Proposal Response Form

A signature on this form acknowledges that the proposed provider is hereby submitting a proposal in response to Deschutes County's Request for Proposal for Market Research and Development of Social Marketing Campaign services at DCHS.

This Form must be submitted to Nicholas Stevenson by (Fax 541-330-4636) or Email (nicholas.stevenson@deschutes.org) immediately upon Proponent's decision to participate in this Request for Proposal.

Authorized Signature: _____

Contact Name: _____

Title: _____

Phone: _____ Email: _____

Company Name: _____

Company Address: _____

ADDENDUM B

Agency	Reviewer1	Reviewer2	Reviewer3	Total	Average
Geo and Associates Inc. (Tucson, AZ)	40	80	57	177	59.0
Intrepid Marking (Bend, OR)	40	85	95	220	73.3
Colectivo Social Change Communications (Miami, FL)	60	85	80	225	75.0
Pyramid Communications (Portland, OR)	95	80	70	245	81.7
Quon Marketing (Bend, OR)	80	85	85	250	83.3
Gumco (Salt Lake City, UT)	80	95	79	254	84.7

Media Agency: Gumco.

Evaluation Criteria	Point Value
Minimum Qualifications	Pass/Fail
Budget and Project Timeline	35
Relevant Experience	20
Scope of Basic Services	35
Additional Services	10
Total	100 Points

80

Notes:

- clean
- # as connected to spirit or mission, in particular
- on paper well organized

- seem very video focused, how might they diversify
- how will they conduct focus groups (only 1-2 trips indicated)
- estimated travel costs
- w/ ~~B~~ reduced budget (< \$100k) what would be cut out; would we be asked to produce all messages (3-5 youth; 2-3 adult)

74k

↳ est. Travel =

Media Agency: *RumCO*

Evaluation Criteria	Point Value
Minimum Qualifications	Pass/Fail
Budget and Project Timeline	35 30
Relevant Experience	20 12
Scope of Basic Services	35 30
Additional Services	10 7
Total	100 Points

Notes: Seemed to have a good understanding of PCN
Correction to **OR**

3) While everything good, did not appear to be in
our realm (PCN)

4) Strong understanding of what relationship -
DKHS would entail, flexible & knowledgeable
possibly w/in budget, sensible timeline, could use
a little more info re budget

Media Agency: Gumio

1st | 2nd

Evaluation Criteria	Point Value	
Minimum Qualifications	Pass/Fail	
Budget and Project Timeline	35	35
Relevant Experience	20	20
Scope of Basic Services	35	35
Additional Services	10	5
Total	100 Points	95

Notes:

- + Exp. research side & creative side (10 yrs)
- + Team member was on Wasco Co. LLP?
- + Seems familiar w/DC.
- + RFP reference to community values
- + mentions firm
- + Coordinate closely with DCMS.
- + worked w/govt

"Tight timeline"

- Add - Full in-house production capabilities including video. Use of equipment is free at client.
- Budget is a variance

Media Agency: *Collective Social Change Comm*

Evaluation Criteria	Point Value
Minimum Qualifications	Pass /Fail
Budget and Project Timeline	35 <i>30</i>
Relevant Experience	20 <i>20</i>
Scope of Basic Services	35 <i>30</i>
Additional Services	10 <i>0</i> <i>Final assistance APR Council</i>
Total	100 Points

Notes: *way over budget - see what can be brought down
(less message testing, videos)*

Great knowledge of area & PCF,

Media Agency: *Colectivo*

1st

2nd

Evaluation Criteria	Point Value	
Minimum Qualifications	Pass/Fail	
Budget and Project Timeline	35	30
Relevant Experience	20	20
Scope of Basic Services	35	30
Additional Services	10	5
Total	100 Points	95

Notes:

- + Specializes in non-profit & gov't comm.
- + Cultural responsiveness
- + Social ecological model referenced
- + Well researched in presentation...
- Formatting... Font...

Add

- earned media / evaluation

Budget

- too spendy

+ Storytelling

+ Transmedia

Media Agency: *Collective Change Communications*

Evaluation Criteria	Point Value
Minimum Qualifications	Pass/Fail
Budget and Project Timeline	35
Relevant Experience	20
Scope of Basic Services	35
Additional Services	10
Total	100 Points

60

Notes:

- connected w/ spirit
- disconnect in substance - ATODUS w/
- don't really get my prevention
- samples \neq impressive.

Media Agency: Geo & Associates

Evaluation Criteria	Point Value
Minimum Qualifications	Pass/Fail
Budget and Project Timeline	35
Relevant Experience	15
Scope of Basic Services	20
Additional Services	20
Total	35
	10
	100 Points

7 - great PSA development but necessary?

Notes:

Focus on Humor as a tool

Generally not as clear in presentation

Experience w/ countries, govt & Health

Solid, but not presented in a friendly way

Timeline?

3

ups?

