



**Request for Proposals
for
Self-Contained Breathing Apparatus (SCBA)
July 22, 2020**

The Glide Rural Fire Protection District (Glide Fire) of Glide, Oregon has been awarded a Fiscal Year 2018 Assistance to Firefighters Grant provided by the U.S. Department of Homeland Security/FEMA to replace Glide Fire's outdated SCBA equipment. Glide Fire is seeking written proposals for the purchase of self-contained breathing apparatus (SCBA) and related components.

All proposals shall conform to these specifications unless otherwise noted and presented on the proposal forms provided for that purpose. If a particular model of SCBA does not meet all specifications listed, please note on your proposal from those specifications not being met on the specification sheets. Glide Fire reserves the right to select a proposal that may not meet all listed specifications.

Written proposals must be received at the address below by **4:00 pm on Thursday, July 30, 2020**. Electronic or faxed proposals will be accepted, but we recommend the Proposer call to confirm receipt of all documents. Incomplete or late proposals will not be considered.

Proposal Submission Options

Mail Proposals to: Glide Rural Fire Protection District
Attention: Beth Werner, Business Manager
PO Box 446
Glide, OR 97443

Deliver Proposals to: Glide Rural Fire Protection District
Attention: Beth Werner, Business Manager
18910 North Umpqua Hwy.
Glide, OR 97443

Email Proposals to: glidefire@glidefire.org

Fax Proposals with Cover Page to: 541-496-0762

Inquiries Ted Damewood, Fire Chief
Beth Werner, Business Manager
541-496-0224

Invitation

Glide Rural Fire Protection District (Glide Fire) invites qualified firms (Proposers) to submit proposals for the purchase of:

1. **12 Self-Contained Breathing Apparatus (SCBA).** Each SCBA will include:
 - a. Facepiece
 - b. **Two 45-minute** lightweight high-pressure (4500 psi) air cylinders with valve and pressure reducing regulator assembly. Air cylinders will have a 15 year lifetime.
 - c. Backplate/Frame
 - d. Harness
 - e. Integrated PASS (Personal Alert Safety System) device
 - f. Integrated firefighter locator system
2. **8 additional Facepieces** for the above SCBA.
3. **Provide alternate pricing** to replace the above air cylinders with 24 each:
 - a. 45-minute lightweight high-pressure (4500 psi) air cylinders with valve and pressure reducing regulator assembly. Air cylinders will have a 30 year lifetime.
 - b. 60-minute lightweight high-pressure (4500 psi) air cylinders with valve and pressure reducing regulator assembly. Air cylinders will have a 15 year lifetime.
 - c. 60-minute lightweight high-pressure (4500 psi) air cylinders with valve and pressure reducing regulator assembly. Air cylinders will have a 30 year lifetime.

Submission of Proposals

Proposals must be submitted on the forms included in these documents, and must be properly signed in the spaces indicated. Proposer shall submit one paper or electronic copy of its Proposal. In addition, if Proposer believes any of its Proposal is exempt from disclosure under Oregon Public Records Law (ORS 192.311 through 192.478), Proposer shall complete and submit the **Disclosure Exemption Affidavit (Attachment B)** and a fully redacted version of its Proposal, clearly identified as the redacted version.

Proposals must include all information listed and in the order provided in the Evaluation Process Section of this RFP.

Pricing

1. Proposer shall provide all pricing on the attached **Cost & Short Answer Information Sheet (Attachment E)**
2. Proposer shall provide their best available pricing, and reference if these prices are according to a contract on NPPGov, GSA, or another publicly-solicited contract.
3. Proposer must itemize all charges for components of the proposed system, and for any proposed alternative or optional components. Pricing proposals shall clearly itemize freight or delivery costs, and costs to provide any services, options, programming, and training related to the use, maintenance, service, and testing of products and equipment.
4. Proposer must list a TOTAL cost for their base Proposal and each alternate Proposal.

Delivery Dates

It is anticipated Glide Fire will award this procurement on Thursday, August 6, 2020. Proposal must list delivery dates based on this award date. An unreasonable delivery proposal may be cause for disqualifying a proposal.

Negotiations

Because this is an Intermediate Procurement per ORS 279B.070, Glide Fire may negotiate with a Proposer to clarify its proposal or to effect modifications that will make the proposal more advantageous to Glide Fire.

