



**Request for Proposals  
Cultural/Archaeological Survey for Section 106  
Sewer System Upgrades  
For the City of Sumpter, Oregon**

**Date issued: May 14, 2026**

**Bids Due: June 15, 2026 @ 4 PM**

## **Section 1 Background**

### **1.1 Invitation**

The City of Sumpter is requesting proposals from firms or individuals (hereinafter referred to as the “Consultant”) qualified and interested in archaeological study and survey services for the City’s Sewer Improvements Project (Project).

This RFP contains the necessary information to understand the basic scope of work and responsibility, the consultant selection process and the required documentation in submitting a proposal. Contract/bidding documents may be obtained via the City’s website at <https://cityofsumpteor.com/construction-bidding>

### **1.2 Project Information & Funding**

The City of Sumpter is undertaking a federally-funded Final Design project for their wastewater disposal system, which includes the installation of a new forcemain to a land application and irrigation site. The irrigation site will also have underground lines installed. Fences will also be installed.

HUD-Community Development Block Grant is funding the project and the environmental follows those regulations. In this case, the City has Assumed Authority from the lead federal agency to engage in Section 106 consultations. As a part of the initial consultation process, Ducote Consulting and the City of Sumpter contacted Oregon SHPO, Confederated Tribes of the Colville Reservation, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, and the Nez Perce Tribe. The cover letter sent to these entities is included as Exhibit A. SHPO and CTUIR responded and those are noted as Exhibits B and C. The required CDBG clauses for professional service providers is included as Exhibit D. And a project map is included as Exhibit E.

The project area has been clarified since the initial consultations and the survey work will conform to the most recent map. Dredge tailings are mixed throughout the area, which are also considered relevant for analysis. Total Area of Potential Effect (APE) is approximately 30 acres.

## Section 2 Scope of Work and Requirements

### 2.1 Requirements

- Contractor must be on the Oregon Preservation Contractor Directory.
  
- Fulfill project requirements set forth by SHPO and CTUIR:
  - **CTUIR:** *It appears based on State Historic Preservation Office (SHPO) maps that the majority of the project Area of Potential Effect has not been previously surveyed for cultural resources. In addition, the dredge tailings mentioned as disturbance in the letter are cultural resources in their own right and have been determined eligible for inclusion in the National Register of Historic Places by the SHPO. The ditch may also be a cultural resource depending on its age. The CTUIR requests that the entire project APE be surveyed, with subsurface testing in areas of proposed ground disturbance. Effects to the tailings and ditch (if eligible) must also be considered. We would like to receive a copy of the cultural resources investigation report when complete.*
  - **SHPO:** *Based on the information provided, Oregon SHPO recommends a professional complete inventory of the APE and an evaluation of the existing resources be done before the undertaking proceeds.*

### 2.2 Scope of Work:

- Pedestrian survey and sub-surface archaeological shovel testing of Sumpter’s planned wastewater supply project. APE includes the WWTF site, the forcemain, and irrigation piping at the disposal site to the west. Analysis should also include the ditch and dredge tailings.
  
- Permitting required for shovel-testing.
  
- Submission of the final report to the City.
  
- Provide feedback on any other analysis or work products needed to meet SHPO/CTUIR requirements.

### 2.3 Deliverables:

- Contractor will conduct on-site investigations and prepare a Survey Report at the conclusion of services for submission to complete the Section 106 consultation.

### 2.4 Proposed Cost for Services:

Please provide your costing and information in the format listed below.

Base Bid (Permitting, Field Work, and Report): \_\_\_\_\_

Artifact discovery contingency: \_\_\_\_\_

Any other costs or expenses associated with the work: \_\_\_\_\_

Not to exceed (total): \_\_\_\_\_

## 2.5 Proposal Scoring:

1. Cost (30 points)
2. Experience (10 points)
3. Schedule (10 points)

## 2.6 Questions

Direct all questions about this RFP to the Nicholas Ducote, Ducote Consulting, who is the City's Grant Administrator and Environmental Review Consultant ([DucoteConsulting@gmail.com](mailto:DucoteConsulting@gmail.com)).