Media Agency: **Geo**

Evaluation Criteria	Point Value	1 st	2 nd
Minimum Qualifications	Pass/Fail		
Budget and Project Timeline	35	25	
Relevant Experience	20	15	
Scope of Basic Services	35	35	
Additional Services	10	5	
Total	100 Points	80	

Notes:

- + worked w/ gov't.
- o Thorough understanding of PCF? Not convinced.
- Doesn't speak to us directly?
- + Has created plans to help the agency move forward independently.
- + Eng & Spanish materials.
- + Nice stats for DC.
- + Plans to compare make & option of new brand.

Add

- Help us set free air time
- Free PR campaign, including press releases (shouldn't this be part of plan?)

Budget

- social media \$\$\$!!! votes
- Sub total missing
- How many surveys? How many focus groups? Etc.

Media Agency: Geo & Associates

Evaluation Criteria	Point Value
Minimum Qualifications	Pass/Fail
Budget and Project Timeline	35
Relevant Experience	20
Scope of Basic Services	35
Additional Services	10
Total	100 Points

40

Notes:

- p. 11 age range wrong
- say know PCF but RFA doesn't reflect
- samples ≠ great

Media Agency: Intrepid

Evaluation Criteria	Point Value
Minimum Qualifications	Pass Fail
Budget and Project Timeline	35 35
Relevant Experience	20 30 15
Scope of Basic Services	35 35
Additional Services	10 10 - Directed much of general cost
Total	100 Points

Notes: TAPs

Realistic & Actionable timeline - may be able to get more out of them

Lots of pro MT marketing in Appendix

- May be a pro or con

- really solid

(~~management~~)

Media Agency: *Interpretal*

1st | 2nd

Evaluation Criteria	Point Value	
Minimum Qualifications	Pass/Fail	
Budget and Project Timeline	35	25
Relevant Experience	20	15
Scope of Basic Services	35	35
Additional Services	10	10
Total	100 Points	85

Notes:

- + Served local non-profits
- +/- clients in the marijuana BIZ!
- + Very involved in the community
- + Good local contacts
- + Nice e.g.s in appendices
- + Spells out acronyms.
- + "Story selling"

★ Measured marketing

- Not convinced their market research approach will work for our needs.

← would need another contractor

★ Videography & post production not included.

Add.

- Ranked in Name, tagline, media release
- Discontinuation message dev, message testing

+ cheap.

Media Agency: Intrepid Marketing

Evaluation Criteria	Point Value
Minimum Qualifications	Pass/Fail
Budget and Project Timeline	35
Relevant Experience	20
Scope of Basic Services	35
Additional Services	10
Total	100 Points

40

Notes:

- appears to have experience
- not impressed w/ samples (seemed outdated)
- RFP difficult to read; not well organized
- hard to follow timeline
- in-kind is nice
- overall felt disconnected w/ objectives & more focused on past work

Media Agency: Pyramid

Evaluation Criteria	Point Value
Minimum Qualifications	Pass/Fail
Budget and Project Timeline	35
Relevant Experience	20
Scope of Basic Services	35
Additional Services	10
Total	100 Points

95

Notes:

- Connected w/ spirit & intent of obj.
- very clearly laid out
- cost concern



- budget
- videos depressing
- In-kind at 10k

Media Agency: Pyramid

Evaluation Criteria	Point Value	
	1st	2nd
Minimum Qualifications	Pass/Fail	
Budget and Project Timeline	35	20
Relevant Experience	20	20
Scope of Basic Services	35	35
Additional Services	10	5
Total	100 Points	80

Notes:

- + Nice message re: us, background research
- + Animation partner
- + Exp. PCF & health/non-profit agencies.

Timeline - acceptable.

Budget -

- Does not include: travel, materials production, photography, or campaign implementation.
- Too expensive for us?

Exp.

- Not exactly PCF... but...

★ Lots of items not included in Budget.

Add.

- Pro bonus 10k for project over 100k

★ Very impressive but outside our reach?

Media Agency: *Pyramid Comm*

Evaluation Criteria	Point Value
Minimum Qualifications	Pass/Fail
Budget and Project Timeline	35 25
Relevant Experience	20 20
Scope of Basic Services	35 25
Additional Services	10 0
Total	100 Points

Notes:

Impressive!

Does not encompass implementation, pretty pricey as is

Media Agency: Quon

Evaluation Criteria	Point Value
Minimum Qualifications	Pass/Fail
Budget and Project Timeline	35
Relevant Experience	20
Scope of Basic Services	35
Additional Services	10
Total	100 Points

80

Notes:

Clear RFA - great examples

- need timeline for phase 2
- potential to move phase 1 beyond June
- video production - is this in-house
- need examples
- experience w/ market research + message creation for such a changing subject matter

Media Agency: *Quora Design & Content*

Evaluation Criteria	Point Value
Minimum Qualifications	Pass /Fail
Budget and Project Timeline	35 <i>35</i>
Relevant Experience	20 <i>20</i>
Scope of Basic Services	35 <i>25</i>
Additional Services	10 <i>5</i>
Total	100 Points