Proposal Certification Sheet

The Proposer shall complete and submit the **Proposer Information and Certification Sheet (Attachment A)**.

References

Proposer must provide five references of customers with successful implementations of similar size and scope with work performed within the past 3 years. Include agency name, address, current contact, phone number, and email for each reference on the **List of References Form (Attachment D)**. References will be contacted to verify the quality of previous work. Glide Fire may check to determine if references support Proposer's ability to comply with the requirements of this solicitation. Glide Fire may use references to obtain additional information, break tie scores, or verify any information needed. Glide Fire may contact any reference (submitted or not) to verify Proposer's qualifications.

Responsibility

Proposer must complete and submit the **Responsibility Inquiry (Attachment C)** with their proposal.

No award will be made to any Proposer who cannot satisfy to Glide Fire that they have sufficient ability and experience in this class of work, as well as sufficient capital and equipment to supply the SCBA equipment and provide future service (i.e. responsible). Glide Fire's decision or judgment on these matters shall be final, conclusive, and binding.

Business Registry

Proposer shall be duly authorized by the State of Oregon to transact business in the State of Oregon. The selected Proposer shall submit a current Oregon Secretary of State Business Registry number, or an explanation if not applicable.

No proposal will be accepted from or contract awarded to any person, firm, or corporation that is debarred from doing business with the Federal Government or the State of Oregon.

Addendum

It is the sole responsibility of the Proposer to learn of Addenda, if any. Such information may be obtained at www.glidefire.org, or by contacting Glide Fire by phone or email. Glide Fire accepts no responsibility or liability and will provide no accommodation to Proposers who fail to check for addendums and submit inadequate or incorrect responses.

Modification or Withdrawal of Proposals

Any Proposer who wishes to make modifications to a Proposal already received by Glide Fire shall submit its modification in one of the manners listed in the Proposal Submission Options section and must denote the specific change(s) to the Proposal submission. If a Proposer wishes to withdraw a submitted Proposal, it shall do so prior to Closing. The Proposer shall submit a Written notice Signed by an authorized representative of its intent to withdraw its Proposal in accordance with OAR 125-247-0440. Withdrawal will not preclude the submission of another proposal prior to the deadline.

Opening of Proposals

There will be no public Opening of Proposals. Proposals received will not be available for inspection until after the evaluation process has been completed and the Notice of Award is issued. However, Glide Fire will record and make available the identity of all Proposers after Opening.

Proposal Rejection

Glide Fire reserves the right to reject any or all Proposals, waive technicalities, and to be the sole judge of suitability of the equipment or services for its intended use and further specifically reserve the right to make the award in the best interests of the organization and safety of its firefighters. Other factors to be considered in awarding the Proposal are listed in the **Evaluation Criteria section**.

Taxpayer Identification Number

The successful Proposer shall promptly provide its Taxpayer Identification Number (TIN) and backup withholding status on a completed W-9 form. Glide Fire will not make any payment until Glide Fire receives a properly completed W-9.

Governing Laws and Regulations

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

SCBA Performance Requirements:

1. All equipment shall be new, unused and the most current product lines.
2. SCBA shall be certified by the National Institute for Occupational Safety and Health (NIOSH) under current Title 42 CFR, part 84 of the Code of Regulations for 45- or 60-minute rated service life and for storage.
3. SCBA shall be compliant with all current related performance requirements of the NFPA 1981 Standard on Open-Circuit SCBAs for Emergency Services, 2018 edition and NFPA 1982 Standard on Personal Safety Alert Safety Systems (PASS), 2018 edition.
4. SCBA shall include primary audible alarms, and secondary (redundant) alarms.
5. All SCBA electronic components shall be certified as intrinsically safe per Underwriters Laboratories (UL) 913.

Detailed Specifications - The following are details for each component of the SCBA Equipment:

Backplate/Frame and Harness

1. Backplate/Frame and Harness shall be a lumbar support, lightweight frame used to carry the cylinder and valve assembly and the pressure reducing regulator assembly.
2. Must have buddy breathing capability as outlined in the latest NFPA standards.
3. Must have the option for a rescue harness.
4. Shoulder straps should have retro-reflective marking.