- **Deadline for Questions:** June 5, 2026

## 2.7 Proposal Submission

- **Proposal Due Date:** June 15, 2026
- **Submit electronically to Lyndi Ayer, City Clerk:** [cityofsumpteror@gmail.com](mailto:cityofsumpteror@gmail.com)
- **Format:** Please keep proposals under 7 pages, 12 point font minimum, excluding a cover page and Certificate of Insurance.

## 2.8 Rejection or Acceptance of Proposals

The City may reject or accept any or all proposal or parts thereof, submitted in response to this RFP. The City expressly reserves the following rights to:

- a. Disregard any or all irregularities in the proposals
- b. Reject any or all of the proposals or portions thereof upon finding it is in the place public interest to do so
- c. Base award with due regard to the quality of services, experience, compliance with the RFP, and other factors as may be necessary under such circumstances
- d. Reject all proposals and re-advertise at the City's sole discretion

## 2.9 Incurred Costs

The City is not liable for any costs incurred by proposers in the preparation and/or presentation of their proposals.

## Section 3 Proposal Withdrawal

Proposal may be modified or withdrawn at any time prior to the opening of Proposals. This may be done by the PROPOSER in person or upon the PROPOSER's written request delivered to the place where Proposals are to be submitted. A telephoned request for withdrawal of a Proposal will not be recognized as a legitimate means for withdrawal of a Proposal.

If, within twenty-four (24) hours after Proposals are opened, any Proposer files a duly signed, written notice with CITY and promptly thereafter demonstrates to the reasonable satisfaction of CITY that there was a material and substantial mistake in the preparation of its Proposals, that Proposer may withdraw its Proposal. Thereafter, that Proposer will be disqualified from further bidding on the Work to be provided under the Proposal Documents.

## Section 4 Protest of Contract Awards:

Protests may be submitted to the City Clerk only from those Proposers who would receive the contract if their protest was successful.

Protests must be in writing and received by the City Clerk within seven (7) calendar days, UNLESS OTHERWISE NOTED, following the issue date of the City's Notice of Intent to Award. The protest must specifically state the reason for the protest and show how its proposal or the winning proposal was miss-scored or show how the selection process deviated from that described in the solicitation document. No contract will be awarded until the protest has been resolved.

Protests must be timely and must include all legal and factual information regarding the protest and a statement of the form of relief requested. Protests received later than specified or from other than the Consultant who would receive the contract if the protest was successful will not be considered. The exercise of judgment used by the evaluators in scoring the written proposals and interviews, including the use of outside expertise, is not grounds for appeal.

CITY reserves the right to reject any or all Proposals for any reason, including without limitation the rights to reject any or all nonconforming, non-responsive, unbalanced or conditional Proposals and to reject the Proposals of any Consultant if CITY believes that it would not be in the best interest of the CITY to make an award to that Proposer, whether because the Proposal is non-responsive or the Proposer is unqualified or of doubtful financial ability or fails to meet any other pertinent standard or criteria established by CITY. The City Clerk may waive any procedural irregularities that had no material effect on the selection of the proposed Consultant, invalidate the proposed award, amend the award selection, request the evaluation committee re-evaluate any proposal or cancel the solicitation and begin again to solicit new proposals. The City Clerk shall create a written opinion on the protest. Decisions of the City Clerk are final and conclude the administrative appeals process.

All questions about the meaning or intent of the Proposal Documents are to be directed to the City. Interpretations or clarifications considered necessary by City in response to such questions will be issued by Addenda and will be to each proposer. Questions received less than five (5) calendar days prior to the date for opening of Proposals may not be answered. Only questions answered by formal written Addenda shall be binding. Oral and other interpretations or clarifications will be without legal effect. Addenda may also be issued to modify the Proposal Documents as deemed advisable by City.

## Section 5 Federal/State/Local Requirements

### 5.1 Additional Requirements

**Insurance:** The Proposer shall be required to provide Errors and Omissions, Professional Liability, Workers' Compensation, General Liability, and Automobile insurance as required for compliance with the City's standards for applicable design and procurement services. All aforementioned policies, other than Workers' Compensation and Professional Liability, shall include the City, its officers, employees, agents, and representatives as additional insureds with respect to the resulting contract with the City. Coverage will be endorsed to provide a "per project" aggregate.

**Execution of Contract:** It is anticipated that the total cost for design services will need to be approved by City Council.

