

ATTACHMENT C
STATEMENT OF QUALIFICATIONS (SOQ)
(Revised Pursuant to Addendum No. 1, August 12, 2016)

Section 1: ADR Provider Contact Information & Languages			
Last Name	Imperati	First Name	Samuel J.
Company Name	Institute for Conflict Management, Inc.		
Business Address	11524 SW Vacuna Ct.		
City	Portland	State	OR
Zip Code	97219	Phone 1	(503) 244-1174
E-mail	samimperati@ICMresolutions.com		
Web Site	www.icmresolutions.com		
Languages Spoken	English	Fax #	(503) 244-1030
Section 2: Provider Overview			
<p>The following Section provides a brief overview of the provider's experience and qualifications</p> <p>SAM IMPERATI, JD is the Executive Director of ICM. He has been highly effective in resolving complex disputes, facilitating public policy issues, mediating multi-party cases, managing intense emotions, and training groups to help them navigate the intersection of logic and emotion.</p> <p>Sam has been selected in the editions of The Best Lawyers in America for mediation from 2006-2016. He won the Lezak award for excellence in mediation from the Oregon Mediation Association (OMA) and the Oregon State Bar (OSB). Sam has been an Attorney for over thirty-six years and enjoys Martindale-Hubbell's highest lawyer rating (AV Preeminent). He has Managed more than 2,500 disputes. As a seasoned mediator and facilitator, Sam is accustomed to being a guest at the parties' negotiation, working under deadlines, and collaboratively developing meaningful public involvement processes. His specific skills lie in his ability to organize a mass amount of information in a short period, synthesize it, present it clearly, and facilitate/mediate large, diverse groups of sophisticated and passionate stakeholders. He displays a tireless work ethic, models impartiality, has boundless energy, and gets the job done. His current and previous work experience includes:</p> <ul style="list-style-type: none"> - Executive Director of the Institute for Conflict Management (1992-present) - Adjunct Professor Lewis & Clark Law School (2012) - Adjunct Professor Willamette University MBA Program (2008-2013) - Assistant Corporate Counsel with Nike (1990-1992) - Judge Pro Tem (1987-1992) - Private Law Practice (1979-1990) 			

Section 3 Services Offered and Rate			
Type of Service Key Person Desires to Offer & is Qualified to Offer	ADR Provider Billing Rate per hour	Support Staff Billing Rate Per Hour (Rate/Title)	The following items, if checked, are expenses that may be passed through at cost to the agency (See Price Agreement for details):
<input checked="" type="checkbox"/> 1. A <u>Mediation General Practitioner</u> is an impartial third party who assists two or more parties in reaching a mutually acceptable resolution to a controversy. These Practitioners have broad mediation experience and skills and are able to adapt mediation to a wide variety of circumstances, including workplace disputes.	250.00	75.00 to 100.00 (range) Administrative Assistant	<input checked="" type="checkbox"/> Copy/print charges <input checked="" type="checkbox"/> Facility Use/ Rental Fees
<input checked="" type="checkbox"/> 2. A <u>Facilitation General Practitioner</u> is an expert at helping large groups work effectively towards a desired objective. These Practitioners have sufficiently broad experience and skills so as to be able to design and facilitate a large group process to achieve variety of goals or objectives.	250.00	75.00 to 100.00 (range) Administrative Assistant	<input checked="" type="checkbox"/> Copy/print charges <input checked="" type="checkbox"/> Facility Use/Rental Fees
<input checked="" type="checkbox"/> 3. A <u>Public Policy Facilitator</u> is an expert at helping governmental entities and diverse stakeholders reach agreement on controversial public policies or public projects, often within a complex legal, political or regulatory context. These providers are experienced at assessing, designing, convening and facilitating collaborative processes.	250.00	150.00 Asst. Facilitator 100.00 Project Assistant 75.00 Project Support 00.00 Staff Title 00.00 Staff Title 00.00 Staff Title 00.00 Staff Title	<input checked="" type="checkbox"/> Copy/print charges <input checked="" type="checkbox"/> Facility Use/Rental Fees
<input type="checkbox"/> 4. A <u>Public Involvement Practitioner</u> is an expert at helping governmental entities engage the public on public issues or projects. These providers are able to design and implement an appropriate public involvement process from projects that seek to inform or educate the public to projects that allow for greater public involvement via consultation or collaboration.	00.00	00.00 Staff Title 00.00 Staff Title 00.00 Staff Title 00.00 Staff Title 00.00 Staff Title 00.00 Staff Title 00.00 Staff Title 00.00 Staff Title	— Copy/print charges — Facility rental fees — Mail or bulk email fees — Telephone charges — Website hosting, online software or online services fees — Video production services — Other Subcontractors

