



COUNTY OF SAN DIEGO
PURCHASING & CONTRACTING

ALLEN R. HUNSBERGER
DIRECTOR

DEPARTMENT OF PURCHASING AND CONTRACTING
5560 OVERLAND AVENUE, SUITE 270, SAN DIEGO, CALIFORNIA 92123-1204
Phone (858) 505-6367 Fax (858) 715-6452

BRENDA MILLER
ASSISTANT DIRECTOR

2/20/2026

COUNTY OF SAN DIEGO - REQUEST FOR PROPOSALS (RFP)
1661

CONSTRUCTION MANAGER AT RISK (CMAR)

LAS COLINAS DETENTION & REENTRY FACILITY (LCDRF)
UPGRADES

The County of San Diego (County) is requesting proposals (Proposal) from firms qualified to provide Construction Manager at Risk services for the preconstruction and construction phases of Las Colinas Detention & Reentry Facility Upgrades.

The delivery method for this Project is "Construction Manager at Risk" (CMAR), and will consist of a preconstruction phase and, at County's option, a construction phase. During the preconstruction phase, the Contractor will collaborate with the County on existing conditions, design, constructability, cost, and schedule of the Project and develop a Guaranteed Maximum Price (GMP) for the construction phase of the Project. Upon County acceptance of the GMP, the County may exercise its option for the construction phase. If the County and the Contractor do not agree upon a GMP, the County may not exercise its option for the construction phase of the Project to the Contractor.

The budget not to exceed for this Project of all Contract Options is \$8,600,000.00.

The Contracting Officer for this solicitation is Veronica Ford, Procurement Contracting Officer, (Veronica.Ford@sdcounty.ca.gov)

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ARTICLE 1 PROCUREMENT INFORMATION

1.1 SCHEDULE

Below is the County’s timeline for this RFP, and is subject to change at any time. The County will issue an addendum for changes to the Pre-Proposal Conference date, Questions due date, or Proposal due date. The actual timing and sequence of events resulting from this RFP shall ultimately be determined by the County.

Event Description	Date and Time (San Diego Time)
Pre-Proposal Conference	March 2, 2026, at 1:00 p.m.
Questions due	March 9, 2026, prior to 5:00 p.m.
Proposals due	April 6, 2026, prior to 3:00 p.m.

1.2 PRE-PROPOSAL CONFERENCE

1.2.1 A pre-proposal conference will be held on the Date and Time listed in Schedule, and at the offices of the County of San Diego, Department of Purchasing and Contracting, 5560 Overland Avenue, Conference Room 171, San Diego, CA 92123. The County will provide an overview of the RFP process and may provide a program/technical overview and other information. Requests for clarification related to definition or interpretation of this RFP shall be submitted in writing via BuyNet as Questions in accordance with the section titled “Duty to Inquire, Questions, and Explanation to Proposers”. Attendance at the pre-proposal conference is recommended.

1.2.2 Information provided by the County, both written and oral, at a pre-proposal conference is non-binding. Written information provided at a pre-proposal conference is not a Contract Documents and should not be relied upon by Proposers. Requests for clarification related to definition or interpretation of this RFP shall be submitted in writing via BuyNet as Questions in accordance with the section titled, “Duty to Inquire, Questions, and Explanation to Proposers.”

1.3 QUESTIONS

1.3.1 Questions regarding this RFP shall be submitted in writing via BuyNet to the Contracting Officer by the Date and Time listed in Schedule, in accordance with the section titled, “Duty to Inquire, Questions, and Explanation to Proposers.” Oral explanations or responses to Questions will not be binding upon the County.

1.3.1.1 Please be aware that the County has changed its procedure for submitting Questions. In order to see all information related to this RFP, to submit Questions, and to receive notifications of updates, Proposers must select

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“Participate in RFX” for this solicitation in BuyNet. Questions should be submitted via BuyNet, by sending a message to the Contracting Officer through the “Discussions” functionality in accordance with the section titled, “Duty to Inquire, Questions, and Explanation to Proposers.” Non-Proposers should direct inquiries regarding this solicitation to the Contracting Officer.

- 1.3.2 Concerns or comments regarding this solicitation should be directed to the Contracting Officer.

1.4 PROPOSAL SUBMITTAL

- 1.4.1 The County has posted this solicitation on its official BuyNet website at <https://sdbuynet.sandiegocounty.gov/>. Proposers should go to BuyNet for the most up-to-date information and to submit Questions and proposals. In order to see all information related to this RFP, to submit Questions, and to receive notifications of updates, Proposers must select “Participate in RFX” for this solicitation in BuyNet.

- 1.4.2 Proposer must submit a complete original proposal in accordance with the format provided in this solicitation to the County of San Diego, Department of Purchasing and Contracting through electronic upload to BuyNet by the Date and Time listed in Schedule.

- 1.4.3 If Proposer is unable to submit via BuyNet for any reason, Proposer may submit via electronic files on CD/DVD or a printed proposal at the Purchasing and Contracting front desk. If delivering the RFP at the Purchasing and Contracting front desk on the due date, Proposer should plan to arrive early, as parking may be limited. When submitting via BuyNet, allow extra time to submit by an alternate method in the event of technical difficulties.

- 1.4.4 The County’s decision about the timeliness or responsiveness of any submitted document shall be final, and the County has the discretion to waive or not waive any defect or nonconformance.

1.5 BONDING AND INSURANCE

- 1.5.1 Proposer shall demonstrate a minimum bonding capacity of the Budget NTE for all Contract Options in response to this RFP.

- 1.5.2 The selected Proposer shall provide a Payment Bond and Performance Bond as specified in the article titled, “Insurance and Bonds” of the General Conditions.

- 1.5.3 The selected Proposer shall provide insurance as specified in as described in 00 73 16 Insurance Requirements.

1.6 INSURANCE FOR ACTS OF GOD

The successful Proposer shall provide Installation Floater/Builders Risk insurance including Acts of God for the total replacement cost of the Project, as described in 00 73 16 Insurance Requirements. (California Public Contract Code § 7105.)

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1.7 RETENTION

County will withhold retention in the amount of 5% of each progress payment. Pursuant to California Public Contract Code § 22300, the successful Proposer may substitute certain securities for funds withheld by County to ensure his performance under the Contract.

1.8 PREVAILING WAGE COMPLIANCE

1.8.1 The undertaking and accomplishment of this Project is required by State law to comply with the requirements of California Labor Code §§ 1770, et seq. Nothing in this RFP is intended to nor should be interpreted as contravening the provisions of that code.

1.8.2 The Proposer shall be fully knowledgeable of and shall comply with the provisions of California Labor Code § 1770, including the general prevailing wage rate requirements, requirements for subcontracts, and forfeiture penalties.

1.8.3 County has obtained from the Director of the Department of Industrial Relations (DIR) the general prevailing rate of per diem wages in the locality in which this work is to be performed for each craft or type of worker needed to execute the Contract. These rates are on file and available at County or may be obtained online at <http://www.dir.ca.gov/dlsr>. Proposers are advised that a copy of these rates must be posted by the successful Proposer at the Project site(s).

1.8.4 Department of Industrial Relations Compliance Monitoring and Enforcement

1.8.4.1 County public works projects are subject to compliance monitoring and enforcement by the Department of Industrial Relations (DIR) in accordance with California Labor Code § 1771.4(a)(1). As part of this program, contractors and subcontractors on public works projects are required to be registered with DIR in accordance with California Labor Code § 1725.5. Unregistered contractors are not qualified to bid on, be listed in a bid proposal, listed as a subcontractor, or engage in the performance of any Public Works Contract, all as more particularly described in California Labor Code § 1771.1(a). The Contractor shall be required to post the job site with all notices required by regulations per California Labor Code § 1771.4(a)(2), whether or not the County also posts.

1.8.4.2 Pursuant to California Labor Code, § 1770, the Director of the Department of Industrial Relations has ascertained the general prevailing rate of per diem wages and a general prevailing rate for legal holiday and overtime work for each craft required for execution of the contract.

1.8.4.3 In accordance with California Labor Code, § 1773.2, copies of the prevailing rate of per diem wages are on file and can be viewed during normal business hours at the County Department of Purchasing and Contracting, located at 5560 Overland Avenue, Suite 270, San Diego, CA 92123-1294. Contractor shall post a copy of the applicable prevailing wage rates at the job site.

1.8.4.4 Wage rates set forth are the minimum that may be paid by the Contractor.

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Nothing herein shall be construed as preventing the Contractor from paying more than the minimum rates set. No extra compensation whatsoever will be allowed by the County due to the inability of the Contractor to hire labor at minimum rates, nor for necessity for payment by the Contractor of subsistence, travel time, overtime, or other added compensations, all of which possibilities are elements to be considered and ascertained to the Contractor's own satisfaction in preparing its Proposal.

- 1.8.4.5 If it becomes necessary to employ crafts other than those listed in the General Prevailing Wage Rate, the Contractor shall obtain a wage rate determination. The rates thus determined shall be applicable as minimum from the time of initial employment. Contractor shall be responsible for paying the applicable rate.
- 1.8.4.6 The Contractor and each subcontractor shall keep and make available accurate payroll record in accordance with California Labor Code, § 1771.4(a)(3) and § 1776. The record shall contain the names, addresses, social security numbers, work classifications, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by the Contractor and/or subcontractors in connection with the work. Payroll records shall be certified and shall be on forms provided by the Division of Labor Standards Enforcement, or shall contain the same information as those forms. A copy of all payrolls shall be submitted weekly to in accordance with the contract. The Contractor's and subcontractors' certified payroll records shall be available for inspection at the principal office of the Contractor, or at the job site should the principal office be located outside of San Diego County.

1.9 LICENSING OF PROPOSER

Unless otherwise provided in the Contract Documents, Contractor shall possess, at the time its Proposal is submitted, at the time the Contract is awarded, and at all times when Work is performed, a valid license in accordance with the provisions of the Contractor's State License Law (Cal. Bus. & Prof. Code § 7000 et seq.) with the following license classification: Class "B" General Building Contractor.