5. Optional chest strap.
6. Frame shall include an adjustable SCBA cylinder-securing strap and securing system capable of accepting various cylinder sizes (45- or 60-minute).
7. Harness assembly shall incorporate quick release buckles with shoulder and hip pads.
8. Waist belt on the harness should be of a seat-belt type attachment.
9. Harness assembly shall be easily removable without the use of tools for ease of laundering in commercial washer/extractor.
10. Provide any options to seat-belt type attachment and strap, capabilities, specifications, and pricing.
11. SCBA with more weight evenly distributed closer to the lower portion of the air pack along the waist strap is preferred.

Cylinders

1. Shall be 45- or 60-minute units with 4500 PSI operating pressure.
2. Shall be carbon fiber composite cylinders with a 5-year (or longer) hydro frequency.
3. Should have manufacturing dates no more than 3 months prior to delivery date. If manufacturing dates will be more than 3 months, state this in your Proposal and list the discounted cylinder price(s).
4. Will connect to the pack by use of a quick connect coupling.
5. Shall pass all United States Department of Transportation (USDOT) testing requirements for cylinder volume, weight, construction materials, and maximum pressures.
6. Cylinder valve shall include gauges, handwheel with safety locking collar device, and conform to the Compressed Gas Association (CGA) standard for thread connection for 4500 psi.

Facepieces

1. Shall be constructed to fit various facial shapes and sizes, with sizes clearly marked.
2. Proposer to provide fit testing prior to order and ensure all members are adequately fitted in order to determine quantity of individual sizes upon order;
3. Shall contain a replaceable, non-shatter-type, polycarbonate (or equal) to provide a satisfactory field of vision.
4. Should be hard-coated on the outside and anti-fog on the inside surface.
5. Shall allow air to enter the facepiece in a manner that shall reduce the possibility of moisture accumulation on the lens.
6. Shall employ an adjustable strap headband assembly, easy to don/doff, and constructed of flame/heat resistant fabric approved by NFPA.
7. Shall contain an easily removable exhalation module.
8. Shall have removable speaking diaphragm.
9. Shall have field-replaceable components throughout.
10. Should have removable nose cups in various sizes.
11. Shall have removable adapter onto which the second stage regulator attaches.
12. Shall be latex-free.
13. Shall be capable of water submersion for cleaning and disinfection.
14. Should be capable of the addition of prescription vision correction inserts without affecting NIOSH or NFPA/CBRN approvals. Provide additional pricing for prescription vision correction insert.
15. Should be able to incorporate various voice amplification and communication equipment (voice amplifier, radio interface, etc.) without affecting NIOSH approvals of NFPA/CBRN approval.

Electronics

1. All SCBA packs must come with integrated electronics that meet NFPA standards.
2. PASS alarm must also be integrated, complying with NFPA standards.
3. The visual indicators on the back frame shall flash when the SCBA has reached one-half cylinder pressure.

Regulator System, Intermediate Pressure Hose, Rapid Intervention Team Universal Air Connection (RIT UAC)

1. Shall be designed to operate in two independent stages:
 - a. First stage shall be mounted directly on the cylinder valve.
 - b. Second stage shall be designed to provide positive pressure during an NFPA breathing machine test at a minimum of 70-psi inlet pressure.
2. Regulator system shall be constructed to contain a pressure-reducing valve to reduce pressure from the cylinder.
3. Shall contain an over-pressurization relief valve.
4. Shall provide uniform flow performance throughout the full cylinder pressure range.
5. Shall include a metal inlet filter to retain particles of 30 microns or greater.
6. Shall incorporate a RIT UAC.

Power Supply

1. Each SCBA must be provided a power supply, specifically explained to include battery location, battery replacement type, and/or battery recharge specifications.
2. Battery type is not limited to rechargeable.
3. If batteries are rechargeable, then the option to recharge multiple batteries in recharging stations which meet their operational requirements must be included.
4. Length of use for each rechargeable/non-rechargeable battery, or the maximum use before recharge/replacement, must be specified to the extent possible.
5. If rechargeable batteries are being provided, the life of rechargeable battery must be specifically identified with costs for replacing after life-cycle.
6. Proposal must identify whether batteries (either rechargeable or non-rechargeable are proprietary and available only from the manufacturer or are generic and available on the open market.