Notes: *+HDES0 example*

*Sol. d, though no additional really.
man expects to go beyond deadline*

Media Agency: Quon

Evaluation Criteria	Point Value	1 st read	2 nd read
		Minimum Qualifications	(Pass) Fail
Budget and Project Timeline	35	25	
Relevant Experience	20	20	
Scope of Basic Services	35	30	
Additional Services	10	10	
Total	100 Points	85	

Notes:

- + Has worked w/ several non-profits in DC (including FRC)
- + Uses various terminology correctly.
- + "Strong connection with the youth of OR"

Budget

- Q: Social media mgmt - \$1,530 per month?
- o Media Buys - \$10-20K

Scope

- content development not in timeline ↘
- Wants to develop content after final marketing plan is approved... beyond June 30th deadline

Add Services

- 30% non-profit discount (already reflected in budget)
- offers pro bono work for smaller projects as the plan takes place.

o Exp. testing messages?

+ like all the examples in appendix.

ADDENDUM C



Board of County Commissioners

P.O. Box 6005 • Bend, OR 97708-6005
1300 NW Wall St, Suite 206 • Bend, OR 97703-1960
(541) 388-6570 • Fax (541) 385-3202
www.deschutes.org
board@deschutes.org
Tammy Baney
Anthony DeBone
Alan Unger

April 8, 2016

RE: Market Research & Development of Social Marketing Campaign

NOTICE OF INTENT TO AWARD CONTRACT

In February, 2016, Deschutes County Health Services, Public Health Division considered proposals to execute a contract with a media or advertising agency with recognized expertise in the field of marketing, research and successfully releasing a multi-media campaign. The selected proposer will provide a social marketing campaign focused on preventing underage marijuana use that will launch during the fall of 2016. The campaign message shall be based upon the Positive Cultural Framework (PCF). Deschutes County Health Services determined that the successful proposer for the project is: GumCo.

This Notice of Intent to Award Contract is issued pursuant to Oregon Revised Statute (ORS) 279B.135. A copy of this Notice of Intent to Award is being provided to the proponents that submitted a proposal for this service that best matched the criteria outlined in the Request for Proposal (see attached list of all proposals received). Any firm or person who believes that they are adversely affected or aggrieved by the intended award set forth in this Notice, may submit a written protest within seven (7) calendar days after the issuance of this Notice of Intent to Award to the Board of County Commissioners of Deschutes County, Oregon, at the above address, Attn: Nancy Mooney, Contract Specialist. **The seven (7) day protest period will expire at 5:00pm on Friday, April 15, 2016.**

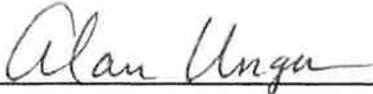
Any protest must be in writing and specify any grounds upon which the protest is based. If a protest is filed, a hearing will be held at 10:00am on April 27, 2016, before the Board of County Commissioners of Deschutes County, Oregon, acting as the Contract Review Board, at Deschutes County Services Center, 1300 NW Wall St., Bend, Oregon, 97701.

If no protest is filed within the protest period, this Notice of Intent to Award Contract becomes an Award of Contract without further action by the Board of County Commissioners unless the Board, for good cause, rescinds this Notice before the expiration of the protest period. The successful bidder on a Deschutes County project is required to execute the Contract. In addition to the execution of Contract, the Contractor will be required to provide applicable certificate(s) of insurance.

If you have any questions regarding this Notice of Intent to Award Contract, or the procedures under which the County is proceeding, please contact Nancy Mooney, 541-322-7516.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
DESCHUTES COUNTY, OREGON


ALAN UNGER, COMMISSIONER


TAMMY BANEY, COMMISSIONER


ANTHONY DEBONE, COMMISSIONER

**Bidder's List for the provision of:
Market Research & Development of Social Marketing Campaign**

Notice of Intent to Award will be sent via E-mail

GumCo

12 W. Market St., Suite 220

Salt Lake City, UT 84101

E-mail: steve.driggs@gumco.com

Pyramid Communications

239 NW 13th, #215

Portland, OR 97209

E-mail: gnetzer@pyramidcom.com

Quon Design and Communication, Inc.

1818 SW Turnberry Pl.

Bend, OR 97702

E-mail: mquon@quonde.com

Geo & Associates, Inc.

4251 E 5th Street

Tucson, AZ 85711

E-mail: geo4adv@aol.com

Intrepid Marketing

PO Box 9703

Bend, OR 97708

E-mail: kelly@intrepidforward.com

Colectivo Social Change Communications

2103 Coral Way, St. 202

Miami, FL 33145

E-mail: cmoreno@colectivoscc.com

ADDENDUM D

Protest of Deschutes County "Market Research & Development Social Marketing Campaign"

To: Deschutes County Commissioners:
Alan Unger
Tammy Baney
Anthony DeBone

From: Concerned citizens and Deschutes County businesses:

Kelly Walker, Creative Director, Intrepid Marketing. Swivel Marketing Conference Board Member, City Club of Central Oregon Marketing Committee Member.