1.10 VEHICLE EMISSIONS DISCLOSURE & COMPLIANCE REQUIREMENT

All Proposers shall comply with California Air Resources Board ("CARB") In-Use Off-Road Diesel-Fueled Fleets regulations in California Code of Regulations Title 13, Division 3 (the "Regulation"). Proposers shall complete the attached Fleet Compliance Certification and, as applicable, submit valid Certificate(s) of Reported Compliance with the Proposal. In responding to this solicitation, it shall be the Proposer's sole responsibility to evaluate and account for the cost of complying with all vehicle and equipment emissions requirements under this Agreement and applicable law in its Proposal, including the Regulation.

1.11 NO SUBSTITUTIONS

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Pursuant to California Public Contract Code § 3400(c), County has made any findings designating certain materials, products, things, or services by specific brand or trade name, such findings and the materials, products, things, or services and their specific brand or trade names are set forth in the 01 61 10 Products Specified by Brand Name.

ARTICLE 2 PROJECT OVERVIEW

2.1 PROJECT DESCRIPTION

2.1.1 The Project will be delivered in one or more Contract Options. Refer to the section titled, “Contract Options,” within the 00 72 95 General Conditions and the section titled, “Contract Options for Extra Work” within the 00 52 96 Agreement for additional information.

2.1.2 Contract Option 1 Accessibility & Mechanical Upgrades

2.1.2.1 Renovation of various areas to meet the latest Americans with Disabilities Act Requirements, including without limitation,

2.1.2.1.1 Inmate showers areas modification of floor thresholds, relocation and/or new grab bars, shower seats and shower benches.

2.1.2.1.2 ADA toilets modification of thresholds, leveling of floors, relocation and/or new grab bars, new wall mounted stainless-steel panels or the relocation and/or new plumbing fixtures, relocation of privacy partitions and relocation of soap dispensers/toilet paper dispensers/holders.

2.1.2.1.3 ADA inmate cells toilet areas, relocation and/or new grab bars, new wall mounted stainless-steel panels or the relocation and/or new plumbing fixtures, raising/lowering of beds and relocation of soap dispensers/toilet paper dispensers/holders.

2.1.2.1.4 ADA cubicles removal of bookcases, new ADA beds, and addition of braille signage.

2.1.2.1.5 Inmate dayrooms (a) indoor dayrooms modification of selected existing tables to remove seats and the lowering of phones/pencil sharpeners and other items required, (b) paths of travel modify or identify objects mounted on walls or posts protruding into to paths of travel to warn blind people of an approaching hazard, (c) outdoor dayrooms modification of selected existing tables to remove seats and/or the installation of new tables with ADA accessibility.

2.1.2.1.6 Entry doors to receive auto opener/closers with panic hardware and push plate operators to open, enable/disable switches at the local staff workstations, structurally anchored and connected with new 120V branch circuits, connected to the fire alarm system and security system.

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- 2.1.2.1.7 Kitchen sink to be demolished and replaced with 2 new ADA sinks.
- 2.1.2.2 Free-Standing Elevator
 - 2.1.2.2.1 Install a free-standing single-person elevator to provide access from the ground level to the mezzanine level from inside the dayroom. The store-front glazing at the mezzanine will also be modified to allow elevator access to that level.
 - 2.1.2.2.2 Permitting with the state.
 - 2.1.2.2.3 Remote key activated elevator call buttons/intercom.
 - 2.1.2.2.4 Interface to the security system for touch screen monitoring and activation.
 - 2.1.2.2.5 Structurally anchored.
 - 2.1.2.2.6 Connected with new 208V, 1 phase/120V circuit
 - 2.1.2.2.7 Connected to the fire alarm system from existing panels currently serving the area.
- 2.1.2.3 Inclined Platform Wheelchair Lift
 - 2.1.2.3.1 Install an accessible inclined wheelchair lift for staff.
 - 2.1.2.3.2 Permitting with the state.
 - 2.1.2.3.3 Remote key activated elevator call buttons.
 - 2.1.2.3.4 Structurally anchored.
 - 2.1.2.3.5 Connected with new 120V, 1 phase circuit
 - 2.1.2.3.6 Connected to the fire alarm system from existing panels currently serving the area.
- 2.1.2.4 Air Handling Unit (AHU) Replacement
 - 2.1.2.4.1 The scope is to replace all the existing Air Handling Units (AHUs) with like-for-like replacements except for a select few which are to be upsized to meet current capacity conditions.
 - 2.1.2.4.2 Approximately 57 AHUs will be replaced with like-for-like units and the existing curbs reused. New units must have integral disconnect receptacle and light for servicing.

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- 2.1.2.4.3 Approximately 13 AHUs will be upsized to larger coils and new ductwork to meet the demand of the spaces. The existing curbs will be reused. New units must have integral disconnects, receptacles, and light for servicing.
- 2.1.2.4.4 The new AHU units will be structurally anchored to the existing curbs.
- 2.1.2.4.5 There will be new AHU branch circuiting along with reusing existing AHU branch circuits that will be intercepted and extended to the new AHU's integral disconnect. Existing circuit breakers in the panelboard serving the AHU will be reused or replaced to meet the manufacturer's maximum over current protection requirements. The branch circuiting will be connected to the new AHU integral disconnect, receptacle and light served from existing panels currently serving the area.
- 2.1.2.4.6 The existing fire alarm devices at the AHU units will be replaced with new in each new AHU unit and reconnected to existing panels currently serving the area.
- 2.1.2.5 All existing wireless thermostats and CO₂ sensors will be replaced with new sensors wired back to the existing zone controllers. This will require relocation of some devices to conceal wiring back to the respective central system in secure areas. All new devices are to be anti-ligature compliant in secure areas.
- 2.1.2.6 Work may be phased and scheduled by the County to avoid disruption to operations that may continue during the Project.
- 2.1.3 Future Contract Options that may be added later include, but are not limited to, the following:
 - 2.1.3.1 Replace Water Heaters and Swamp Coolers, Budget NTE approximately \$2,000,000.
 - 2.1.3.1.1 Replace swamp coolers with A/C units in kitchen and maintenance shops.
 - 2.1.3.2 New Chiller & Tower, Budget NTE approximately \$2,400,000
 - 2.1.3.2.1 Add a new chiller and tower for redundancy and enhanced cooling.
 - 2.1.3.3 Parking Lot Expansion, Budget NTE approximately \$250,000
 - 2.1.3.3.1 Add parking spaces by re-laying out existing area, removing planter beds and walkways, and/or expanding into unused surrounding land.

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2.2 PURPOSE

To utilize a Construction Manager at Risk (CMAR) process whereby a single contract will be awarded to include preconstruction services and, at County's option, construction necessary to deliver the Project. The County may, for example, at its discretion, proceed with construction, but hire a different general contractor to build the Project. (Please refer to the section titled "Contractual Off-Ramp" of the 00 56 96 Agreement for additional information.)

2.3 SCOPE OF WORK

Refer 00 54 13 Scope of Work for additional information.

2.4 BUDGET NOT TO EXCEED

The Budget Not-To-Exceed (Budget NTE) for all Contract Options of the Construction Manager at Risk contract is \$8,600,000.00. Refer to the Price Proposal for the County's estimates of Direct Pass-Through Costs, Allowances, and County Controlled Contingency.

2.5 FIRMS ASSOCIATED WITH PROJECT

2.5.1 The County of San Diego engaged the following firms to provide design, environmental, and construction documents for this construction procurement:

RANDALL LAMB ASSOCIATES 3131 Camino Del Rio North, Suite 800 San Diego, CA 92108
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2.5.2 The firms noted above have been associated with this Project and are provided for informational purposes only. This information is not intended to be relied on for purposes of compliance with any conflict-of-interest rules or applicable laws or regulations affecting this Project. The Proposer is solely responsible for due diligence in identifying and avoiding all potential conflicts of interest related to contracting for, and construction of, this Project.

ARTICLE 3 RFP INSTRUCTIONS AND RULES

3.1 RFP PROCESS

3.1.1 RFPs shall normally be made available on the County of San Diego's BuyNet Website at <https://sdbuynet.sandiegocounty.gov>. If you are unable to download this document, you may request a hard copy from Purchasing and Contracting's front desk or contact clerical support at (858) 505-6367.

3.1.2 To the extent required by California Public Contract Code § 20103.7, upon request from a contractor plan room service, County shall provide an electronic copy of the Contract Documents at no charge to the contractor plan room service.

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- 3.1.3 The County reserves the right to host pre-proposal conference(s). If scheduled, the date, time, and location for the pre-proposal conference(s) will be as set forth in this RFP or as otherwise provided on BuyNet.
- 3.1.4 Proposers must submit all Questions by the due date and time specified herein.
- 3.1.5 Proposals received, including any additions, revisions, and clarifications, will be evaluated by a Source Selection Committee (SSC) appointed by a Source Selection Authority(s) (SSA).
- 3.1.6 If, at any point in the selection process, the County determines that a proposal will no longer be considered for award, the Contracting Officer will attempt to notify the Proposer.
- 3.1.7 During the selection process, the SSA may determine that a Proposer's proposal is no longer in the competitive range and that it will no longer be considered for award.
- 3.1.8 The County reserves the right to request clarification of and/or additional information from Proposers. The Contracting Officer will determine the appropriate means of clarification, which may include telephonic, email, letter, presentations, oral interviews, or as an addendum or revision to the proposal. The County is not obligated to seek clarification, so Proposers are advised to submit complete and accurate information in the proposal.
- 3.1.9 The County may invite Proposers to make a presentation to, or participate in interviews with, the County at a date, time and location determined by the County.
- 3.1.10 At any point in the selection process, the SSA may authorize discussions to be held with one or more Proposers in the competitive range. Discussions may include requests for revised proposals, Best and Final Offers (BAFOs), or addenda to the proposal and may contain additional selection factors.
- 3.1.11 The SSC may recommend to the SSA that award be made to one or more Proposers.
- 3.1.12 After receipt and approval of the SSA's decision, the Contracting Officer will post a Notice of Intent to Award.
- 3.1.13 Upon Posting of the Notice of Intent to Award (NOI) a contract to the Proposer(s) whose proposal(s) has been ranked highest by the County on the basis of best value to the County, the Contracting Officer may enter into contract finalization negotiations and, upon the successful completion, award a contract(s).
- 3.1.14 The County may rescind or modify the NOI at any time for any reason or for no reason.
- 3.1.15 The County may, at any time, restart evaluations, modify or replace the membership of the SSC, or correct any deficiencies in the procurement process or evaluation.
- 3.1.16 The County, in its sole discretion, shall determine the timing and sequence of events described in this RFP.