Optional Products - Proposers should provide specifications and pricing for the following optional products in its Proposal for consideration:

1. Dual Emergency Breathing Support System (EBSS) Approved to NIOSH 42CFR, Part 84 and NFPA 1981, 2018 Edition.
2. 3 RIT packs and bags.
3. Pack rescue harness compliant to NFPA 1981, 2018 edition and NFPA 1983, 2017 edition.
4. Pack soft components/harnesses if not included in base price.
5. Quick disconnect regulator hose.
6. Integrated thermal imager.
7. Radio integration.
8. Any other accessory or product needed for our operations.

Other Options:

1. Other related self-contained breathing apparatus (SCBA) options not included in other categories including but not limited to command post air supply monitoring, physiological monitoring, personnel tracking, etc.

Preventative Maintenance, Service and Testing:

Upon Award, Proposer will provide:

1. Electronic copies of the Operations Manual,
2. A minimum of three copies of the Parts and Service Manual;
3. Evaluation of compressor for the purpose of determining any necessary upgrades to fill new cylinders.
4. At a minimum, details and costs related to the following:
 - a. Decontamination process instructions including wet decontamination of back frame and all pneumatics;
 - b. Flow testing requirements for each component (mask, regulator, etc.) related to frequency and necessity after repairs, cleaning or disassembly;
 - c. Preventative Maintenance SOP and protocols; including the maintenance cycles on all components;
 - d. Any required software;
 - e. The required proprietary tools to operate, maintain and repair SCBA equipment;
 - f. Lubricants and required cleaning supplies (in the initial purchase);
 - g. Technician-specific training on preventative maintenance and repair protocols and proper cleaning;
 - h. Any other materials, equipment or training related to preventative maintenance of the SCBA Equipment;
 - i. Trained and certified maintenance technicians available for consultation or maintenance and repairs if necessary.

Training:

Supplier shall provide two (2) levels of training:

1. Technician on-site training shall meet the following requirements:
 - a. Scheduled at the Agency's convenience.
 - b. Include as many technicians as the Agency requests (approximately 6).
 - c. Maintenance and repair certification shall be provided for technicians.
2. On-site "train the trainer" training shall meet the following requirements:
 - a. Scheduled at the Agency's convenience.
 - b. Include as many training staff as requested (approximately 6).

Warranty:

1. The base SCBA Equipment warranty must be for at least 15 years and must encompass the entire assembly and include all standard components.
2. Shall include shipping and return shipping for repairs on warranty-covered parts and components.
3. Shall not require a registration in order to activate.
4. Shall not be contingent upon completing mandatory overhaul or recommended preventative maintenance.
5. Shall include detailed terms, including specifying any parts excluded from warranty.

Proposal Content Requirements:

These instructions were prepared to aid in Proposal development. They also provide for a structured format so reviewers can systematically evaluate several Proposals.

Each Proposal must include all 5 of the following sections in the order indicated. Attachments should be clearly referenced and identified to facilitate the review process.

Manufacturer's Technical Qualifications:

1. Serviceability
2. Maintenance, testing and overhaul frequency requirement (lesser is a higher score) on packs
3. Maintenance and testing frequency requirement (lesser is a higher score) on face pieces, regulators, etc.
4. Maintenance cost, testing cost and overhaul cost, including any services (e.g., flow testing, hydro testing, etc.) provided with initial purchase
5. Warranty
6. Decontamination process including wet decontamination of back frame and all pneumatics
7. Note if cylinder manufacturing date will be less than or greater than 3 months prior to delivery date.
8. Delivery timeline (shorter given preference)
9. Provide a list of parts including pricing, parts discounts that are available and what parts are proprietary.
10. Hydro frequency on bottles
11. List facepiece sizes and nose cup sizes
12. Safety design and record
13. Supplier to provide safety design details and redundancy features of SCBA and components;
14. Supplier to provide two (2) NFPA cycles of safety records including:
 - a. Reports received by the manufacturer as specified in NFPA 1852, Chapter 4.2.
 - b. Should include the date and basis for the report
15. Provide total weight for each proposed configuration.