Andrea Walker, Business Director, Intrepid Marketing

Bobby Haro, Social Media Director, Intrepid Marketing

Mark Quon, President, Quon Design and Communication Inc.

Linda Quon, Vice President, Quon Design and Communication Inc.

Pamela Hulse Andrews, Owner, Cascade Publications

Renee Mansour, Owner, MinuteMan Press in Bend

Delivered to: Nancy Mooney, 2577 NE Courtney Drive, (541) 322-7516

Date: April 14, 2016

We, the individuals listed below, and on behalf of businesses registered and doing business primarily within Deschutes County, hereby protest the April 8, 2016 "Notice of Intent to Award Contract" announced by Deschutes County, and will address the Commissioners/Contract Review Board on April 27, 2016.

The main grounds upon which this protest is based include:

- Whereas Deschutes County employees and elected officials are shepherding funds coming primarily from within the County, it is our expectation that every effort be made to use these funds within the County, to the benefit of the community. We strongly object to such funds being injected into another community, particularly into another state's economy (Utah).
- We have the expectation that the County will be in line with the overwhelming community consensus and commitment to the "Make Local Habit" ethic. This decision goes directly in opposition to the express wishes and spirit of our community and this ethic.
- This RFP is for development of a Social Marketing Campaign with the goal of influencing behavior and social patterns in our county. A firm from Utah lacks community insights, experience with the culture and people of Central Oregon, local connections and the social network relationships that we all know of crucial importance in a small, socially-connected community as we

have in our County. We believe that a firm from Utah simply cannot utilize county resources to their full potential in a social campaign of this nature. Nor will they have a consistent physical presence to serve as ambassadors of such a campaign.

- Deschutes County is home to world-class marketing agencies and talent, with the best possible ability to deliver on such a project. Each year, we attract some of the world's top marketing leaders to the Swivel Conference (formerly WebCAM), who recognize the Bend area as a hub for the marketing and creative brand development profession. There is simply no need to contract outside of Deschutes County for services that can best be performed here.
- Awarding the RFP to a Utah firm would ostensibly preclude benefits to other local businesses such as printers, promotional products providers and the various businesses that provide services to local marketing agencies (ex. Accountants, merchants, etc.)
- Local marketing/branding firms and related businesses regularly serve non-profits and small businesses pro bono or at cost and so depend on larger projects of this type to sustain their businesses and provide for the families of those who depend on them. Additionally, many of these people serve on volunteer boards and committees that greatly benefit the County.

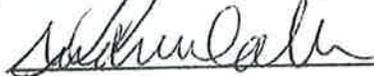
We wish to make a strong statement that preference for County projects of this nature needs to be given to firms within Deschutes County, and that if there is a lack of applicants from within the County, staff has a responsibility to better raise awareness of these opportunities within our marketing community (for example, through Central Oregon AdFed (soon to be folded into Swivel), the Bend Chamber and City Club of Central Oregon, and via traditional media channels (such as Cascade Business News) and social media channels.

Respectfully,

Kelly Walker

 Date 04.14.16

Andrea Walker

 Date 04.14.16

Bobby Haro

 Date 04.14.16

Mark Quon

 Date 04.14.16

Linda Quon

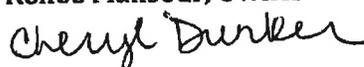
 Date 04.14.16

Pamela Hulse Andrews

 Date 04.14.16

Renee Mansour, Owner

Via telephone & email Date 04.14.16

 Cheryl Duncker, concerned citizen 4.14.16

ADDENDUM E



Deschutes County Health Services

Prevention Program
Staff Report

Date	April 19, 2016
Submitted By	Jessica Jacks, Supervisor, Prevention Programs
Issue/Topic	Protest of Notice of Intent to Award Contract – Market Research & Development of Social Marketing Campaign RFP
Background	<p>RFP Development: Nick Stevenson worked with Nancy Mooney to create the RFP for this project. It was eventually reviewed and approved by legal counsel, Jessica Jacks and Tom Kuhn.</p> <p>RFP Issued – 02.19.16 The RFP was issued and published to the Deschutes County Website. In addition, the local companies listed below were emailed an invitation directly. These companies were identified based on either having previously worked with DCHS or by having work examples (found on their websites) relevant to social marketing and appearing to have the capacity to fulfill the requirements of the RFP.</p> <ul style="list-style-type: none">• Quon Marketing• Intrepid Marketing• TBD Agency• 501 Drive• Sublime Creative Agency• Savy Agency• Evok Designs• GB2 Agency <p>RFP Collection Period Ends – 03.04.16 A total of six proposals were received from the following:</p> <ul style="list-style-type: none">• Quon Marketing (Bend, OR)• Intrepid Marking (Bend, OR)• Pyramid Communications (Portland, OR)• Gumco (Salt Lake City, UT)• Geo and Associates Inc. (Tucson, AZ)• Colectivo Social Change Communications (Miami, FL) <p>RFP Review and Selection: A review panel was created to evaluate each of the submitted proposals. The three panel members were Jessica Jacks (Prevention Programs Supervisor), Evan Thibeau (Drug Free Communities Project Coordinator), and Nick Stevenson (Positive Community Norms Project Coordinator).</p>

Each panel member separately reviewed the submitted proposals and scored them using the scoring criteria outlined in the RFP. The review panel met on 03.17.16. Each proposal was discussed. Three proposals rose to the top and the review team felt that additional information was needed from each in order to make a final selection. The scores produced for the candidates during this review are listed below. In addition, the reviewer notes are available in Attachment 1.