**Public Records:** Any materials submitted by the proposer shall become the property of the City unless otherwise specified. During the evaluation of proposals and the selection of the Consultant, the proposals shall be confidential. After the selection process has been completed, the proposals shall be open to public inspection. Proposals should not contain any information which the proposers do not wish to become public. If it is necessary to submit confidential information in order to comply with the terms and conditions of the RFP, each page containing confidential information should be clearly marked "NOT FOR PUBLIC DISCLOSURE CONFIDENTIAL TRADE SECRETS." The City accepts no liability for the inadvertent or unavoidable release of any confidential information submitted, and any claims arising out of any public record request for such information shall be at the proposer's expense.

**Recycled Products Statement:** Proposers shall use recyclable products to the maximum extent economically feasible in the preparation of the proposals, and the selected proposer shall continue the same practice in the performance of the contract work in accordance with ORS 279B.270.

**Federal/State/Local Requirements:** The selected proposer shall comply with all Federal, State and local laws, regulations, executive orders and ordinances applicable to the work under this contract. In addition, the proposers agree to comply with:

- a) Title VI of the Civil Rights Act of 1964;
- b) Section V of the Rehabilitation Act of 1973;
- c) The Americans with Disabilities Act of 1990 and ORS 659.425;
- d) All regulations and administrative rules established pursuant to the foregoing laws and;
- e) All other applicable requirements of Federal and State civil rights and rehabilitation statutes, rules and regulations
- f) Oregon Community Development Block Grant requirements as laid out in the attached Federal Contract Clauses attachment.

Proposer is subject to the Oregon Worker's Compensation Law and shall comply with ORS 656.017, which requires the provision of Worker's Compensation coverage for all employees working under this contract. The City's programs, services, employment opportunities and volunteer positions are open to all persons without regard to race, religion, color, national origin, sex, age, marital status, disability or political affiliation.

## 5.2 Other requirements

**Conflict of Interest:** No member, officer, or employee of the CITY, or its designees or agents, no member of the governing body of the CITY, and no other public official of the CITY who exercise any function or responsibility with respect to this Contract during his/her tenure or for one year thereafter, shall have any interest, direct or indirect, in Work performed in connection with this Contract.

**Confidentiality:** All information submitted by a Proposer shall become and remain the property of the City and is considered public information and subject to disclosure pursuant to the Oregon Public Records Law, except such portions of the Proposal, which are exempt from disclosure consistent with Oregon law. If a Proposal contains any information that the Proposer believes is exempt from disclosure under the various grounds specified in the Oregon Public Records Law, the Proposer must clearly designate each such portion of its proposal as exempt at the time of proposal submission, along with a justification and citation to the legal authority relied upon. Identifying the Proposal, in whole, as exempt from disclosure is not acceptable. Failure to identify specific portions of the Proposal as exempt shall be

deemed a waiver of any future claim of that information as exempt. The City will make available to any person requesting information, through the City processes for disclosure of public records, any and all information submitted as a result of this Invitation to Proposal not exempted from disclosure without obtaining permission from any Proposer to do so. City may also, in its sole discretion, elect to publish all such information at any time, regardless of whether or not a public records request has been received. However, if a public records request is made for material marked by the Proposer as exempt, the City will attempt to notify the impacted Proposer prior to any release of the material. Application of the Oregon Public Records Law by the City will determine whether any information is actually exempt from disclosure. The City accepts no liability for the release of any information submitted.

**Tax Law Compliance:** Every public contract that is subject to Oregon Revised Statute 279B must include a representation and warranty from the contractor that the contractor has complied with the tax laws of this state or a political subdivision of this state, including but not limited to ORS 305.620 and ORS chapters 316, 317 and 318. The public contract must also require a covenant from the contractor to continue to comply with the tax laws of this state or a political subdivision of this state during the term of the public contract and provide that a contractor's failure to comply with the tax laws of this state or a political subdivision of this state before the contractor executed the public contract or during the term of the public contract is a default for which a contracting agency may terminate the public contract and seek damages and other relief available under the terms of the public contract or under applicable law.

**September 22, 2025**

To: Oregon State Historic Preservation Office

Re: City of Sumpter, Sewer Compliance Project (P24013)

The City of Sumpter is funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD) – CDBG #P24013. Under HUD regulation 24 CFR 58.4, the City of Sumpter has assumed HUD’s environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

City of Sumpter has conducted a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have historical and/or cultural significance to your agency, and if such properties exist, to help assess how the project might affect them. At this time, the City has received no specific direction from SHPO, THPOs, or other tribes regarding this project.