Proposer's Qualifications and Experience:

Information under this section should include, but not be limited to:

1. Provide company description; include number of years in business, size, specialties, etc.
2. Provide name, title, brief description of duties, years of pertinent experience and availability for each staff member that will be assigned to this contract.
3. Describe other resources your firm intends to commit to provide the required services under this contract.
4. Provide a list of best practices your company utilizes when making recommendations.
5. Provide your company's philosophy of doing business and its relationship to clients;
6. Experience/understanding with public agency or government accounts;
7. A statement of how quickly Proposer will provide necessary SCBA repair and replacement services to Glide Fire in Glide, Oregon. The Proposal shall include the location of the Proposer or Manufacturer's nearest repair facility, availability of Proposer or Manufacturer's trained personnel to service SCBA at Glide Fire's facility, and any

travel costs billable to Glide Fire. Each Proposer shall show that it is in position to render prompt service and to promptly furnish replacement parts for said SCBA.

8. Comprehensive maintenance, repair and testing instructions, including how many years of flow testing (if any) is included with the initial purchase.

Comfort:

1. Ease of use, comfort, maneuverability, visibility/auditory – Packs may be requested to be evaluated for these criteria.

Interoperability and Cooperative Maintenance with nearby Agencies:

1. Interoperability with SCBA from other manufacturers (in addition to bottle usage and exchange, being able to utilize expertise and parts of other agencies is included here)

Cost Proposal

Evaluation Process:

Responsiveness and Responsibility Determination

Proposals will be reviewed for Responsiveness to all solicitation requirements including compliance with **Proposal Content Requirements** section. If the Proposal is unclear, Glide Fire may request clarification from Proposer. However, clarifications may not be used to rehabilitate a non-Responsive Proposal. If Glide Fire finds the Proposal non-Responsive, the Proposal may be rejected, however Glide Fire may waive mistakes in accordance with OAR 125-247-0470. At any time prior to award, Glide Fire may reject a Proposer found to be not Responsible.

All Responsive Proposals will be evaluated by an SCBA Evaluation Committee.

Requests for Clarification

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

Evaluation Scoring:

The SCBA Evaluation Committee will determine the most qualified Proposer by evaluating the proposals submitted. Each Responsive Proposal received in response to this RFP will be evaluated and scored as follows:

1. Manufacturer's Technical Qualifications (**80** points maximum)
2. Proposer's Qualifications and Experience (**40** points maximum)
3. Comfort (**40** points maximum)
4. Interoperability and Cooperative Maintenance with Nearby Agencies (**60** points maximum)
5. Cost Proposal (**40** points maximum)

List of Attachments:

ATTACHMENT A PROPOSER INFORMATION AND CERTIFICATION SHEET

ATTACHMENT B DISCLOSURE EXEMPTION AFFIDAVIT

ATTACHMENT C RESPONSIBILITY INQUIRY

ATTACHMENT D LIST OF REFERENCES

ATTACHMENT E REFERENCE CHECK FORM

ATTACHMENT F COST & SHORT ANSWER INFORMATION SHEET

ATTACHMENT G CONTRACT (Draft)

Document References

ORS 279B.070¹

Intermediate procurements

(1) A contracting agency may award a procurement of goods or services that exceeds \$10,000 but does not exceed \$150,000 in accordance with intermediate procurement procedures. A contract awarded under this section may be amended to exceed \$150,000 only in accordance with rules adopted under ORS [279A.065 \(Model rules generally\)](#).

(2) A contracting agency may not artificially divide or fragment a procurement so as to constitute an intermediate procurement under this section.

(3) When conducting an intermediate procurement, a contracting agency shall seek at least three informally solicited competitive price quotes or competitive proposals from prospective contractors. The contracting agency shall keep a written record of the sources of the quotes or proposals received. If three quotes or proposals are not reasonably available, fewer will suffice, but the contracting agency shall make a written record of the effort the contracting agency makes to obtain the quotes or proposals.

(4) If a contracting agency awards a contract, the contracting agency shall award the contract to the Proposer whose quote or proposal will best serve the interests of the contracting agency, taking into account price as well as considerations including, but not limited to, experience, expertise, product functionality, suitability for a particular purpose and contractor responsibility under ORS [279B.110 \(Responsibility of bidders and proposers\)](#). [2003 c.794 §54; 2013 c.66 §2]

ORS 279B.110¹

Responsibility of bidders and proposers

(1) As part of a contracting agency's evaluation of a bid or proposal, the contracting agency shall determine whether the bidder or proposer is responsible in accordance with the standards of responsibility set forth in subsection (2) of this section. If the contracting agency determines that a bidder or proposer is not responsible, the contracting agency shall provide the bidder or proposer with written notice of the contracting agency's determination.