Agency	Reviewer1	Reviewer2	Reviewer3	Total	Average
Geo and Associates Inc. (Tucson, AZ)	40	80	57	177	59.0
Intrepid Marking (Bend, OR)	40	85	95	220	73.3
Colectivo Social Change Communications (Miami, FL)	60	85	80	225	75.0
Pyramid Communications (Portland, OR)	95	80	70	245	81.7
Quon Marketing (Bend, OR)	80	85	85	250	83.3
Gumco (Salt Lake City, UT)	80	95	79	254	84.7

Nick was then assigned to ask additional questions of the top three finalists to help make the final decision. Questions were asked regarding budget, timeline, relevant work samples, and ability to produce high quality video content. All of the finalists were asked to provide a revised budget to better fit the scope of the project and to consider the project budget maximum of \$74,000 (which had not been disclosed in the RFP process). In addition, Nick consulted Deschutes County's Public Information Officer, Whitney Hale, for feedback on the top three candidates.

The review panel re-convened on 03.25.16 to make the final decision. After the panel reviewed the additional information provided by the finalists and consultation from Whitney Hale, a selection was made based on the company whose proposal and subsequent interview responses and revised budget was the best option. GumCo. was selected specifically for: demonstrating the ability to produce high quality and comprehensive social marketing campaigns, ability to conduct effective market research and message development, ability to conduct in-house video production, providing a reasonable budget and timeline, having had successful experience working with government and non-profits, and demonstrating passion and motivation for the project.

Intent to Award:

The Board of County Commissioners voted to approve the Intent to Award to GumCo. on 04.06.16. Notification of this decision and provision of a 7-day protest period was emailed to all candidates on 4.08.16 by Nick Stevenson.

Staff Comment	Our review found GumCo.'s expertise and abilities to meet the needs of the project exceeding all other competitors significantly.
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ADDENDUM F

To Whom It May Concern,

We completely understand the concerns raised in the protest letter; we value locality and community collaboration, which is why we embrace it openly in our proposal. However, local preference was not in the criteria of this RFP, and introducing it after submittal and scoring would be inequitable. We didn't pick this project out of the blue- we chose to invest significantly in it because this was an issue and place we are passionate about.

The RFP was explicit that the selection committee would assess all written proposals based on the evaluation criteria therein. The protest letter at no point acknowledges inequities in the scoring of our proposal given the evaluation criteria we all implicitly agreed upon in engaging with the RFP.

Many RFPs give added weight or points to local, Native American, veteran, or women-owned businesses, within their scoring criteria, which is something we consider when deciding whether to invest in a chance at winning their business. This could be an important addition to include in the future for the DCCHS, but presently, this RFP does not address a local preference, and each party was graded appropriately given the set criteria. We have invested time, resources, and dedication into writing this proposal, knowing locality was not a necessity, and that we could compete fairly to be awarded the job.

Local roots are important, and a strong concern of the protest letter, and we acknowledge that Deschutes County is full of many talented individuals and companies to collaborate with on this project. When appropriate, we are planning on hiring local Oregonian crew for filming, printing, production, and more, thus injecting money back into the local economy and supporting the "Make Local Habit" ethic. We are also not as removed from the state as it may seem—half our agency is from Oregon, and we have an enormous affinity for the state.

Another concern raised was our lack of network and community experience in Deschutes. Which is why we specifically outlined in our proposal our market research methodology to gain community insights. We are committed to partnering with the community to utilize local resources and networks to their full potential.

We are familiar and sympathetic to these apprehensions; we ourselves have lost many local Utah pitches to larger out-of-state marketing companies. But ultimately, we value the fact that each party agreed to a defined set of criteria, which was scored fairly and dispassionately.

We have the talent, resources, passion, and mindset to make this project the best it can be, and we appreciate the adherence to the specified requirements in the RFP.

Thank you for your consideration,

J. Garrett Martin
Partner & Creative Director at GumCo



ADDENDUM G



For Recording Stamp Only

Deschutes County Board of Commissioners
1300 NW Wall St., Bend, OR 97703-1960
(541) 388-6570 - Fax (541) 385-3202 - www.deschutes.org

MINUTES OF BUSINESS MEETING
DESCHUTES COUNTY BOARD OF COMMISSIONERS
WEDNESDAY, APRIL 27, 2016

Commissioners' Hearing Room - Administration Building - 1300 NW Wall St., Bend

Present were Commissioners Alan Unger, Anthony DeBone and Tammy Baney. Also present were County Administrator Tom Anderson and Deputy County Administrator Erik Kropp; Dave Doyle, County Counsel; Judith Ure, Administration; Cynthia Smidt, Community Development; Jessica Jacks and Nick Stevenson, Health Services; and approximately twenty other citizens.