Section 4A: Does the Provider charge travel expenses to provide services in your area?		
County or County Area	Available to work in this area without charging travel expenses.	Available to work in this area but will charge travel expenses
1 Clatsop, Columbia, Tillamook – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2 Washington, Multnomah – Counties	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3 Polk, Marion, Yamhill – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4 Lincoln, Benton, Linn – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5 Lane – County	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6 Douglas – County	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7 Coos, Curry – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8 Josephine, Jackson – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9 Hood River, Wasco, Sherman, Gilliam, Wheeler	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10 Jefferson, Crook, Deschutes – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11 Lake, Klamath – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12 Morrow, Umatilla - Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13 Wallowa, Union, Grant, Baker – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14 Harney, Malheur – Counties	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15 Clackamas – County	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Section 4B: Hourly Travel Charges. <i>If, in addition to allowable travel expenses, the Provider will charge for travel time and the travel time of administrative assistants or staff, or both, the hourly travel rate for Proposer and each of Proposer’s administrative assistant and staff must be identified here: :</i>		
<p>Proposer: Hourly travel rate is half of normal hourly rate = 125.00 Assistant Facilitator: Hourly travel rate is half of normal hourly rate = 75.00 No hourly travel charge for other staff.</p>		

Section 5: Standards the Provider Subscribes to and Licenses Held

- Oregon Mediation Association Core Standards of Mediation Practice, April 23, 2005
(<http://www.mediate.com/oma/pg61.cfm>)
- Association for Conflict Resolution, Model Standards of Conduct for Mediators, 2005 revisions.
http://www.imis100us2.com/acr/ACR/Resources/Model_Standards/ACR/Resources/Model_Standards.aspx?hkey=315fc2bd-2cac-422b-82bf-b3160b6a1b08
- Model Standards of Practice for Family and Divorce Mediation
http://www.imis100us2.com/acr/ACR/Resources/Model_Standards/ACR/Resources/Model_Standards.aspx?hkey=315fc2bd-2cac-422b-82bf-b3160b6a1b08
- International Association for Public Participation (IAP2), Code of Ethics for Public Participation Practitioners (See
<http://www.iap2.org/displaycommon.cfm?an=1&subarticlenbr=8>)
- Other professional standards that the provider subscribes to: **Oregon State Bar ORPC**
- Oregon State Bar # **79274**
- Other professional licenses:

Section #6: Provider's Specialized Areas of Expertise		
Area of Expertise	Sub Specialty	Areas of expertise
Business and Finance	General	<input checked="" type="checkbox"/>
	Investment and Finance	<input checked="" type="checkbox"/>
	Patents or Intellectual Property Rights	<input type="checkbox"/>
Civil Rights	Civil Rights	<input checked="" type="checkbox"/>
Consumer	All Types, Consumer-Merchant Disputes	<input type="checkbox"/>
	Assistive Technologies	<input type="checkbox"/>
	Vehicle Sales, Service or Repair	<input type="checkbox"/>
Cultural	Cross Cultural, Ethnicity, or Related Fields	<input checked="" type="checkbox"/>
Education	Education	<input checked="" type="checkbox"/>
	Special Education	<input checked="" type="checkbox"/>
Environmenta	Agricultural Exceptions (goal 2)	<input type="checkbox"/>
	Agriculture	<input checked="" type="checkbox"/>
	Air, Land and Water Quality	<input checked="" type="checkbox"/>
	Coastal	<input type="checkbox"/>
	Endangered Species or Wildlife	<input checked="" type="checkbox"/>
	Energy	<input type="checkbox"/>
	Forestry	<input type="checkbox"/>
	Hazardous Materials and Environmental	<input checked="" type="checkbox"/>
	Other Natural Resource Related	<input checked="" type="checkbox"/>
	Water Resources, Wetlands	<input checked="" type="checkbox"/>
Governmental and Regulatory	Government-to-Government (e.g., state-tribal)	<input checked="" type="checkbox"/>
	Professional Licensing	<input checked="" type="checkbox"/>
	Public Utilities	<input checked="" type="checkbox"/>
Human Services	Child Dependency and Permanency Planning (Adoption)	<input type="checkbox"/>
	Disability	<input checked="" type="checkbox"/>
	Family Services, including Service Plans	<input type="checkbox"/>
	Health Care	<input checked="" type="checkbox"/>
	Senior Services	<input type="checkbox"/>
	Social Services	<input type="checkbox"/>
	Vocational Rehabilitation	<input checked="" type="checkbox"/>
Public Assistance - AFS	<input type="checkbox"/>	
International	International	<input type="checkbox"/>
Labor and Employment	Collective Bargaining and Labor	<input checked="" type="checkbox"/>
	General Employment and Human Resources	<input checked="" type="checkbox"/>
	Workers' Compensation	<input checked="" type="checkbox"/>
	Workplace Interpersonal Disputes	<input checked="" type="checkbox"/>
Torts or Insurance Claims	Torts or Insurance Claims	<input checked="" type="checkbox"/>
Transportation, Housing and Land Use	Construction Industry & Contracts, Civil Engineering	<input checked="" type="checkbox"/>
	Eminent Domain	<input checked="" type="checkbox"/>
	General Planning	<input checked="" type="checkbox"/>
	Growth Management	<input checked="" type="checkbox"/>
	Housing	<input checked="" type="checkbox"/>
	Land Use	<input checked="" type="checkbox"/>
	Railroad	<input type="checkbox"/>
	Real Property	<input checked="" type="checkbox"/>
Siting Controversial Projects or Facilitates	<input type="checkbox"/>	

Section 7: Relevant Education and Training

BA, Humanities, University of Sant Clara, 1974

JD, University of California at Davis - King Hall School of Law, 1979

Mr. Imperati graduated from the University of Santa Clara, magna cum laude, and from the University of California at Davis – King Hall Law School, where he was a law review, volume editor. He was co-founder/editor of Environs, an environmental law and policy publication and did a judicial internship with the Ninth Circuit Court of Appeals. He has taught negotiation and related classes in Willamette University’s MBA program and Lewis & Clark Law School.

Regularly attends ADR education programs. Some recent examples include:

- Idaho Mediation Association Annual Conference (2016)**
- Oregon Mediation Association Annual Conference (Most years - 2015)**
- WCBA/UNWA ADR Conference (Most years - 2016)**

Section 8: Relevant Training Conducted by the Provider

Sam has provided numerous interactive, basic and advanced mediator skills, advocacy, negotiation, decision making, dispute resolution, and impasse breaking trainings ranging in length from a partial day to five days with role-playing. (Hundreds of hours: 1993-2016) Examples:

- 50 Ways to Break an Impasse (Full Day)**
- Alaska State Bar Association - Judicial Conference in Fairbanks (Partial Day)**
- American Arbitration Association (Three Day Course)**
- Counselors of Real Estate (Three Day Course)**
- Construction Contractors Board - Negotiation and Mediation Skills Training (One Day Course)**
- Hispanic Metropolitan Chamber - Leadership Class (One Day Course)**
- Idaho Bar, Federal & State Judges, University of Idaho (Varying Lengths)**
- Multnomah County Sherriff’s Office (Varying Lengths)**
- NASD (NASDAQ) Dispute Resolution Program (Several Three Day Courses)**
- Ninth Circuit & Oregon Courts of Appeals (Partial Day Course)**
- Oregon DOJ, PUC & WCB (Four Day Courses)**
- Oregon Municipal Finance Officer’s Association (One Day Course)**
- PGE Government Affairs Team (Half Day Course)**
- Sherwood City Council Retreat (One Day Course)**
- Southern Oregon Occupation Safety & Health Conference - Conflict Resolution and Decision-Making (One Day Course)**
- Tips, Tricks, Ethics, and Professionalism (Partial Day)**
- Western Washington County Employer Council Coordinator (One Day Course)**
- Wood Village City Council Retreat (One Day Course)**
- U.S. Forest Service (Five Day Course)**

Section 9: Workplace Mediation Experience

NOTE #1: Mr. Imperati does not maintain a database with details of the cases he has handled over his lengthy career. Thus, the number of cases, type, participants, and hours contained in this SOQ and Case Forms are good faith estimates.

NOTE #2: Due to their sensitive nature and/or confidentiality, most of the workplace/ employment cases are not included. If you require more information, please let Sam know and he will address concerns on a case-by-case basis.

Sam has mediated/facilitated countless cases involving workplace/employment conflicts or organizational change. These matters have generally ranged from five (5) to over fifty (50) hours per case. He has worked with the Multnomah County Sherriff's Office, Portland State University, Willamette University, Pacific University, the Tualatin Hills Parks & Recreation District, numerous other public entities (agencies, cities, and counties), hospitals, law firms, associations, and private businesses to help address communication problems and less than functional working relationships. Sam provides a fair and balanced process where participants can safely explore the issues and reach agreement.

Experience adapting mediation to a wide range of disputes:

- Numerous workplace/employment litigation disputes;
- Several entry-level to executive level groups with internal conflict;
- Departmental reorganization;
- Several cases with doctors, educators, elected officials, unions, and government employees

Number of years experience and quantity of mediations conducted:

- 24 years of mediation experience; practiced law since 1979
- ~35 workplace/employment cases - using an average of 10 hrs/case, totals approximately 350 hours

Experience Mediating with Oregon participants or projects:

- 95% of Sam's cases have taken place in Oregon

Experience mediating with governmental entities or their employees:

- Cities of Damascus, Fairview and Troutdale
- Multnomah County and Multnomah County Sherriff's Office
- Oregon Department of Environmental Quality
- Portland Public Schools
- Tualatin Hills Parks & Recreation District
- Numerous other Oregon governmental entities and their public officials

Section 10: Litigation Settlement Related Experience

NOTE: Due to their sensitive nature and/or confidentiality, most of the litigation cases are not included. If you require more information, please let Sam know and

he will address concerns on a case-by-case basis.

Number of matters mediated and years of experience:

- ~400 cases since 1992 - using an average of 7 hrs/case, totals approximately 2800 hours

Experience with a wide variety of issues in disputes:

- Sam has mediated cases from "Admiralty to Zoning," including business and finance; civil rights; consumer; cultural; education; environmental; government and regulatory; human services; labor and employment; real estate; construction; torts; and insurance claims.

Experience in a range of legal venues (e.g. civil court, administrative law or licensing; state and federal cases, etc):

- All of the above

Experience with complex litigation and cases of significant economic, political or legal consequence:

- Sam is well accustomed to complex cases, managing parties expectations, keeping difficult conversations on track, and exploring the roots of conflicting opinions. While he has enjoyed many successes with cases of significant economic, political and legal consequences for the State of Oregon, it is important to note that Sam approaches all cases with the same professionalism and ethics. He is hired to be a designer and guardian of fair, neutral, and effective processes. Sam helps parties work through impasses and settle cases.