(2) In order for a contracting agency to determine that a bidder or proposer is responsible, the bidder or proposer must demonstrate to the contracting agency that the bidder or proposer:

(a) Has available the appropriate financial, material, equipment, facility and personnel resources and expertise, or has the ability to obtain the resources and expertise, necessary to meet all contractual responsibilities.

(b) Completed previous contracts of a similar nature with a satisfactory record of performance. For purposes of this paragraph, a satisfactory record of performance means that to the extent that the costs associated with and time available to perform a previous contract remained within the bidder's or proposer's control, the bidder or proposer stayed within the time and budget allotted

for the procurement and otherwise performed the contract in a satisfactory manner. The contracting agency shall document the bidder's or proposer's record of performance if the contracting agency finds under this paragraph that the bidder or proposer is not responsible.

(c) Has a satisfactory record of integrity. The contracting agency in evaluating the bidder's or proposer's record of integrity may consider, among other things, whether the bidder or proposer has previous criminal convictions for offenses related to obtaining or attempting to obtain a contract or subcontract or in connection with the bidder's or proposer's performance of a contract or subcontract. The contracting agency shall document the bidder's or proposer's record of integrity if the contracting agency finds under this paragraph that the bidder or proposer is not responsible.

(d) Is legally qualified to contract with the contracting agency.

(e) Complied with the tax laws of the state or a political subdivision of the state, including ORS [305.620 \(Collection and distribution of local taxes on income and sales\)](#) and ORS chapters 316, 317 and 318. The bidder or proposer shall demonstrate compliance by attesting to the bidder's or proposer's compliance in any way the contracting agency deems credible and convenient.

(f) Possesses an unexpired certificate that the Oregon Department of Administrative Services issued under ORS [279A.167 \(Certification program for training in pay equity provisions of state law\)](#) if the bidder or proposer employs 50 or more full-time workers and submitted a bid or proposal for a procurement with an estimated contract price that exceeds \$500,000 in response to an advertisement or solicitation from a state contracting agency.

(g) Supplied all necessary information in connection with the inquiry concerning responsibility. If a bidder or proposer fails to promptly supply information concerning responsibility that the contracting agency requests, the contracting agency shall determine the bidder's or proposer's responsibility based on available information or may find that the bidder or proposer is not responsible.

(h) Was not debarred by the contracting agency under ORS [279B.130 \(Debarment of prospective bidders and proposers\)](#).

(3) A contracting agency may refuse to disclose outside of the contracting agency confidential information furnished by a bidder or proposer under this section when the bidder or proposer has clearly identified in writing the information the bidder or proposer seeks to have treated as confidential and the contracting agency has authority under ORS [192.311 \(Definitions for ORS 192.311 to 192.478\)](#) to [192.478 \(Exemption for Judicial Department\)](#) to withhold the identified information from disclosure. [2003 c.794 §59; 2009 c.880 §7; 2014 c.77 §3; 2015 c.539 §1,5a]

Department of Justice

Chapter 137

Division 47

MODEL RULES PUBLIC PROCUREMENTS FOR GOODS OR SERVICES

ORS 137-047-0270

Intermediate Procurements

(1) Generally. For Procurements of Goods or Services greater than the dollar amount stated in ORS 279B.065 and less than or equal to the higher dollar amount stated in ORS 279B.070, a Contracting Agency may Award a Contract as an intermediate Procurement pursuant to ORS 279B.070.

(2) **Negotiations.** A Contracting Agency may negotiate with a prospective Contractor who Proposals to provide Goods or Services in response to an intermediate Procurement to clarify its quote or Proposal or to effect modifications that will make the quote or Proposal more Advantageous to the Contracting Agency.

(3) **Amendments.** A Contracting Agency may amend a Contract Awarded as an intermediate Procurement in accordance with OAR 137-047-0800, but the cumulative amendments may not increase the total Contract Price to a sum that exceeds the higher dollar amount stated in ORS 279B.070 or one hundred twenty-five percent (125%) of the original Contract Price, whichever is greater.