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- 3.1.17 In the event that a Proposer is involved in a merger, acquisition, or other change in control, the County reserves the right to award a contract to a resulting entity.
- 3.1.18 All proposals become the property of the County. A Proposer may request the return of its proposal upon withdrawal as specified in the section titled, "Late, Modified, Or Withdrawn Proposal," which return County may grant or deny in its sole discretion.
- 3.1.19 The County has the right to withhold all information regarding this procurement until after contract award, including but not limited to: the number of proposals received; identity of Proposer(s), content of proposals; the County evaluation and results; and the identity of the members of the SSC. Information releasable after award is subject to the disclosure requirements of the Public Records Act, California Government Code § 7920.000 and following.

3.2 INSTRUCTIONS FOR SUBMITTING A PROPOSAL

- 3.2.1 It is the Proposer's responsibility to submit a proposal based on the most current RFP, addenda thereto, responses to questions, any Information Available to Proposers, and any other information posted on BuyNet. Proposers must consistently check BuyNet for information and must comply with anything posted on BuyNet relating to this RFP. The County has no obligation to contact Proposers directly with any such RFP related information.
 - 3.2.1.1 In order to see all information related to this RFP, to submit Questions, and to receive notifications of updates, Proposers must select "Participate in RFX" for this solicitation in BuyNet.
- 3.2.2 Proposers shall submit one original proposal prior to the date and time specified and through the means specified in the section titled, "Proposal Submittal."
- 3.2.3 When requested, Proposer shall submit additional copies of the proposal in the manner requested. Copies should be clearly marked as copies and numbered.
- 3.2.4 For proposals submitted electronically through BuyNet, the time on the BuyNet server shall be considered the official time for purposes of determining timely submittal. For proposals submitted at the Purchasing and Contracting front desk, the time stamp at the front desk shall be considered official time for purposes of determining timely submittal.
- 3.2.5 In the event of multiple submittals of an original proposal by a Proposer, the County will only consider the most recent submittal submitted by the due date and time. The County will not review or consider previous submittals, whether submitted at the front desk or through BuyNet. Proposers are strongly encouraged to submit only one original proposal and withdraw or replace any previous submittals in the event they choose to update their proposal. Proposals may be found non-conforming if the County is unable to determine which is the most recent, timely submittal.

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- 3.2.6 All signatures required by this RFP shall be signed by an authorized officer or employee of the Proposer. Scanned images of pages containing original signatures are acceptable for submission of an electronic file. Electronic or digital signatures will not be accepted.
- 3.2.7 The proposal must be submitted in compliance with the following format, unless otherwise specified in this RFP:
- 3.2.7.1 Submit electronic proposals as files in .pdf format. Separate each exhibit into one or more files. Clearly name files as to the exhibit and order. Other pages may be scanned, or converted to .pdf from other file formats. Converted and searchable formats are preferred.
 - 3.2.7.2 Proposals shall be formatted to print on 8-1/2" x 11" page size with no less than 1/2" margins and eleven (11) point font. Proposals may include 11"x17" page sizes where required by this RFP.
 - 3.2.7.3 Pages shall be consecutively numbered within the bottom or top margin of each page, including attachments.
 - 3.2.7.4 Each proposal shall be typed and be concise but comprehensive. Proposals shall not include unnecessarily elaborate brochures, visual or other presentations, or artwork beyond what is sufficient to present a complete and effective proposal.
 - 3.2.7.5 Proposers shall submit one file for Forms, Qualifications, Price Proposal, and Proposal Attachments. If applicable, Proposers shall submit a second file with Section 5 - Confidential/Proprietary Exhibit components of their proposal.

3.3 PROPOSAL ORGANIZATION

- 3.3.1.1 Cover Page signed by an authorized officer or employee
- 3.3.1.2 A Table of Contents listing, by page number, the contents of the proposal.
- 3.3.1.3 Section 1 – Qualifications
 - 3.3.1.3.1 Essential Requirements
 - 3.3.1.3.2 Safety Record
 - 3.3.1.3.3 Experience of Proposer
 - 3.3.1.3.4 Experience of Personnel
- 3.3.1.4 Section 2 – Project Information
 - 3.3.1.4.1 Project Plan
 - 3.3.1.4.2 Price Proposal

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- 3.3.1.5 Section 3 – Forms
 - 3.3.1.5.1 PC 600 Form
 - 3.3.1.5.2 Representations and Certifications Form
 - 3.3.1.5.3 Proposer Information Form
 - 3.3.1.5.4 Listed Subcontractors Form
 - 3.3.1.5.5 Disclosure Requirement To Listed Subcontractors Forms
 - 3.3.1.5.6 Self-Performed Work Form
 - 3.3.1.5.7 Non-Collusion Declaration
 - 3.3.1.5.8 Iran Contracting Act Certification
 - 3.3.1.5.9 Fleet Compliance Certification
 - 3.3.1.5.10 Surety Declaration Form, Notarized
 - 3.3.1.5.11 Authorization for Release of Information and Waiver of Liability for References
 - 3.3.1.5.12 Contract Terms and Conditions Form and, if applicable, a description of issues with Contract Documents
- 3.3.1.6 Section 4 – Proposal Attachments
 - 3.3.1.6.1 Licenses for Proposer and Listed Subcontractors
 - 3.3.1.6.2 Evidence of Current Registration with Department of Industrial Relations (DIR) for Proposer and Listed Subcontractors
 - 3.3.1.6.3 Evidence of General Liability Insurance Coverage, Professional Liability Insurance Coverage, and Workers' Compensation Coverage
 - 3.3.1.6.4 Statement by workers' compensation insurance carrier verifying periods of workers' compensation insurance coverage for the last five years
 - 3.3.1.6.5 Evidence of Financial Strength
 - 3.3.1.6.6 Letter from Surety Insurer
 - 3.3.1.6.7 Organizational Documents or Agreement Committing to Form the Organization

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3.3.1.6.8 Contractor Assessment Reports, if any

3.3.1.6.9 Any other required information.

3.3.1.7 Section 5 – Confidential/Proprietary Exhibit (if applicable).

3.3.1.7.1 Confidential/Proprietary Exhibit.

3.3.1.7.2 Completed and signed Nondisclosure Indemnification Agreement.

3.4 EVALUATION AND SELECTION

3.4.1 The County will evaluate proposals in accordance with the article titled, “Evaluation Criteria,” and the Submittal Items.

3.4.2 The County has the discretion, but not the obligation, to construe any submission as non-conforming and ineligible for consideration if it does not conform to the requirements of the Request for Proposals. The County shall also have the discretion to waive any irregularities or deviations from the requirements of the Request for Proposals in any submission.

3.4.3 The County may consider information known to the County in addition to the information provided in response to the RFP.

3.4.4 When evaluating Proposer’s proposal, County may consider the environmental impact of proposed products and delivery of services. For more information, Proposers shall refer to the Board of Supervisors Policy B-67, Environmentally Preferable Procurement. Proposers are encouraged to include such information in their proposals.

3.4.5 When evaluating a Proposer’s pricing, the County may also consider the effect of the proposal on the overall total cost to the County.

3.5 DEFINITIONS

Capitalized terms used herein, but not defined herein, have the definitions provided in 00 72 95 General Conditions.

3.6 COUNTY COMMITMENT

3.6.1 This RFP does not commit the County to award, nor does it commit the County to pay any cost incurred in the submission of a proposal, or in making necessary studies or designs for the preparation thereof, nor procure or contract for services or supplies. Further, no reimbursable cost may be incurred in anticipation of or prior to contract execution.

3.6.2 The County reserves the right to accept or reject any or all proposals received as a result of this RFP or to separately procure the same or similar goods or services.

3.6.3 The County reserves the right to terminate this RFP in part or in its entirety at any time prior to contract execution.

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3.6.4 No prior, current, or post award communication with any officer, agent, or employee of the County shall affect or modify any terms or obligations of this RFP except as explicitly provided for in this RFP.

3.7 LATE, MODIFIED, OR WITHDRAWN PROPOSAL

3.7.1 A proposal that is received, but that is not received at the office or by the electronic means designated in the RFP by the time specified for receipt will not be considered unless:

3.7.1.1 it is received before award is made;

3.7.1.2 the County determines that it is in its best interest to accept the proposal; and either

3.7.1.2.1 It was sent by mail or personal delivery, and the County determines that the late receipt was due solely to mishandling by the County after receipt by the County; or

3.7.1.2.2 No timely and conforming proposal was submitted.

3.7.2 Proposals may not be modified after the due date, except when the Contracting Officer requests a revised proposal, Best and Final Offer (BAFO), or an addendum to the proposal.

3.7.3 Proposals may be withdrawn by written notice signed by a duly authorized representative of Proposer if received prior to time and date proposals are due.

3.7.4 Proposals constitute firm offers, subject to negotiation, that shall remain open and may not be revoked, withdrawn, or modified for a period of six months from the time and date proposals are due.

3.7.5 Any request to withdraw a proposal after time and date proposals are due must be made in accordance with California Public Contract Code § 5100 et seq. and must be submitted in writing within five (5) working days of the time and date proposals are due, excluding Saturdays, Sundays and State holidays, specifying in detail how the mistake was made.

3.8 INFORMATION AVAILABLE TO PROPOSERS

3.8.1 Non-Sensitive Information Available to Proposers is posted on BuyNet. Sensitive Information Available to Proposers, if any, may be obtained from the Contracting Officer upon execution and delivery of a Nondisclosure Agreement (NDA), which may be obtained from the Contracting Officer.

3.8.2 County, its agents, advisors, and representatives make no representation or warranty, express or implied, as to the accuracy or completeness of any Information Available to Proposers. Without limiting the generality of the foregoing, the Information Available to Proposers may include certain statements, estimates, and projections provided by or with respect to the County. Such statements, estimates, and projections reflect various

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assumptions made by the County, which may or may not prove to be correct. No representations are made by the County as to the accuracy of such statements, estimates, projections, or assumptions.

- 3.8.3 Refer to the section titled, “Information Available to Proposers,” in 00 72 95 General Conditions for additional information.