1. CALL TO ORDER

Chair Alan Unger called the meeting to order at 10:00 a.m.

2. PLEDGE OF ALLEGIANCE

3. CITIZEN INPUT

Jim Johnson spoke about his concerns regarding what he feels are illegal stop signs at the intersection of Baker Road and Brookswood Boulevard. He provided a letter (*a copy of which is attached for reference*).

He feels this is a major inconvenience and does not think that the studies done on the intersection and the area were not indicative of needing stop signs.

He is gone half of the year in Arizona, but when he is here he does not see the need for these stop signs. He doesn't think there is a safety issue, and he and others will keep pursuing this.

Chair Unger stated that he will read the information provided and get back to Mr. Johnson. Commissioner Baney suggested that they inquire about having ODOT do a third-party evaluation, as a partner agency.

CONSENT AGENDA

Before the Board was Consideration of Approval of the Consent Agenda.

BANEY: Move approval except the business meeting minutes of April 18.

DEBONE: Second.

VOTE: BANEY: Yes.

DEBONE: Yes.

UNGER: Chair votes yes.

4. Board Signature of Document No. 2016-198, Amending an Agreement with Iris Telehealth regarding Mental Health Services
5. Chair Signature of Document No. 2016-238, an Intergovernmental Agreement to Establish the Oregon Association of County Engineers and Surveyors (OACES)
6. Board Signature of Document No. 2016-246, a Quitclaim Deed Removing a Deed Restrictions for a Wildland Fire Fuel Reduction Agreement
7. Board Signature of Document No. 2016-213, a Lease of Space in the South County Services Building to COIC/Cascades East Transit
8. Board Signature of Document No. 2016-253, a Purchase Contract for Replacement Vehicles for the Sheriff's Office
9. Board Signature of Minutes:
 - Work Sessions: April 13 and 18, 2016
 - Business Meetings: April 13 and 18, 2016

ACTION ITEMS

10. **Before the Board was Consideration of Converting Economic Development Forgivable Business Loans to Grants.**

- Oregon's Wild Harvest
- Buehner Fry – dba Navis
- Vantage Clinical Solutions
- Paladin Data Corporation

Judith Ure said that the documentation for Paladin Data Corporation was not yet available, so it will be addressed at a future date. She added that Navis provides call management services for the hotel and tourist industry; Vantage provides help in the medical field; and Oregon's Wild Harvest manufactures natural food supplements.

All have hired and maintained new positions as required. Wild Harvest is ahead of schedule on this.

Roger Lee and Tom Rawley of EDCO introduced Tannus Quatre, President of Vantage. Mr. Quatre explained that they deliver business services to healthcare private practice/physical therapy providers, mostly small businesses. The premise is that small business healthcare is important to the consumer. They handle revenue cycle management and work with insurance companies, as well as with marketing and networking events. They have reached their 1,000 networking event, which occurs nationally and internationally.

They applied for the business loan in 2013 when they had eleven employees; and now have 20 employees. They far exceeded the five employees that were required. The loan helped them at a very important time, and the dynamic between them, EDCO and the County has been very healthy. He thanked the County and EDCO for their support.

Commissioner DeBone commended them for their progress. Commissioner Baney noted offering this funding was a big change, and they and business owners have taken this risk to help the community. Chair Unger added that this feedback helps him understand why they have this program.

DEBONE: Move to convert the loan to a grant.

BANEY: Second.

VOTE: DEBONE: Yes.
BANEY: Yes.
UNGER: Chair votes yes.

Roger Lee introduced Kyle Buehner from Buehner Fry, dba Navis. Mr. Buehner said he feels this loan was well served by all, with 26 new hires; and they also far exceeded the requirement, with wages above the County average. The loan was helpful to him when trying to grow the company. They have closer to 200 employees now. He encouraged the Board to continue this effort, to help diversify the economy and attract software related companies. EDCO has done a fine job with this program. He added that most of Navis' business is outside Bend and Oregon.

Commissioner Baney thanked him for committing to keeping his business in this area, and for providing wages that allow people the ability to remain here. Commissioner DeBone added that diversifying is the important aspect. This will help avoid hard times in the future. Chair Unger noted that this helps to reaffirm their commitment to help local businesses.

DEBONE: Move to convert the loan to a grant..
BANEY: Second.

VOTE: DEBONE: Yes.
BANEY: Yes.
UNGER: Chair votes yes.

Jon Stark, EDCO Redmond Manager and representative of REDI (Redmond Economic Development, Inc.), introduced Pam Martin of Oregon's Wild Harvest. This situation is different from the others, as they brought in Wild Harvest from another area, and they committed to 25 local jobs.