The City requests a Below-Ground review of this project, there are no impacts to the built environment. While excavation will occur as a part of this project, it will be through a heavily disturbed area of dredge mine tailings. The river valley has been extensively disturbed since the late-19<sup>th</sup> century. Additionally, this area has been developed in many ways, including some residences, an industrial site nearby, and a ditch.

As mitigation during construction, the City will have an Inadvertent Discovery Plan in place. The City is specifically requesting your agency’s concurrence on its “No Effect” determination for Below-Ground resources. If your agency requires more information in order to concur with the City’s determination, please let us know within 30 days of this notification.

**Project Description:**

This project has been in development since 2013 when Sisul Engineering completed a Preliminary Engineering Report outlining the needed upgrades and changes to the sewer system. Since 2013, additional issues have arose and the City has also hired a new engineer – HECO Engineers. HECO provided the feasibility and technical analysis to begin this project again in 2024.

This wastewater system improvements include the following project construction components in three main categories – (1) Wastewater Treatment Facility (WWTF), (2) routing to the Irrigation Site, (3) Irrigation Site:

**1. At the Wastewater Treatment Facility –**

- a. Install influent flow meter and lagoon improvements, including outlet piping to irrigation pump station.
- b. Upgrade to 3-phase power service from OTEC at the irrigation pump station.
- c. Install recycled water irrigation pump station, valving, controls, alarm, and flow meter.

2. **Between the WWTF and Irrigation Site** – Install recycled water irrigation 8-inch pipe HDPE mainline, with horizontal directional drilling under Powder River and an irrigation ditch (McEwen Valley Ditch) located west of the Powder River.
3. **At the Irrigation Site** – Install irrigation laterals and sprinkler lines on City-owned irrigation site, with valving and site fencing.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

Enclosed is a map that shows the project area and, if applicable, an additional area of potential indirect effects.

More information on the Section 106 review process is available at <http://www.onecpd.info/environmental-review/historic-preservation/> .

HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58> .

If you do not wish to consult on this project, can you please inform us? If you do wish to consult, can you please include in your reply the name and contact information for the tribe's principal representative in the consultation? Thank you very much. We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,  
Linda Wise,  
City of Sumpter, Mayor  
(541) 894-2314  
Email: [lmw.sumpter@gmail.com](mailto:lmw.sumpter@gmail.com)



# Oregon

Tina Kotek, Governor

## Parks and Recreation Department

Oregon Heritage/  
State Historic Preservation Office  
725 Summer St. NE, Suite C  
Salem, OR 97301-1266  
(503) 986-0690  
Fax (503) 986-0793  
oregonheritage.org



November 26, 2025

Linda Wise  
City of Sumpter  
240 N. Mill Street  
Sumpter, OR 97877

RE: SHPO Case No. 25-1226

HUD, CDBG, City of Sumpter

The City is upgrading and improving its wastewater treatment facility and the treated effluent disposal site.  
10S 37E 4, Sumpter, Baker County

Dear Linda Wise:

Thank you for submitting information for the undertaking referenced above. According to our records there are archaeological resources present in the project area. Based on the information provided, Oregon SHPO recommends a professional complete inventory of the APE and an evaluation of the existing resources be done before the undertaking proceeds.

A list of contractors can be found on the Association of Oregon Archaeologists website ([www.oregonarchaeologists.com](http://www.oregonarchaeologists.com)). This list includes qualified archaeologists in the state of Oregon. Some of these contractors have professional staff to address built-environment resources. For assistance in hiring a contractor, our office has published advice in Archaeology Bulletin 4 (<https://www.oregon.gov/oprd/OH/Documents/Bulletin4.pdf>).

If you have not already done so, be sure to consult with all appropriate Native American tribes and interested parties regarding the proposed undertaking. Additional consultation regarding this case must be sent through Go Digital. In order to help us track the undertaking accurately, reference the SHPO case number above in all correspondence.

Please contact our office if you have any questions, comments or need additional assistance.