3.9 DUTY TO INQUIRE, QUESTIONS, AND EXPLANATION TO PROPOSERS

- 3.9.1 Should a Proposer find discrepancies in or omissions from, or be in doubt as to the meaning of, the RFP or related documents, Proposer must immediately notify the County. Such notifications, or other requests for explanation regarding the RFP or related documents, shall be directed to the Contracting Officer in writing as a question (“Question”).

- 3.9.2 In order to see all information related to this RFP, to submit Questions, and to receive notifications of updates, Proposers must select “Participate in RFx” for this solicitation in BuyNet. Questions should be submitted through BuyNet by sending a message to the Contracting Officer using the “Discussions” functionality. Proposer is responsible for ensuring that Questions are received by the County. The County may choose not to respond to Questions received after the due date for Questions listed herein.

3.10 PROTEST PROCEDURE

- 3.10.1 County Board of Supervisors Policy A-97, Protest Procedures for Award of Contracts, sets forth the procedures for filing and resolving protests related to this RFP. Board Policy A-97 is available from the Clerk of the Board, 1600 Pacific Highway, San Diego, CA 92101, or on the internet at https://codelibrary.amlegal.com/codes/san_diego/latest/overview.

- 3.10.2 All protests must be filed in accordance with Board Policy A-97, which requires among other things that a protest must be filed timely, be submitted in writing to the Contracting Officer identified in the solicitation package, and be based on a protestable action and established grounds for protest.

3.11 DEBRIEF AND REVIEW OF CONTRACT FILES

- 3.11.1 Proposer may request a “debriefing” from the Contracting Officer on the findings about Proposer’s proposal (with no comparative information about proposals submitted by others) after Proposer has been notified by the Contracting Officer that the Proposer’s proposal is no longer being considered for award.

- 3.11.2 After contract execution, the proposals, the Source Selection Committee Report, and any other releasable documents may be reviewed. Copies of any documents desired by the requestor will be prepared at the requestor’s expense in accordance with current County rates for such copies.

3.12 PROPOSER COMMUNICATIONS

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- 3.12.1 All communications from the Proposer (including its employees, agents, and representatives) to the County or its officers and employees (including consultants working on or assisting with this procurement), related to this RFP or the Proposer's proposal, must be directed in writing exclusively to the Contracting Officer, unless otherwise authorized in writing by the Contracting Officer. The County, in its sole discretion, may eliminate the Proposer from consideration for contract award for any improper contact.
- 3.12.2 If Proposer issues any public announcement or otherwise engages in communication that, in the County's sole determination, compromises the integrity of this RFP process or attempts to restrain competition, Proposer may be removed from consideration for award.
- 3.12.3 Audio and/or video recording of pre-proposal conferences, presentations, discussions, negotiations, debriefings, or other communications with the County regarding this RFP are prohibited, unless specifically authorized in writing by the Contracting Officer.

3.13 CLAIMS AGAINST THE COUNTY

Neither Proposer nor any of its representatives shall have any claims whatsoever against the County or any of its respective officials, agents, or employees arising out of or relating to this RFP or these procedures (other than those arising under a definitive contract with Proposer in accordance with the terms thereof).

3.14 SOLICITING EMPLOYEES

Until contract award, Proposers shall not, directly or indirectly, solicit any employee of the County to leave the County's employ in order to accept employment with the Proposer, its affiliates, actual or prospective contractors, or any person acting in concert with the Proposer, without prior written approval of the County's Contracting Officer. This paragraph does not prevent the employment by a Proposer of a County employee who has initiated contact with the Proposer.

3.15 PROHIBITED CONTRACTS

- 3.15.1 In accordance with § 67 of the San Diego County Administrative Code, the County shall not contract with, and shall reject any bid or proposal submitted by the person or entities specified below, unless the Board of Supervisors finds that special circumstances exist which justify the approval of such contract:
- 3.15.1.1 Persons employed by the County or of public agencies for which the Board of Supervisors is the governing body;
 - 3.15.1.2 Profit making firms or businesses in which employees described in § 3.15.1.1 serve as officers, principals, partners or major shareholders;
 - 3.15.1.3 Persons who, within the immediately preceding twelve (12) months, came within the provisions of § 3.15.1.1, and who (1) were employed in positions of substantial responsibility in the area of service to be performed by the contract, or (2) participated in any way in developing the contract or its service

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specifications; and

3.15.1.4 Profit making firms or businesses in which the former employees described in § 3.15.1.3 serve as officers, principals, partners or major shareholders.

3.15.2 Proposer certifies it is not a person or entity specified above and that it will promptly notify the County in the event it becomes a person or entity specified above.

3.16 PUBLIC CONTRACT CODE COMPLIANCE

The undertaking and accomplishment of this Project is required by State law to comply with the requirements of California Public Contract Code § 20146. Nothing in this RFP is intended to nor should be interpreted as contravening the provisions of that code. The Proposer shall be fully knowledgeable of and shall comply with the provisions of California Public Contract Code § 20146, including the bidding and subcontracting requirements.

3.17 CALIFORNIA REVENUE AND TAXATION CODE § 18662

3.17.1 In compliance with California Revenue and Taxation code § 18662, if Proposer is a non-resident of California (out-of-state invoices) that receives California source income and has not completed FTB Form 590, there may be a backup withholding on all payments. Fifteen (15) business days prior to the first payment, new suppliers or suppliers with expired forms or forms with incorrect information must submit new forms to the County (forms are available from the Franchise Tax Board website listed below).

3.17.2 Under certain circumstances, Proposers may be eligible for reduced or waived nonresident withholding. If Proposer has already received a waiver or a reduced withholding response from the State of California and the response is still valid, Proposer should submit the response to the County in lieu of the forms. Failure to submit the required forms will result in withholding of payments. Proposers should to the Franchise Tax Board websites (listed below) for tax forms and information on non-resident withholding, including waivers or reductions. The County will not give Proposers any tax advice. It is recommended that Proposers speak with their tax advisers and/or the State of California for guidance. Franchise Tax Board Websites:

3.17.2.1 <https://www.ftb.ca.gov>

3.17.2.2 <https://www.ftb.ca.gov/forms/Search/Home/FormRequest/1619>

3.17.2.3 <https://www.ftb.ca.gov/forms/search/>

3.17.3 If selected for award, the Proposer is to submit forms to the Auditor & Controller via fax at (858) 694-2060 or mail originals to: County of San Diego, 5530 Overland Avenue, Suite 410, San Diego, CA 92123. The P.O. Number or Contract Number (if available) and “California Revenue and Taxation Code Section 18662” must appear on fax cover sheet and/or the outside of the mailing envelope.

3.18 W-9 FORM

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If selected for award, the Proposer must complete and submit a W-9 form if a current form is not on file with the County.

3.19 COMMITMENT TO USE A SKILLED AND TRAINED WORKFORCE

Per California Public Contract Code § 20146(c), the Proposer shall not be evaluated for selection unless the Proposer provides an enforceable commitment to the County that the Proposer and its subcontractors at every tier will use a skilled and trained workforce to perform all Work on the Project or Contract that falls within an apprenticeable occupation in the building and construction trades, in accordance with California Public Contract Code Chapter 2.9 (commencing with § 2600) of Part 1. Consequently, the Proposer, by submitting its proposal to the County, agrees that if selected, Proposer and its subcontractors at every tier will comply with the requirements of California Public Contract Code § 20146(c) and that the Proposer will provide the County with evidence, on a monthly basis while the Project is being performed, that the Proposer and its subcontractors are complying with the requirements of California Public Contract Code § 20146(c).

3.20 DEBARMENT OF CONTRACTORS AND SUBCONTRACTORS

In accordance with the provisions of the Labor Code, contractors or subcontractors may not perform work on a public works project with a subcontractor who is ineligible to perform work on a public project pursuant to § 1777.1 or § 1777.7 of the California Labor Code. Any contract on a public works project entered into between a contractor and a debarred subcontractor is void as a matter of law. A debarred subcontractor may not receive any public money for performing work as a subcontractor on a public works contract. Any public money that is paid to a debarred subcontractor by the Contractor shall be returned to County. The Contractor shall be responsible for the payment of wages to workers of a debarred subcontractor used on the Work. (Refer to California Public Contract Code § 6109.)

3.21 SUBCONTRACTORS, SUPPLIERS, AND OTHERS

3.21.1 Proposer's attention is directed to California Public Contract Code § 4100 et seq. for requirements and provisions relative to Subcontractors.

3.21.2 Pursuant to California Public Contract Code § 4100 et seq., Proposer shall set forth in its Proposal the name, contractor's license number, DIR registration number, and the location of the place of business of each Listed Subcontractor who will perform work or labor or render service to Proposer in or about the construction of the work or improvement, or a Listed Subcontractor licensed by the State of California who, under subcontract to the Proposer, specially fabricates and installs a portion of the work or improvement according to detailed drawings, in an amount in excess of one-half of 1 percent of the Proposer's total GMP, as well as the portion of the work which will be done by each Listed Subcontractor. Proposer shall list only one Listed Subcontractor for each portion as is defined by Proposer in its proposal. Proposer shall furnish information regarding its Subcontractors in the form titled, "Listed Subcontractors."

3.21.3 Each Subcontractor shall possess at all times when it is performing Work, a valid license in accordance with the provisions of the Contractor's State License Law (Cal. Bus. & Prof.

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Code § 7000 et seq.) for the appropriate classification necessary to perform all Work to be performed by that Subcontractor.

3.21.4 Pursuant to California Labor Code §§ 1725.5 and 1771.1, all contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract to perform public work must be registered with the Department of Industrial Relations. Proposer shall furnish evidence of registration for Proposer and all Listed Subcontractors.

3.21.5 Disclosure Requirement to Listed Subcontractors

3.21.5.1 Prior to submitting a proposal, Contractor shall transmit to any Subcontractor listed in Contractor's proposal the following disclosure: "The County of San Diego retains the right to approve of any subcontractor listed in Contractor's proposal pursuant to California Public Contract Code § 20146(d). The County of San Diego is legally prohibited from making expenditures that are wasteful or a gift of public funds. (Cal. Civ. Proc. Code § 526a; Cal. Const. art. XVI, § 6.) If a Listed Subcontractor's proposal contains pricing outside of a reasonable price range and, the Contractor and Listed Subcontractor are unable to negotiate a proposal price within a reasonable price range, then that subcontractor may be substituted in accordance with California Public Contract Code § 4107."

