

Technical and Regional Universities
Retainer Program Frequently Asked Questions
Response in *Italics*

1. What is a retainer contract?

The Technical and Regional Universities (“TRUs”) which include Eastern Oregon University, Oregon Institute of Technology, Southern Oregon University and Western Oregon University, award uniform “Retainer Contracts” to firms seeking to provide certain services to its member Institutions. The Retainer Contract generally functions as a prequalification list, and multiple Retainer Contracts are awarded to firms to provide services in two broad service categories.

The first Retainer Contract is for “Professional Consulting Services” (generally architects and engineers) and the second is for “Construction-Related Services” (the trades traditionally associated with construction projects, but including asbestos, lead, mold and silica abatement).

When an Institution has a project requiring work in either of these two service categories they may contact a Retainer Contractor to perform work on that project.

2. What is the retainer program?

The term “Retainer Program” is used to refer to the Professional Consulting and Construction-Related services Retainer Contracts collectively. Each set of Retainer Contracts is maintained in a Retainer Program Database accessible by the TRUs. The Retainer Program Database is not accessible by the Retainer Contractors or the public.

3. How can my firm join the Retainer Program?

Firms (or sole proprietors) may join the Retainer Program by responding to a Request for Proposal (RFP) posted by the TRUs. The TRUs only accepts proposals online through a Retainer Program website. After the TRUs receive a proposal, TRU personnel will evaluate the proposal to determine whether the firm meets the minimum criteria set forth in the RFP. If the firm does meet the minimum criteria it will be awarded a Retainer Contract.

The RFP for the Professional Consulting and Construction-Related Services Retainer Contracts are distinct and administered separately. Therefore, a firm may submit a proposal to join one or both of the Retainer Contracts.

4. Can I join both the Construction-Related Service and Professional Consulting Retainer Contract?

Firms that meet the minimum criteria for both the Professional Consulting and the Construction-Related Services Retainer Contracts may be awarded a Retainer Contract to perform. Firms wishing to join both Retainer Contracts must apply to both, as a proposal submitted for one will not be considered in evaluating the other.

5. Are the terms of either Retainer Contract negotiable?

The terms of the Retainer Contract are not negotiable (except for price and the scope of work). Retainer Contracts returned to the TRUs with alterations to the general terms will be rejected. Firms interested in

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entering a Retainer Contract with the TRUs should read the terms of the applicable Retainer Contract included in the RFP prior to submitting a proposal.

6. What is a Supplement?

A “Supplement” is a supplementary agreement to the Retainer Contract entered between an Institution and the Retainer Contractor. In addition to including certain general terms, Supplements set forth the scope of work and price terms.

7. Who issues Supplements?

The Institutions that comprise the TRUs issue Supplements.

8. How do I get a Supplement once my firm is awarded a Retainer Contract?

Supplements are awarded according to the rules set forth in procurement rules applicable to the TRUs. For projects valued under certain dollar amounts each Institution has the authority to directly negotiate with Retainer Contractors for their services. Therefore, it is important for Retainer Contractors to market their services directly to the Institutions.

Retainer Contractors should continue to check the procurement website at www.orpu.org.

9. Is each Retainer Contractor guaranteed to receive a Supplement (work) through the Retainer Program?

Retainer Contractors are not guaranteed to receive a Supplement (work). Supplements are awarded to Retainer Contractors through processes as outlined by each Institution. However, some Retainer Contractors may receive multiple Supplements.

10. What size of projects may be awarded through the Retainer Program?

The value of work performed pursuant to any Supplement may not exceed the lesser of \$1,000,000 or the maximum amount permitted by each Institution. Projects valued at greater than \$1,000,000 are awarded through a different process (and will be posted to the procurement website at www.orpu.org).

11. What are the insurance requirements?

After being awarded a Supplement, Retainer Contractors are required to provide Institutions with proof of insurance before commencing any work.

For Supplements issued pursuant to the Construction-Related Services Retainer the required insurance amounts are set forth in Section G of the Retainer General Conditions (unless modified at the Institution’s discretion through Supplemental General Conditions).

Professional Consulting Supplements generally include the required insurance amounts in the Supplement itself.

12. What are the bonding requirements?

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For all Construction-Related Services Supplements valued at \$100,000 or more Institutions may require proof of a separate performance and payment bond in the amount of the value of the project. For example, for a project valued at \$750,000 Retainer Contractors should be prepared to provide the Institution with a proof of a performance and payment bond in the amount of \$750,000.

13. What does MWESB mean? And what does it have to do with the Retainer Program?

MWESB is a shorthand term used to refer to the following businesses collectively: Minority Business Enterprises (MBE), Women Business Enterprises (WBE), and Emerging Small Business Enterprises (ESB). Each of the TRU Institutions are committed to inclusion of MWESB firms in projects and contract opportunities. The TRUs encourage Retainer Contractors to become certified with the State of Oregon, when possible.

14. How can my firm become certified with the State of Oregon as a MWESB?

The State of Oregon has established a process allowing firms to register as a MWESB firm and receive a certification number. More information about the program is available at this website: <http://www.oregon4biz.com/How-We-Can-Help/OMWESB/>. Many firms qualify under more than one certification category.