Ms. Martin explained that they manufacture naturopathic herbal supplements. They bought land in Culver years ago, and found manufacturing locations that fit their needs. They have been in business for twenty years, but it took more money to move than anticipated. They moved from Sandy to here, with a very positive reaction. There are stronger partnerships here. Organic growers and manufacturers, work hard to produce the right products.

The County's support was very helpful. They were able to double the number of employees and will continue to grow. They also have purchased over \$500,000 in equipment since coming here.

Commissioner DeBone noted that they went from twenty-five employees to almost fifty. The value of their investment is impressive. Commissioner Baney said she is thankful they are here, and are community-minded. Chair Unger added that they took over the former Rocky Mountain Barbeque company location. He toured the facility and was impressed with the technology required for products to be certified as organic. This is a great success story.

DEBONE: Move to convert the loan to a grant.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

Jon Stark said that this program has been used eight times. The dollars are important, but it also shows that the community is behind it.

11. Before the Board was Consideration of Board Signature of Document No. 2016-180, Findings and a Decision on the Tumalo Irrigation District Lot of Record Appeal.

Cynthia Smidt provided a brief overview of the issue. The decision addresses procedural issues, interpretation of lot and parcel language, and clarification of any alleged flaws in the Hearings Officer's decision. There were a few typos in the decision to be corrected.

Commissioner DeBone stated that it appears that the Hearings Officer's decision is being adopted as written, with the Board in responding to additional questions. This goes back 100 years with a lot of legal matters, history and reality involved.

DEBONE: Move approval, with the scrivener's errors corrected.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

CONVENED AS THE CONTRACT REVIEW BOARD FOR DESCHUTES COUNTY

12. Before the Board was a Hearing to Consider a Protest of the Award of a Contract for a Research and Development Social Marketing Campaign.

Jessica Jacks gave a brief description of the project and focused on the bid process. The project is to deal with underage marijuana use in the County. Information was sent to eight local vendors but was also advertised in other ways, as required.

On March 4, they received six proposals, with four of them from local companies. A review panel analyzed the proposals independently, using specific scoring criteria. The top three scoring companies were interviewed by phone and were asked for a revised budget and timeline. The County's Information Officer also reviewed the proposals.

GumCo was identified as the preferred vendor, unanimously by all. They are the best vendor for this project. They provided examples of their work through various media, demonstrated the ability to be effective with the target population, and can produce superior video aspects for this population. Their budget and timeline was appropriate and they can work well independently, and also demonstrated a high level of commitment.

Chair Unger said this funding is based on a grant from the Oregon Health Plan. It appears that GumCo has done this type of work before. Ms. Jacks stated that they can adhere to the positive framework as required.

Chair Unger asked for the protesting parties to speak.

Kelly Walker and Robert Haro, Intrepid Marketing, Bend, came before the Board. Also present was Mark Quon, who owns Quon Design and Communications with his wife.

Mr. Walker said he was surprised that more Bend agencies had not submitted a bid. Central Oregon is a mecca for this kind of talent. He wondered if they even heard about it. He was also surprised it went to out of state. It would have been less of a blow if a Central Oregon agency had won. His overall sense is that the businesses here invest a lot locally and do a lot of work for small businesses. He sees this a lot. He also attends national marketing conferences. He is speaking unofficially for the local industry.

He feels the County should invest back in the community. Some of the locals have gone on to be national. He likes to follow 'make local habit'. The other point is that the idea of a firm in another state can run a campaign here is not a good one. The culture might be very different. He looked at their website and does not believe all of what they say they can do. He thinks this is a problem.

Mr. Haro emphasized that this involves developing a marketing campaign for social media. The task is to deal with the cannabis industry, which is a prohibition type issue. Society needs to look at this from a unique perspective and deal with it before it is a problem. It takes individuals who are associated with this to understand it. Utah has no medical cannabis and he is not sure what an agency there could know about it. He lives in this community and knows the issues.

He is not sure of the scoring criteria and doesn't think they or others were made aware of it. They have some video experience but he did not know this was going to be a big factor. They can handle the market research.

Mark Quon said he heard about the award and supports the protest. He was one of the finalists and asked to revise the budget and timeline. He wishes they would have told him of the specific concerns and what his company was lacking. They have experience with agencies here and could have done this. He feels maybe his videos were not as flashy, but some that they have produced for other agencies may not have the funds to do anything very elaborate.

He is concerned about the award going out of state, with all of the local success stories in Central Oregon. The Commissioners claim to support local industry but this doesn't ring true.

Mr. Walker said that he has worked with a lot of local agencies, including doing some volunteer work. What is overlooked is that even if GumCo had some high profile or high budget projects, the community connection is important. His company also served businesses in the cannabis industry, so know the issues well.

Pamela Hulse Andrews, owner of Cascades Business News, spoke as a local business owner. She thinks this is a typical situation when someone thinks a company from out of town knows better than the locals. Central Oregon has high quality companies.