3.21.5.2 Contractor shall provide within its proposal to the County written acknowledgment(s) from any Listed Subcontractor indicating their receipt of this disclosure.

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ARTICLE 4 EVALUATION CRITERIA

4.1 ESSENTIAL REQUIREMENTS – PASS/FAIL

- 4.1.1 This section contains the minimum basic requirements the Proposer must possess to be considered responsive to the solicitation.
- 4.1.2 Mandatory minimum requirements for eligibility are included in the evaluation criteria. Failure to satisfy these mandatory minimum requirements will be considered disqualifying, and the proposal will not be considered for award.

4.2 ACCEPTABLE SAFETY RECORD – PASS/FAIL

Proposer's safety record shall be deemed acceptable if its experience modification rate for the most recent three-year period is an average of 1.00 or less, and its average total recordable injury or illness rate and average lost work rate for the most recent three-year period does not exceed the applicable statistical standards for its business category or if the proposer is a party to an alternative dispute resolution system as provided for in § 3201.5 of the California Labor Code.

4.3 EXPERIENCE OF PROPOSER – 20%

The extent to which the Proposer has submitted information supporting experience completing other projects of similar/comparable scope. Also, if applicable, the extent to which the Proposer demonstrated successful performance in County or other agency projects

4.4 EXPERIENCE OF PERSONNEL – 20%

The extent of proposed Key Personnel pertinent qualifications and experience working on projects of similar/comparable scope.

4.5 PROJECT PLAN – 20%

- 4.5.1 The extent to which the Proposer proposed a specific and effective Project Plan.
- 4.5.2 To reduce risk to the County, Proposers must limit Listed Subcontractors, as that term is defined in the section titled, "Listed Subcontractors," within General Conditions, only to those subcontractors that Proposer intends to use for Phase 1 of the Project. The successful Proposer will have the opportunity to compete subcontractors at a later date for Phase II work. The County may consider a Proposer's over-designation of Listed Subcontractors for Phase II work at the time of proposal submission as adding risk to the Project and negatively evaluate a proposal accordingly.

4.6 PRICE PROPOSAL – 20%

- 4.6.1 The extent of the pricing is reasonable relative to historical data, the County's experience with other CMAR procurements, the County's estimates, and market trends.
- 4.6.2 Small-Local Business Preference:

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- 4.6.2.1 Pursuant to applicable law, the County will not apply a Small-Local Business Preference when evaluating Proposals and determining contract award for this RFP. Regardless, Proposers are encouraged to complete the Small-Local Business Self-Certification form to assist with County data collection.

4.7 CONTRACT TERMS AND CONDITIONS – 10%

The acceptance or non-acceptance of the terms and conditions, including insurance, and the extent to which any exception(s) increase risk to the County.

4.8 FINANCIAL STRENGTH – 10%

The extent to which the Proposer demonstrated financial stability to fulfill the requirements of this contract.

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ARTICLE 5 SUBMITTAL ITEMS

Proposals should give clear, concise information in sufficient detail to allow for a comprehensive evaluation. The County has the discretion, but not the obligation, to construe any submission as non-conforming and ineligible for consideration if it does not conform to the Submittal Requirements described by these Submittal Items. The County shall also have the discretion to waive any irregularities or variances from these Submittal Items and/or seek clarification.

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5.1 PROPOSAL COVER PAGE (PC600)

This form is required for all Proposers. The PC600 form is located at https://www.sandiegocounty.gov/content/dam/sdc/purchasing/docs/PC600_dpc_Offerors_Cover_Page.pdf

5.2 REPRESENTATIONS AND CERTIFICATIONS FORM (PC601)

This form is required for all Proposers. The PC601 form is located at https://www.sandiegocounty.gov/content/dam/sdc/purchasing/docs/PC601_dpc_Reps_and_Certs.pdf

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5.3 PROPOSER INFORMATION

5.3.1 Fill out the following table for the Construction Manager At Risk (CMAR)

5.3.2 Under California Public Contract Code § 20146(b), CMAR means, in part, “an individual, partnership, joint venture, corporation, or other recognized legal entity, that is appropriately licensed in this state, including a contractor’s license issued by the Contractors’ State License Board, and that guarantees the cost of a project and furnishes construction management services, including, but not limited to, preparation and coordination of bid packages, scheduling, cost control, value engineering, evaluation, preconstruction services, and construction administration.”

5.3.3 If the Proposer is a corporation, limited liability company, partnership, joint venture, or other legal entity, submit a copy of the organizational documents or agreement committing to form the organization.

CONSTRUCTION MANAGER AT RISK (CMAR)	
<input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Partnership <input type="checkbox"/> Joint Venture	
<input type="checkbox"/> Other Association (Provide Description Here)	
Date of Formation:	Under the laws of what State:
Legal Name:	
Point of Contact:	
Address:	
Phone:	Email:
Is Proposer a Small-Local Business in accordance with Board Policy B-53? <input type="checkbox"/> Yes <input type="checkbox"/> No	

5.3.4 While the Small-Local Business Preference for price does not apply to this RFP due to legal restrictions, all Proposers are encouraged to complete this form to support County data collection:

https://www.sandiegocounty.gov/content/dam/sdc/purchasing/docs/PC610_dpc_Small_Local_Self_Cert.pdf

5.3.5 If the Construction Manager At Risk is a privately held corporation, limited liability company, partnership, or joint venture, list below all of the entity’s shareholders, partners, or members known at the time of submission who will perform work on the Project.

NAME	FIRM	TITLE
		<input type="checkbox"/> Shareholder <input type="checkbox"/> Partner <input type="checkbox"/> Member
		<input type="checkbox"/> Shareholder <input type="checkbox"/> Partner <input type="checkbox"/> Member
		<input type="checkbox"/> Shareholder <input type="checkbox"/> Partner <input type="checkbox"/> Member

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		<input type="checkbox"/> Shareholder <input type="checkbox"/> Partner <input type="checkbox"/> Member
		<input type="checkbox"/> Shareholder <input type="checkbox"/> Partner <input type="checkbox"/> Member
		<input type="checkbox"/> Shareholder <input type="checkbox"/> Partner <input type="checkbox"/> Member

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5.4 ESSENTIAL REQUIREMENTS

The Proposer will be disqualified for any responses to questions noted below as “Disqualifying”. Note that there are seven (7) required attachments specified in this section.

5.4.1 License

5.4.1.1 The Proposer and Listed Subcontractors have each attached a copy of their respective valid and current California licenses appropriate for the Project. (Refer to California Public Contract Code § 20146(b)(2).)

Yes No (Disqualifying)

5.4.1.2 The Proposer and Listed Subcontractors have attached evidence of current registration with the California Department of Industrial Relations. (Refer to California Labor Code § 1771.1.)

Yes No (Disqualifying)

5.4.1.3 At any time during the last five (5) years, has any professional license issued to the Proposer or Listed Subcontractors from the California Contractors State License Board (CSLB) or similar entities been suspended or revoked?

Yes (Disqualifying) No

5.4.2 Insurance

5.4.2.1 The Proposer has attached evidence of current General Liability Insurance with a policy limit of at least \$2,000,000.00 per occurrence and \$4,000,000.00 aggregate for Phase 2 Construction. (California Refer to Public Contract Code § 20146(a)).

NOTE: An Excess Liability policy may be used to meet policy limits only if it is providing the same coverage as the primary policy.

Yes No (Disqualifying)

5.4.2.2 The Proposer has attached evidence of current Worker’s Compensation Insurance as required by the Labor Code, or is legally self-insured pursuant to California Labor Code § 3700 et seq.

Yes No (Disqualifying)

The Proposer is exempt because it has no employees.

5.4.2.3 At any time during the last five (5) years, has there ever been a period when the Proposer had employees but was without Worker’s Compensation

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insurance or state-approved self-insurance?

Yes (Disqualifying) No

The Proposer is exempt because it has no employees

Note: Attach a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the last five years. If Proposer has been in the construction business for less than five years, provide a statement by your workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period that your firm has been in the construction business.

5.4.2.4 If at any time during the last five (5) years the Proposer had any carrier, for any form of insurance, refuse to renew coverage, the Proposer has attached a letter explaining why insurance coverage was not renewed, the name of the insurance carrier, form of insurance, and year of refusal.

Proposer has not had a carrier refuse to renew coverage.

Proposer had a carrier refuse to renew coverage and Proposer has attached a letter.

Proposer had a carrier refuse to renew coverage, but Proposer has not attached a letter (Disqualifying)

5.4.3 Financial Strength

5.4.3.1 The Proposer has attached a copy of reviewed or audited financial statements with accompanying notes and supplemental information. (Refer to California Public Contract Code § 20146(b)(1).)

NOTES: (a) Financial statements must be for the latest fiscal year ended and include a balance sheet, statement of operations and retained earnings, statement of cash flows, and notes to the financial statements conforming to generally accepted accounting principles (GAAP); (b) Financial statements that are not either reviewed or audited are not acceptable; (c) A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required financial statements.

Yes No (Disqualifying)

5.4.3.2 Is Proposer currently the debtor in a bankruptcy case?

Yes (Disqualifying) No

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5.4.3.3 At any time during the last five (5) years, was Proposer in bankruptcy?

Yes (Disqualifying) No

5.4.4 Bonding

5.4.4.1 The Proposer has attached a notarized Surety Declaration from an Admitted Surety Insurer (as defined in California Code of Civil Procedure § 995.120) authorized to issue bonds in the State of California, which states that the Proposer's current bonding capacity is at least \$10,000,000.00 or greater. (Refer to California Public Contract Code § 20146(a).)

NOTE: The notarized statement must be from the surety company, not an agent or broker.

Yes No (Disqualifying)

5.4.4.2 Is the surety to be used for this Project an Admitted Surety Insurer (as defined in California Code of Civil Procedure § 995.120)? (Refer to California Code of Civil Procedure § 995.311.)

Yes No (Disqualifying)

5.4.4.3 At any time during the last five (5) years, has any surety insurer or other insurer (including without limitation Subcontractor Default Insurer) completed any project on behalf of or paid for any part of any project for the Proposer or any Listed Subcontractors?

Yes (Disqualifying) No

5.4.4.4 If at any time during the last three (3) years the Proposer has been required to pay a premium of more than one percent (1.00%) for a Performance or Payment Bond on any project, the Proposer has attached a letter stating the percentage that Proposer was required to pay with an explanation for a percentage rate higher than one percent.