Experience with Oregon participants:

- 95% of Sam's cases have taken place in Oregon

Experience with cases involving governmental entities as parties:

- ~15 with federal, state, and local entities

Section 11: Overall Mediation Experience

NOTE #1: Mr. Imperati does not maintain a database with details of the cases he has handled over his lengthy career. Thus, the number of cases, type, participants, and hours contained in this SOQ and Case Forms are good faith estimates.

NOTE #2: Due to their sensitive nature and/or confidentiality, most of the general mediation cases are not included. If you require more information, please let Sam know and he will address concerns on a case-by-case basis.

Sam has thousands of hours of general mediation experience, having been a mediator since 1992. Sam has mediated pre-litigation, litigation, and appellate disputes ranging from five (5) to fifty (50) hours per case. These matters are often complicated, large scale, high stakes, contentious, on a short timetable, and involve competing technical, factual, or legal positions. His record is replete with success in business, construction, employment, environmental, real estate and workplace matters. He has been on the mediator panel of the Portland Metropolitan Association of Realtors (PMAR) since 1998 and on the OR DOJ panel since its inception.

Number of years experience and quantity of mediations conducted:

- 24 years of mediation experience; practiced law since 1979
- ~400 general cases - using an average of 7 hrs/case, totals approximately 2800 hours

Experience Mediating with Oregon participants or projects:

- 95% of Sam's cases have taken place in Oregon

Experience mediating with governmental entities or their employees, with cases ranging from over 300 hours (Portland Public Schools) to as little as 7 hours (City of Fairview) :

- Cities of Damascus, Fairview, Newberg, and Troutdale
- Multnomah County and Multnomah County Sherriff's Office
- Oregon Department of Environmental Quality
- Oregon Health Authority
- Portland Public Schools
- Tualatin Hills Parks & Recreation District
- Numerous other Oregon entities and their public officials

Section 12: Facilitation Experience

NOTE: The number of hours for each project is a good faith approximation.

Sam brings over 17 years of experience in large group facilitation and managing, presenting, and resolving matters in a thorough, clear, and balanced fashion. He has provided services to a diverse array of organizations, including federal, state, and local government, working collaboratively with industry, environmental, recreational, and community interests. He is an expert at managing contentious, multi-party processes, and related conflicts.

Significance of five qualifying facilitation projects:

(1) Charter Schools LC 125 Work Group

- Participants: 12
- Complexity: Complex
- Hours: (70 up to this point)
- Achieve desired goals: project is ongoing

(2) Portland Airport Community Advisory Committee

- Participants: 30
- Complexity: Complex
- Hours: 240 (up to this point)
- Achieve desired goals: The purpose of the committee is to raise public awareness about the airport and the way it impacts the community, give an opportunity to the public to have a voice in the decision-making related to the airport, and to support public dialogue with regard to the planning and development of the airport. The project is ongoing.

(3) Metro Climate Smart Communities Project

- **Participants: ~40**
- **Complexity: Complex**
- **Hours: 45**
- **Achieve desired goals: This project was successful, the committee developed a climate strategy for the Metropolitan area which was adopted by the Metropolitan Council.**

(4) Beaverton School District Custodial Services Work Group

- **Participants: 10**
- **Complexity: Complex**
- **Hours: 80**
- **Achieve desired goals: The Work Group was a success as all of the major agreements obtained consensus support.**

(5) NW Natural L-M Process

- **Participants: ~20**
- **Complexity: Highly complex**
- **Hours: 650**
- **Achieve desired goals: Contract ratified and approved.**

Examples of wide range of group processes and tools used:

- **Roles and Responsibilities Diagrams,**
- **Detailed Process Flow Charts,**
- **Committee Recommendation Action Items,**
- **Diligent Preparation of Accurate Meeting Notes and Reports,**
- **Electronic Polling and Web-based Surveys,**
- **Regular Meeting and Process Evaluations, and**
- **Decision Tables.**

Additional facilitations with Oregon participants/projects and governmental entities:

- 1. Air Quality Strategy–Columbia River Gorge**
- 2. Airport Futures (PDX)**
- 3. Bend Transportation System Plan**
- 4. Bi-State Governors' I-5 Task Force**
- 5. Dairy Air Quality Task Force**
- 6. DEQ Visioning**
- 7. Exempt Groundwater Well Policy Work Group**
- 8. Governor's Vehicle Emissions Workgroup**
- 9. Health Care Interpreter's Facilitation**
- 10. Human Health-Related Scope of Practice PAG**
- 11. Mercury Rule Fiscal Impact AC**
- 12. ODOT Access Management AC**
- 13. Portland Public Schools**
- 14. Portland Veteran's Association Medical Center**

15. South Corridor and Delta Park-Lombard Workforce Diversity Discussion Group

16. Troutdale Airport Master Plan

17. Washington County Board of County Commissioners

Section 13: Public Policy Facilitation Experience

NOTE: The number of hours for each project is a good faith approximation.

Sam is a qualified Oregon Consensus Senior Level Neutral Public Policy Consensus Services Practitioner in the OC Program Network, which establishes the minimum qualifications for this section. He has successfully facilitated processes in the political spotlight, which have lasted from several months to several years. He enjoys and excels at bringing groups together surrounding collaborative governance, policy-making, and public involvement.

Significance of three qualifying collaborative public policy projects:

(1) Timber Mountain and John’s Peak OHV Plan

- **Contract Value: ~\$44,000**
- **Complexity: Complex**
- **Hours: 200**
- **Number and Diversity of Stakeholders: 10 member work group representing local residents, environmentalists, local businesses, non-motorized recreation advocates, and off highway vehicle advocates.**
- **Achieve desired goals: the work group was successful in articulating an agreement that was adopted by consensus except for one subsection of the agreement which was adopted by majority with one dissenter.**

(2) Portland N/NE Quadrant Plan and ODOT I-5 Freeway/Rose Quarter Planning:

- **Contract Value: ~\$150,000**
- **Complexity: Highly complex**
- **Hours: 750**
- **Number and Diversity of Stakeholders: 29 member advisory committee representing bicycle advisory committees, neighborhood associations, pedestrian advisory committees, local businesses, business associations, major corporations, transportation associations, property owners, public health advocates, and environmental organizations.**
- **Achieve desired goals: the process was successful, the advisory committee produced two development plans, of which one was approved by a majority vote and one was approved by consensus.**

(3) West Hayden Island Advisory Committee

- **Contract Value: \$150,000**
- **Complexity: Highly complex**
- **Hours: Over 700 hours**
- **Number and Diversity of Stakeholders: 20 member advisory committee, with industry, environmentalists, neighborhood groups, and state/local governments represented.**

- **Achieve desired goals: The Advisory Committee developed an annexation proposal protecting 500 acres for open space and 300 for development. Its predecessor was disbanded in 2010 due to significant public controversy and political challenges. ICM was hired to facilitate the second phase due to our reputation, history of success, and our proven ability to withstand influence while guiding groups through difficult conversations. ICM helped the parties achieve a majority recommendation.**

Experience with Oregon participants or projects:

Air Quality Strategy–Columbia River Gorge, Airport Futures, Bend Transportation System Plan, Bi-State Governors’ I-5 Task Force, Dairy Air Quality Task Force, Exempt Groundwater Well Policy Work Group, Governor’s Vehicle Emissions Workgroup, Human Health-Related Scope of Practice PAG, Mercury Rule Fiscal Impact AC, NNEQ I-5 B-W SAC, ODOT Access Management AC

Section 14: Experience as a Public Involvement Practitioner

N/A