She applauds the County for giving funds to local firms who increase business here, but then turns around to give funds to an out of state company. This company won't spend any money locally. She has previously talked to the Board about giving preference to local companies, and realizes they don't really have a preference.

Jessica Jacks clarified that the contractor is in charge of developing the campaign, but not involved in the implementation. The scoring criteria was laid out in the RFP and it was all very clear.

David Doyle noted that this seems to be a request for local preference. This can be done in some situations, but has to be stated in the solicitation and for this situation, it wasn't. The Board can deny the protest, or cancel the solicitation and start over. They can't appear to 'back door' in a preference at this point. State Administrative Rules apply. Whether this is a good or bad policy, it cannot be introduced at this point. They would have to do it all over, and include new parameters.

Mr. Walker stated that the thrust is not necessarily this contract, although he'd like to see it done over. They were not asked about experience or some other things. The County should have dug deeper to find this out.

Commissioner Baney said there are legal issues, and they have to be careful about interaction. She is also concerned about how departments solicit interest. She appreciates the proactive reach to local groups, as the department did more than is required. There may have been some agencies that were not looking for the opportunity, but staff did reach out. She hears the 'local preference' theme and appreciates local talent, but some laws apply.

Commissioner DeBone stated that he supports the process as it happened. This is an Oregon issue, and is very timely. However, he is not that far from thinking maybe they should start over, as he wants it done very professionally. Commissioner Baney said she does not want to talk about local preference. This has come up before and it is sensitive, but there are nuances she is not prepared to discuss, and possible unintended consequences. Commissioner DeBone said that this topic is the reason for him. He thinks it is different.

Commissioner Baney asked if he is suggesting they cast out again and make it Oregon specific. Chair Unger noted that it is a two-way street. He would like to talk about this in the future, its value and in what types of situation.

Commissioner Baney explained that they have talked about this in the past, but some of those who want jobs to be local only admitted they would not pass up doing work outside the area themselves. She is concerned about unintended consequences. Chair Unger said that they would have to set a policy if they want to go that direction. There are laws to follow, it is risky, and is not always to the best long-term advantage. They can discuss this some other time.

Chair Unger stated that he has listened to staff to learn what they did, and that they tried to include local. It was opened up to all, but half of the bids were from out of the area. He is not sure why there was not more local interest. He supports the choice, and the selected company is experienced. This just happens sometimes. Legally, there might be risk to turn about now.

Commissioner Baney noted they can cast again with the ability to dig deeper into the local experience. However, it may end up with the same result. Chair Unger said that staff will wonder what is wanted. The RFP was clear about what they need. He wondered what new questions could be included.

Commissioner Baney stated that sometimes videos made for nonprofits are not a good example, because of a lack of funds or not wanting to overdo it. Maybe these examples don't capture a company's best potential work. She does not know how they could offer that opportunity. It may be that they are just outpaced and perhaps just being local is not enough.

Commissioner DeBone asked about starting the process over. Mr. Doyle said that they need to have a legal reason to uphold or deny the protest, or the winning bidder can sue and the County could end up in Circuit Court. The only matter today is the protest, but there are still contract negotiations to conduct.

Chair Unger closed the hearing.

BANEY: Move to deny the protest as not having enough legal grounds to do otherwise.

DEBONE: Second.

VOTE: BANEY: Yes.

DEBONE: Yes.

UNGER: Chair votes yes.

CONVENED AS THE GOVERNING BODY OF THE 9-1-1 COUNTY SERVICE DISTRICT

- 13. Before the Board was Consideration of Approval of Weekly Accounts Payable Vouchers for the 9-1-1 County Service District, in the Amount of \$21,253.46.**

DEBONE: Move approval, subject to review.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

CONVENED AS THE GOVERNING BODY OF THE EXTENSION/4-H COUNTY SERVICE DISTRICT

- 14. Before the Board was Consideration of Approval of Weekly Accounts Payable Vouchers for the Extension/4-H County Service District, in the Amount of \$3,146.29.**

DEBONE: Move approval, subject to review.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

RECONVENED AS THE DESCHUTES COUNTY BOARD OF COMMISSIONERS

- 15. Before the Board was Consideration of Approval of Weekly Accounts Payable Vouchers for Deschutes County, in the Amount of \$773,797.30.**

Mr. Anderson said this includes payment to Tyler Technologies for the new Finance/HR system. They are also here, doing some preliminary training.

DEBONE: Move approval, subject to review.

BANEY: Second.

VOTE: DEBONE: Yes.

BANEY: Yes.

UNGER: Chair votes yes.

16. OTHER ITEMS

None were offered.

17. ADJOURN

Being no further discussion, the meeting adjourned at 11:20 a.m.

DATED this 4th Day of May 2016 for the
Deschutes County Board of Commissioners.



Alan Unger, Chair



Tammy Baney, Vice Chair

ATTEST:



Recording Secretary



Anthony DeBone, Commissioner