Proposer has not paid a premium of more than one percent (1.00%).

Proposer has paid a premium of more than one percent (1.00%) and Proposer has attached a letter.

Proposer has paid a premium of more than one percent (1.00%), but Proposer has not attached a letter (Disqualifying)

5.4.4.5 Does the Proposer have a written Injury and Illness Prevention Program (IIPP) that complies with California Code of Regulations, Title 8, §§ 1509 and 3203?

Yes No (Disqualifying)

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5.4.5 Legal Compliance

5.4.5.1 At the time of submitting this Proposal, is Proposer or any of its owners, officers, supervisors, or managers ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to either California Labor Code § 1777.1 or California Labor Code § 1777.7?

Yes (Disqualifying) No

5.4.5.2 Has Proposer or any of its owners, officers, supervisors, or managers been convicted of a crime involving the awarding of a contract of a government construction project, the bidding or performance of a government contract, antitrust statutes, racketeering statutes, safety and health regulations, environmental laws, laws banning workplace discrimination, laws governing wages, hours or labor standards, or laws involving fraud, theft, or any other act of dishonesty?

Yes (Disqualifying) No

5.4.5.3 Does Proposer or any of its officers, supervisors, or managers currently have any delinquent liability to an employee, the state, or any awarding body for any assessment of back wages or related damages, interest, fines or penalties pursuant to any final judgment, order, or determination by any court or any federal, state, or local administrative agency, including a confirmed arbitration award?

Yes (Disqualifying) No

5.4.5.4 If awarded the contract, will Proposer and its Subcontractors at every tier use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades, in accordance with Chapter 2.9 (commencing with § 2600) of Part 1 of Division 2 of the California Public Contract Code.

Yes No (Disqualifying)

5.4.5.5 At any time during the last five (5) years, has a court or administrative agency made a final determination that Proposer, individually or collectively with another party, violated any federal or state laws prohibiting the hiring or employment of illegal or undocumented employees?

Yes (Disqualifying) No

5.4.6 Debarment

5.4.6.1 At any time during the last five (5) years, has Proposer or any firm with which any of its company's owners, officers or partners was associated, been debarred, disqualified, defaulted on, removed or otherwise prevented from

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bidding on, or completing, any government agency or public works project for any reason?

NOTE: “Associated with” refers to another firm in which an owner, officer, or partner held a similar position.

Yes (Disqualifying) No

5.4.7 Past Performance

5.4.7.1 Has Proposer or any of its officers, supervisors, or managers ever been terminated from a public works contract for cause or for default, including but not limited to termination based on any misconduct, such as failure to comply with contractual, statutory, or other legal obligations?

Yes (Disqualifying) No

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5.5 SAFETY RECORD

5.5.1 Experience Modification Rate (EMR)

Proposer's Data	
Most Recent Year	
Year Before the Most Recent Year	
2 Years Before the Most Recent Year	
Average	

Proposer must attach a letter from its insurance company showing Proposer's EMR for the most recent three-year period.

5.5.2 Average Total Recordable Injury or Illness Rate and Average Lost Work Rate

Applicable Statistical Standards for the Business Category	
North American Industry Classification System (NAICS)	Nonresidential Building Construction (2362)
Average Total Recordable Injury or Illness Rate for NAICS Code*	1.6
Average Lost Work Rate for NAICS Code*	0.9

* Source: Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, Table 1 Incidence rates of nonfatal occupational injuries and illnesses by industry and case types, 2023. <https://www.bls.gov/web/osh/table-1-industry-rates-national.htm>

Proposer's Data				
Year	Most Recent	Year Before Most Recent	2 Years Before Most Recent	Average
Total Recordable Injury or Illness Rate				
Lost Work Rate				

This section is intended to elicit information on an acceptable safety record. A Proposer's safety record shall be deemed acceptable if its experience modification rate for the most recent three-year period is an average of 1.00 or less, and its average total recordable injury or illness rate and average lost work rate for the most recent three-year period does not exceed the applicable statistical standards for its business category.

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5.6 EXPERIENCE OF PROPOSER

- 5.6.1 This section is, in part, intended to elicit evidence that the Proposer completed, or has demonstrated the experience, competency, capability, and capacity to complete, projects of similar size, scope, or complexity. (Refer to California Public Contract Code § 20146(b)(1).)
- 5.6.2 Proposer must provide descriptions of three successfully completed comparable projects within the last ten years. All three comparable projects must have been located in the United States and be similar to the project description and scope of work identified in this RFP.
- 5.6.3 Proposer shall, at a minimum, describe the following features of each of the three comparable projects:
- 5.6.3.1 Owner or client
 - 5.6.3.2 Primary function of the building/facility, the building square footage, and the site acreage
 - 5.6.3.3 Location of the building/facility
 - 5.6.3.4 Project type (e.g., new construction, renovation, tenant improvement)
 - 5.6.3.5 Project delivery method (e.g., CMAR, PDB, Design-Build, Design-Bid-Build) and contract type (e.g., GMP, lump sum, cost plus percentage of cost markup).
 - 5.6.3.6 Contract cost including the preconstruction and construction costs
 - 5.6.3.7 Project timeline including the beginning and ending dates (e.g., month and year) for the preconstruction and construction
 - 5.6.3.8 Proposer's role on the project (e.g., CMAR, general contractor, subcontractor, designer of record, subconsultant)
 - 5.6.3.9 Notable approving Authorities Having Jurisdiction (AHJ) (e.g., Department of Health Care Access and Information (HCAI), California Department of Public Health (CDPH), Department of Health Care Services (DHCS), Board of State and Community Corrections (BSCC), Division of the State Architect (DSA)).
 - 5.6.3.10 Scope of preconstruction services provided.
 - 5.6.3.11 Scope of construction services provided.
 - 5.6.3.12 Identify any Listed Subcontractors that were a part of the comparable project that will be a part of the Project.
 - 5.6.3.13 Identify any Key Personnel that were a part of the comparable project who will

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be a part of the Project.

- 5.6.3.14 Sustainability achievements (e.g., LEED certification, Zero Net Energy certification, and other third-party verified certifications) and sustainability features (e.g., Photovoltaics (PV), Battery Energy Storage Systems (BESS), solar hot water systems, alternative water sources, low water consumption, embodied carbon reductions, and aggressive Energy Use Intensity (EUI) targets).
- 5.6.3.15 An owner contact and telephone number who is capable of verifying this information and assessing the Proposer's performance if contacted by the County.
- 5.6.4 Photographs are encouraged but are not required.
- 5.6.5 Limit to one (1) double-sided or two (2) single-sided pages per project. Proposers are encouraged to use the form or a substantially similar form to the one below for each comparable project.
- 5.6.6 On a single 8.5" x 11" page, discuss whether the Proposer or Listed Subcontractors have joined and actively support sustainability commitments, such as the American Institute of Architects (AIA) 2030 Commitment, Structural Engineering Institute (SEI) SE2050 Commitment, Carbon Leadership Forum's MEP 2040 Commitment.
- 5.6.7 Contractor Assessment Report Submission
 - 5.6.7.1 The County may, in its sole discretion, evaluate Proposer's past performance involving other County Contracts (including review of Contractor Performance Assessment Reports) or other agencies for which the Proposer previously performed under contract. In the event that the County exercises said discretion, it will consider past performance (i) for all Proposers providing responsive proposals; or, (ii) for all Proposers within competitive range for award.
 - 5.6.7.2 The Proposer must submit all Contractor Assessment Reports prepared by County (i) for projects "substantially completed" (as the applicable contract defines that term) in the last two years; and, (ii) otherwise provided to the Proposer in the last five years.
 - 5.6.7.3 In the event that the Proposer is actively engaged in County work but has not yet been issued a Contractor Assessment Report, the Proposer must provide the name, telephone, and email address of the Proposer's main point of contact at the County.

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5.6.8 Recommended Comparable Project Format

Project Title _____ Project _____ of 3

Project Address _____ Owner Organization _____

Owner Contact Name _____ Phone _____ Email _____

Primary Function: Library Police Station Fire Station Hospital School
 Residential Mixed-Use Office Retail Detention Other _____

Facility Gross Square Footage _____ Site Acreage _____

Project Type: New Construction Renovation Other _____

Project Delivery Method: CMAR PDB Design-Build Other _____

Proposer's Role: D-BE CMAR GC Subcontractor Other _____

Contract Type: GMP Lump Sum Other _____

Preconstruction Services Price \$ _____ Construction Price \$ _____

Preconstruction Start (MM/YY) _____ Preconstruction End (MM/YY) _____

Construction Start (MM/YY) _____ Construction End (MM/YY) _____

Approving AHJs: HCAI CDPH DHCS BSCC Caltrans FEMA Coastal
 Commission DSA RWQCB Other _____

Listed Subcontractors that were a part of this comparable project that will be a part of the Project that is the subject of this RFP

Organization	Role on Comparable Project	Role on this Project

Key Personnel that were a part of this comparable project that will be a part of the Project that is the subject of this RFP

Name	Role on Comparable Project	Role on this Project

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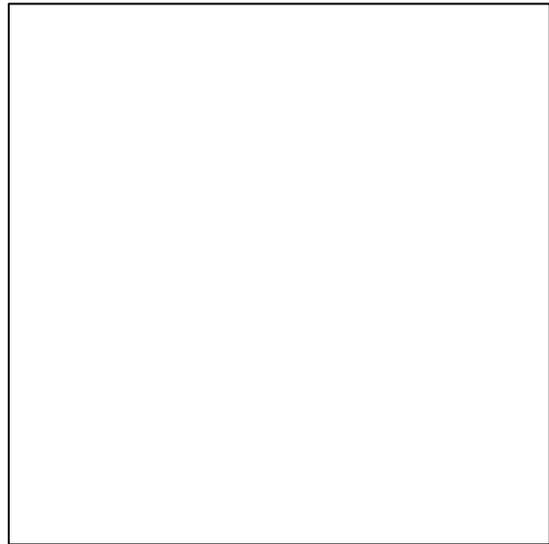
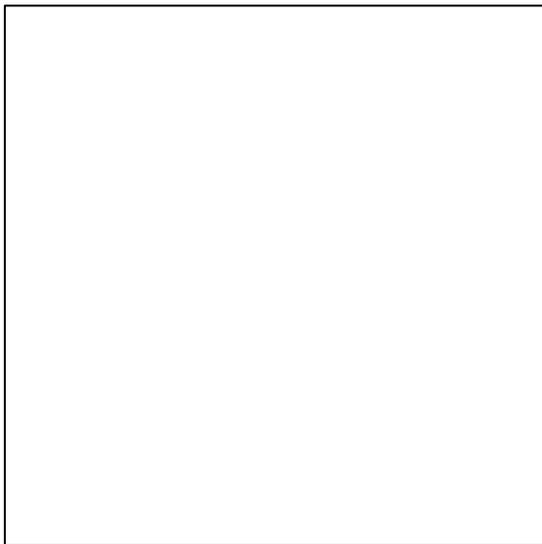
Project Description

Scope of Preconstruction Services Provided

Scope of Construction Services Provided

Sustainability Achievements and Sustainability Features

Photographs



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5.7 EXPERIENCE OF PERSONNEL

5.7.1 This section is, in part, intended to elicit evidence that the proposed Key Personnel have sufficient experience and training to competently manage and complete the Project. (Refer to California Public Contract Code § 20146(b)(1)).