Sincerely,

Jamie French, M.A.  
Assistant State Archaeologist  
(503) 979-7580  
Jamie.French@oprd.oregon.gov

cc: Nicholas Ducote, Ducote Consulting LLC



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**City of Sumpter, Sewer Compliance Project**

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**Amy Senn** <AmySenn@ctuir.org>

Tue, Dec 2, 2025 at 1:09 PM

To: "cityofsumptor@gmail.com" &lt;cityofsumptor@gmail.com&gt;

Cc: "ducoteconsulting@gmail.com" &lt;ducoteconsulting@gmail.com&gt;, "orshpo.clearance@oregon.gov" &lt;orshpo.clearance@oregon.gov&gt;, "aspen.kemmerlin@opr.oregon.gov" &lt;aspen.kemmerlin@opr.oregon.gov&gt;

Good afternoon,

It appears based on State Historic Preservation Office (SHPO) maps that the majority of the project Area of Potential Effect has not been previously surveyed for cultural resources. In addition, the dredge tailings mentioned as disturbance in the letter are cultural resources in their own right and have been determined eligible for inclusion in the National Register of Historic Places by the SHPO. The ditch may also be a cultural resource depending on its age. The CTUIR requests that the entire project APE be surveyed, with subsurface testing in areas of proposed ground disturbance. Effects to the tailings and ditch (if eligible) must also be considered. We would like to receive a copy of the cultural resources investigation report when complete. Please let me know if you have any questions

Regards,

**Amy K. Senn, M.S., MLIS**  
Archaeologist II

Cultural Resources Protection Program  
Natural Resources, Confederated Tribes of the Umatilla Indian Reservation



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46411 Timine Way  
Pendleton, Oregon, 97801  
[AmySenn@ctuir.org](mailto:AmySenn@ctuir.org)

Hours: M-Th 10am-1pm

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**From:** Bambi Rodriguez <[BambiRodriguez@ctuir.org](mailto:BambiRodriguez@ctuir.org)>**Sent:** Wednesday, November 5, 2025 9:07 AM**To:** Amy Senn <[AmySenn@ctuir.org](mailto:AmySenn@ctuir.org)>**Subject:** FW: City of Sumpter, Sewer Compliance Project

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**From:** City of Sumpter <[cityofsumpteror@gmail.com](mailto:cityofsumpteror@gmail.com)>  
**Sent:** Tuesday, November 4, 2025 2:19 PM  
**To:** Cultural Resources <[CulturalResources@ctuir.org](mailto:CulturalResources@ctuir.org)>  
**Subject:** Fwd: City of Sumpter, Sewer Compliance Project

**EXTERNAL EMAIL:** Please use caution when clicking links or opening attachments.

Please see the attached letter in regards to the Sumpter Sewer Compliance Project.

Thank you,

Lyndi Ayer

City Clerk

[Quoted text hidden]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The opinions expressed by the author are his or her own and are not necessarily those of the Confederated Tribes of the Umatilla Indian Reservation. The information, contents and attachments in this email are Confidential and Private.

## Required Federal Contract Clauses

Use for **Non-Construction** Contracts Where the Grant Award **Exceeds \$100,000**

### 1. Source of Funds

"Work under this contract will be funded **Choose One** with federal grant funds from the Oregon Community Development Block Grant program."

### 2. Conflict of Interest

No employee, agent, consultant, officer, elected official or appointed official of the city or county grant recipient or any of its sub-recipients (sub-grantees) receiving CDBG funds who exercise or have exercised any functions or responsibilities with respect to CDBG activities who are in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity or have an interest or benefit from the activity or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds there under, either for themselves or those with whom that have family or business ties, during their tenure or for one year thereafter, in accordance with 24 CFR Part 570.489(h).

### 3. Minority, Women and Emerging Small Business (*Instruction: Include if contract is \$10,000 or more*)

Before the final payment to Contractor is made, Contractor shall submit Exhibit 5B "Minority, Women and Emerging Small Business Activity Report".

### 4. Prohibition on the Use of Federal Funds for Lobbying

As evidenced by execution of this contract, Contractor certifies, to the best of their knowledge and belief that:

#### **CERTIFICATION REGARDING LOBBYING**

The undersigned certifies, to the best of his or her knowledge and belief, that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signed

(Contractor)

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Title/Firm

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Date

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# Sumpter Sewer Compliance Project - P24013

## Archaeology - Request for Proposal Map



0 270 540 1,080 1,620 2,160 Feet