5.7.2 Attach the resumes of Key Personnel that will be assigned to the Project from preconstruction through completion. Key Personnel shall include at a minimum: the Project Executive, Project Manager, Superintendent, Cost Estimator, Scheduling Manager, and Partnering Facilitator. Resumes of up to three additional people that will work on the Project may be included. Please note if a single person will fill multiple Key Personnel roles.

5.7.3 Each resume shall be limited to two (2) pages, and shall include, at a minimum, the following information:

5.7.3.1 Role and responsibilities on this Project.

5.7.3.2 Role and responsibilities on up to three projects of similar scope, value, and complexity as the project description and scope of work identified in this RFP.

5.7.3.3 Education, training, licenses, credentials, and industry affiliations

5.7.3.4 Complete employment history showing job titles, firms, and durations of employment dating back to when person became a professional in the construction industry. Below is an example of the minimum information to satisfy this requirement:

John Doe
Senior Project Manager, ABC Construction, December 2015 to Present
Project Manager, ABC Construction, September 2013 to November 2015
Project Engineer, ABC Construction, August 2011 to August 2013
Field Engineer, XYZ Construction, August 2009 to July 2011

5.7.4 On a single 8.5" x 11" page in tabular format similar to the following example, identify each person for which a resume is being submitted, their role on the Project, and the minimum percentage of the person's work time that will be dedicated to the Project during Phase 1 Preconstruction and Phase 2 Construction.

Name	Role	Min. Phase 1 Time	Min. Phase 2 Time
		%	%
		%	%
		%	%

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5.8 PROJECT PLAN

- 5.8.1 Provide a narrative description of how the Proposer intends to perform the services and activities necessary to successfully deliver the Project. The narrative must be specific to the delivery of the Project identified in this RFP.
- 5.8.2 The narrative must describe the Proposer’s approach and commitment to:
- 5.8.2.1 Maintaining safety on the jobsite, including but not limited to, addressing OSHA’s Top Four Construction Hazards: falls, struck-by, caught-in/between, and electrocutions.
 - 5.8.2.2 Completing the Phase 1 Pre-construction and Phase 2 Construction within the Contract Time, including but not limited to, adherence to specification 01 32 00 Progress Schedules and Reports.
 - 5.8.2.3 Quality assurance and quality control (QA/QC), including but not limited to, adherence to specification 01 45 23 Quality Requirements.
 - 5.8.2.4 Completing the Project within the Budget Not-To-Exceed.
 - 5.8.2.4.1 Explain the procedures the Proposer will use to track costs throughout Phase 1 Pre-Construction and deliver a GMP Package that is affordable.
 - 5.8.2.4.2 Explain the procedures the Proposer will use to ensure that Listed Subcontractors provide fair and reasonable pricing for Phase 2 Construction.
 - 5.8.2.5 Maintaining positive relationships with neighbors and the community.
 - 5.8.2.6 Engaging, and incentivizing Subcontractors to engage, community-based and economically disadvantaged businesses and individuals.
 - 5.8.2.7 Communicating with the County end users.
 - 5.8.2.8 Anticipated Project risks and Proposer’s plan for mitigating those risks.
- 5.8.3 The Project Plan narrative shall be limited to fifteen pages.
- 5.8.4 On one 11”x 17” page, provide the Proposer’s Organizational Chart showing the hierarchy of the Proposer’s personnel and the relationships with all Listed Subcontractors.
- 5.8.5 On one 11”x 17” page, provide a high-level, Gantt-style project schedule demonstrating how the Proposer will complete the Work within the Contract Times provided in 00 52 96 Agreement. This shall include Phase 1 Preconstruction and Phase 2 Construction for all Contract Options. This shall include County review times specified in 00 54 13 Scope of Work. The schedule shall be no more than 40-line items.

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5.8.6 Listed Subcontractors

5.8.6.1 Per California Public Contract Code § 20146(d), Proposer shall list in the table below only those Subcontractors that are partners, general partners, or association members in a partnership, limited partnership, or association with the Proposer.

5.8.6.2 Proposer shall identify Subcontractors that are Small-Local Businesses (SLB).

5.8.6.3 For additional information refer to the section titled, “Listed Subcontractors,” of the General Conditions and to California Public Contract Code § 20146(d). Proposer may use multiple sheets if necessary.

Firm Name	Address	CSLB Lic. No. & Class	Lic. Exp.	DIR Reg. No.	Scope of Work	Small-Local Business
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No

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5.8.6.4 Disclosure Requirement to Listed Subcontractors

Contractor shall provide within its Proposal to the County written acknowledgment(s) from each Listed Subcontractor indicating their receipt of the following disclosure:

The County of San Diego retains the right to approve of any subcontractor listed in Contractor's proposal pursuant to California Public Contract Code § 20146(d). The County of San Diego is legally prohibited from making expenditures that are wasteful or a gift of public funds. (Cal. Civ. Proc. Code § 526a; Cal. Const. art. XVI, § 6.) If a Listed Subcontractor's proposal contains pricing outside of a reasonable price range and, the Contractor and Listed Subcontractor are unable to negotiate a proposal price within a reasonable price range, then that subcontractor may be substituted in accordance with California Public Contract Code § 4107.

For additional information refer to the section titled, "Listed Subcontractors," of the General Conditions and to California Public Contract Code § 20146(d).

The undersigned Listed Subcontractor hereby acknowledges receipt of this disclosure:

Sign	Print Name
Title	Listed Subcontractor's Firm
Date	

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5.8.7 Self-Performed Work

5.8.7.1 The Proposer may only conduct Self-Performed Work for the scopes of work identified in its proposal.

5.8.7.2 For additional information, refer to the definition of “Self-Performed Work,” and the section titled, “Self-Performed Work,” in the General Conditions. Proposer may use as many sheets as necessary.

Describe Scope of Work to be Self-Performed	Construction Standards Institute (CSI) Division Nos.	Anticipated Percent of Total Direct-Pass Through Costs

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5.9 PRICE PROPOSAL(S)

5.9.1 Complete and provide the Price Proposal for Contract Option 1 Accessibility & Mechanical Upgrades

SERVICES	PRICE
PHASE 1 - PRECONSTRUCTION SERVICES	
Allowance for Permits and Approvals Obtained from Authorities Having Jurisdiction (AHJ) and Utility Companies During Phase 1 (Estimated By County).....	\$ 5,000.00
Phase 1 Services Price, including services performed during the Design/Construction Overlap Duration.....	\$ _____
PHASE 2 – CONSTRUCTION	
Direct Pass-Through Costs (Estimated By County).....	\$ 6,550,000.00
Operational FF&E Allowance (Estimated By County).....	\$ 0.00
Public Art Allowance (Estimated By County).....	\$ 0.00
County Controlled Contingency (Estimated By County).....	\$ 425,000.00
Contractor's Fee	
Profit & Home Office Overhead.....	\$ _____
General Conditions & General Requirements.....	\$ _____
TOTAL	\$ _____

Sign

Print Name

Date

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- 5.9.2 All cost and pricing information must be contained within Price Proposal. If price information is included elsewhere, the County may, at its sole discretion, remove such information or declare the proposal non-conforming.

- 5.9.3 Any and all compensation Proposer requires to provide the Phase 1 Pre-Construction Services must be identified under “Phase 1 - Preconstruction Services” in the table(s) above. Proposer will not receive any compensation identified under “Phase 2 – Construction” in the table(s) above unless and until the County directs the Contractor to proceed, in writing, with performance under Phase 2 Construction.

- 5.9.4 The amounts estimated by the County may not be adjusted by Proposers.

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5.10 CONTRACT TERMS AND CONDITIONS

5.10.1 Scoring for this section will be based on the extent of changes suggested to the County's Contract Documents and the risk to the County based on those changes.

5.10.2 Confirm (YES/NO) your organization's acceptance of the proposed County Contract Documents as presented in the RFP.

Yes No

5.10.3 If NO, provide a detailed paragraph-by-paragraph, contract clause-by-contract clause description of any issues or concerns that Proposer may have with the Contract Documents. If Proposer objects to a particular paragraph or clause, then Proposer will need to further describe, in business terms and not in proposed language, the nature of its concern and what terms Proposer is willing to accept ("Exception List"). The Exception List shall provide the reason or rationale supporting the item of concern and/or counter response. Simply stating that a paragraph or clause is "Not Acceptable" or proposing alternative contract terms without describing in business language the reason or rationale may render the Proposer's proposal unacceptable and the County may reject the proposal, in accordance with the section titled, "County Commitment" of 00 11 19 Request for Proposals. If Proposer does not identify specific concerns with a particular paragraph or clause, the County will consider the paragraph and/or clause acceptable. Proposer shall also provide a description of the business benefit to the County for the proposed language changes. In accordance with Article 3 RFP Instructions and Rules, the County may subsequently request that Proposer provide clarification of its Exception List through submission of a Redlined (track changes) copy of the Contract Documents.

5.10.4 The County will favor a response that contains a minimal number of exceptions to the requirements and Contract Documents contained in the RFP. Should Proposer take exception(s) to the Contract Documents, Proposer understands that the County may, as part of its evaluation process, conclude that exceptions are so numerous and/or material as to render the Proposer's proposal unacceptable and the County may reject the proposal, in accordance with the section titled, "County Commitment" of 00 11 19 Request for Proposals.

5.10.5 The Proposer will be deemed to have accepted any terms and conditions of the Contract to which it does not take exception in its proposal, and such accepted terms and conditions will not be subject to further negotiation.

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5.11 CONFIDENTIAL/PROPRIETARY EXHIBIT; NONDISCLOSURE INDEMNIFICATION AGREEMENT (PC620)

5.11.1 If applicable, submit a separate Confidential/Proprietary Exhibit.

5.11.2 Please note that the County is a public agency subject to the disclosure requirements of the Public Records Act, California Government Code § 7920.000 and following. The County of San Diego intends to publish contracts, which may contain some or all of the successful proposal(s), to its public web site. If Confidential/Proprietary Exhibit is contained within the submission, then:

5.11.2.1 It must be submitted in a separate clearly labeled exhibit with all pages marked as “CONFIDENTIAL/PROPRIETARY EXHIBIT”.

5.11.2.2 Proposer must provide a signed Nondisclosure Indemnification Agreement (PC620) at
https://www.sandiegocounty.gov/content/dam/sdc/purchasing/docs/PC620_dp_c_Nondisclosure_Indemnity.pdf

5.11.3 In accordance with the California Public Records Act, the County will not treat pricing or terms and conditions as confidential. Confidential/Proprietary Exhibits will be examined prior to review, and price or terms and conditions may be removed or the County may declare a proposal non-conforming because of the inclusion of price or terms and conditions in the Confidential/Proprietary Exhibit.

5.11.4 No confidential or proprietary information, including PI (Personal Information), PII (Personally Identifiable Information) or PHI (Protected Health Information), shall be included outside of Section 5 – Confidential/Proprietary Exhibit. If confidential or proprietary information is included elsewhere, the County may, at its sole discretion, remove such information or declare the proposal non-conforming.

5.11.5 Responses to questions that must include confidential or proprietary information shall refer to Proposer’s response contained within the Confidential/Proprietary Exhibit. For example, if Submittal Item #1 requires staff Social Security Numbers, the response to Submittal Item #1 shall reflect “See response #1 contained within Confidential/Proprietary Exhibit.”

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5.12 AUTHORIZATION FOR RELEASE OF INFORMATION AND WAIVER OF LIABILITY FOR REFERENCES

By signing this Authorization, the Proposer and Listed Subcontractors (collectively referred to as the “Reviewed”) agree as follows:

- 5.12.1 The Reviewed authorize any and all individuals who are familiar with Reviewed’s work history and performance to provide information to the County of San Diego pertaining to Reviewed’s performance.
- 5.12.2 The Reviewed voluntarily waive any and all rights it/he/she may have to privacy and/or confidentiality pertaining to Reviewed’s work history and performance insofar as the information is released solely to the County of San Diego in its evaluation of Reviewed’s suitability for this specific solicitation.
- 5.12.3 Reviewed hereby releases the County of San Diego, and its officers and employees, and any party responding to a reference check, from any claims, damages, or liabilities of any kind, that may directly or indirectly result from the use disclosure, or release of such information by any person or party, whether such information is favorable or unfavorable to Reviewed, arising from the work reference contemplated by this authorization.
- 5.12.4 Reviewed has read the above, understands its contents, and voluntarily agrees to its terms.

This authorization shall remain valid for one (1) year from the date of signature and shall be signed by the CMAR and each Listed Subcontractor. A copy of this authorization may be provided to all individuals and entities solicited for a reference check.

Construction Manager At Risk	Listed Subcontractor
Sign	Sign
Print Name: _____ Date: _____	Print Name: _____ Date: _____
Print Title: _____	Print Title: _____
Listed Subcontractor	Listed Subcontractor
Sign	Sign
Print Name: _____ Date: _____	Print Name: _____ Date: _____
Print Title: _____	Print Title: _____
Listed Subcontractor	Listed Subcontractor
Sign	Sign
Print Name: _____ Date: _____	Print Name: _____ Date: _____
Print Title: _____	Print Title: _____

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5.13 NON-COLLUSION DECLARATION

The undersigned declares:

I am the _____ of _____, the party making the foregoing bid.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____[date], at _____[city], _____[state].

Authorized Representative Name

Signature

Form pursuant to California Public Contract Code § 7106.

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5.14 IRAN CONTRACTING ACT CERTIFICATION

As required by California Public Contract Code § 2204, the Contractor certifies subject to penalty for perjury that the applicable option checked below relating to the Contractor's status in regard to the Iran Contracting Act of 2010 (California Public Contract Code § 2200 et seq.) is true and correct:

A. The Contractor is not:

1. identified on the current list of persons and entities engaging in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of California Public Contract Code § 2203; or

2. a financial institution that extends, for 45 days or more, credit in the amount of \$20,000,000 or more to any other person or entity identified on the current list of persons and entities engaging in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of California Public Contract Code § 2203, if that person or entity uses or will use the credit to provide goods or services in the energy sector in Iran.

B. Agency has exempted the Contractor from the requirements of the Iran Contracting Act of 2010 after making a public finding that, absent the exemption, Agency will be unable to obtain the goods and/or services to be provided pursuant to the Contract.

C. The amount of the Contract payable to the Contractor for the Project does not exceed \$1,000,000.

Sign	Print Name
Title	Firm

Date

Note: In accordance with California Public Contract Code § 2205, false certification of this form shall be reported to the California Attorney General and may result in civil penalties equal to the greater of \$250,000 or twice the Contract amount, termination of the Contract and/or ineligibility to bid on contracts for three years.

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5.15 FLEET COMPLIANCE CERTIFICATION

Proposer hereby acknowledges that they have reviewed the California Air Resources Board's (CARB) In-Use Off-Road Diesel-Fueled Fleets regulations in California Code of Regulations Title 13, Division 3, Chapter 9, Article 4.8 (the "Regulation"). Proposer hereby certifies that the option checked below relating to the Proposer's fleet, and/or that of their Subcontractor(s) is true and correct:

- This Proposal is not for a project involving the use of vehicles subject to the Regulation.

- The Proposer will submit valid Certificate(s) of Reported Compliance with their Proposal as follows:
 - If the Proposer owns, rents, or leases vehicles subject to the Regulation the Proposer will submit valid Certificate(s) of Reported Compliance for all fleets subject to the Regulation.
 - For any Subcontractor, as defined in the Regulation, that owns vehicles subject to the Regulation or will rent or lease vehicles subject to the Regulation, Proposer will submit valid Certificate(s) of Reported Compliance for all subcontracted fleets subject to the Regulation.

Failure to accurately complete this certification and submit the requisite Certificate(s) of Reported Compliance may render a proposal non-responsive or non-conforming.

Name of Proposer: _____

Signature: _____

Name: _____

Title: _____

Date: _____

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5.16 SURETY DECLARATION FORM

5.16.1 Provide this declaration to your Surety or Sureties to be used for this Project to be signed by an authorized representative, notarized, and included with your Proposal. If the Proposer submitting this Proposal is a Joint Venture, Partnership or other association, provide such information for each member or partner if necessary to achieve the required bond capacity.

The undersigned declares under penalty of perjury that the bonding capacity indicated below is true and correct and that this declaration was executed in:

(County), (State) on (Date)

Signature

Name

Title

Representing [Surety Name]

Firm Name

Address, City, State, Zip Code

Telephone Number

Fax Number

Email Address

(ATTACH NOTARIZATION of SURETY REPRESENTATIVE'S SIGNATURE)

Bonding Capacity: _____

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5.16.2 Provide documentation from your surety identifying the following:

Name of Bonding Company/Surety:	
Name of Surety Agent, Address, and Telephone Number:	
Total Bonding Capacity	
Total Available Bonding Capacity	

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ARTICLE 6 ATTACHMENTS

The below attachments can be found on BuyNet:

6.1 DIVISION 00 DOCUMENTS

- 00 11 19 Request for Proposal
- 00 31 00 Information Available To Proposers
- 00 52 96 Agreement (Draft)
- 00 54 13 Scope of Work
- 00 55 00 Notice to Proceed (Draft)
- 00 61 13.13 Performance Bond (Draft)
- 00 61 13.16 Payment Bond Form (Draft)
- 00 62 76 Application for Payment Form
- 00 63 36 Field Order Form
- 00 63 63 Change Order Form
- 00 65 16 Certificate of Substantial Completion
- 00 65 19.19 Consent of Surety to Final Payment Form
- 00 65 36 Warranty Letter (Draft)
- 00 72 95 General Conditions (Draft)
- 00 73 16.01 Insurance Requirements for Preconstruction
- 00 73 16.02 Insurance Requirements for Construction

6.2 GENERAL REQUIREMENT SPECIFICATIONS, DIVISION 01 DOCUMENTS

- 01 00 00 Project General Requirements
- 01 14 00 Renovation & Alteration Project Procedures
- 01 14 33 Facility Electrical Shutdowns
- 01 21 00 Allowances
- 01 21 27 Furniture Fixtures Equipment (FF&E)
- 01 24 01 Cost Estimating
- 01 25 00 Substitution Procedures
- 01 31 13 Project Coordination
- 01 31 19 Project Meetings
- 01 31 50 Contractor's Request for Information
- 01 32 00 Contract Schedules and Reports
- 01 32 33 Photographic Documentation
- 01 33 00 Submittals
- 01 35 23 Site Specific Safety Plan
- 01 41 26 Building & Grading Permits & Inspections
- 01 45 16 Contractor Assessment Reports
- 01 45 23 Quality Requirements
- 01 50 00 Temporary Facilities and Controls
- 01 57 00 Storm Water Pollution Prevention
- 01 61 10 Products Specified by Brand Name
- 01 62 00 Product Requirements and Options
- 01 64 00 Owner Furnished Contractor Installed Products
- 01 73 27 System Equipment Asset Tagging

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01 74 00 Cleaning and Waste Management
01 78 00 Closeout Submittals
01 78 23 Operations and Maintenance Data
01 78 39 Project Record Documents
01 79 00 Demonstration and Training
01 86 23 Building Automation System
01 86 29 County Network Procedures
01 86 33.01 Security Access Control
01 86 33.02 Security Video Surveillance System
01 86 33.03 Security Intrusion Detection System
01 91 00 General Commissioning Requirements