Q. Department of Industrial Relations Registration

Proposer must be registered with the Department of Industrial Relations as required by Senate Bill 854 (Chapter 28, Statutes of 2014) and Senate Bill 96 (Chapter 28, Statutes of 2017) to work on public works contracts as defined under the Labor Code.

R. California Consumer Privacy Act

To the extent applicable, if Consultant is a business that collects the personal information of a consumer(s) in performing Services pursuant to this Contract, Consultant must comply with the provisions of the California Consumer Privacy Act (CCPA). (Cal. Civil Code §§1798.100, et seq.). For purposes of this provision, "business," "consumer," and "personal information" shall have the same meanings as set forth at Civil Code section 1798.140. Consultant must contact the County immediately upon receipt of any request by a consumer submitted pursuant to the CCPA that requires any action on the part of the County, including but not limited to, providing a list of disclosures or deleting personal information. Consultant must not sell, market or otherwise disclose personal information of a consumer provided by the County unless specifically authorized pursuant to terms of this Contract. Consultant must immediately provide to the County any notice provided by a consumer to Consultant pursuant to Civil Code section 1798.150(b) alleging a violation of the CCPA, that involves personal information received or maintained pursuant to this Contract. Consultant must immediately notify the County if it receives a notice of violation from the California Attorney General pursuant to Civil Code section 1798.155(b).

V. SCOPE OF WORK

A. BACKGROUND INFORMATION

The San Bernardino County Department of Public Works is creating a Job Order Contracting Program (Program) to perform repair, remodeling, or other repetitive work and maintenance projects, to be done according to unit prices, within the County.

B. PROJECT DESCRIPTION

Project goals and objectives – to develop and provide a full set of customized Job Order Contracting documentation including a San Bernardino County specific Task Catalogs, Technical Specifications, and General Conditions.

1. **JOC Documents.** The Contractor will be responsible for preparing the JOC documents that will be used by the County to procure JOC construction contractors, including the following:

   a. Construction Unit Price Catalog: The Contractor must provide a construction unit price catalog contains individual construction tasks along with associated unit prices. Each price must be based on prevailing equipment, material, and labor prices within the local geographical region. The use of generic factors to localize prices is not acceptable. The Contractor shall be responsible for maintaining and updating semi-annually the Construction Unit Price Catalog, including labor composition, regional rates, and local productivity factors. The Contractor shall also maintain a comprehensive database containing each individual construction task and their corresponding unit prices. The Contractor shall publish one master or reference copy of the Construction Unit Price Catalog which shall conform to Caltrans standards plans and specifications – latest edition and Standard Specifications for Public Works Construction .

   b. Technical Specifications: The Contractor must prepare a set of Technical Specifications that corresponds with the task in the Unit Price Book. Where available, County standards specifications will be incorporated into the Technical Specifications. The technical specifications produced under this agreement must conform to standard format convention.

c. Contractual Terms and Conditions and Bid Forms: The Contractor must prepare, in conjunction with the County staff, Contractual Terms and Conditions and Bid Forms which incorporate JOC contract language and forms with all appropriate County contract language and forms.

2. Deliverables/Requirements:

a. Program Management.
Provide the Program timeframe, schedule, or target completion date for the full program schedule for the Job Order Contracting Program for the duration of the Contract.

b. Document Preparation.
The Consultant shall develop the full set of customized Job Order Contracting documentation including a San Bernardino County specific Unit Price Book, Technical Specifications, and General Conditions and all other documents pertinent to administering the Program, including but not limited to:
   i. Provide the Program Unit Price Book.
   ii. Provide the Program Contract Documents.
   iii. Provide the Program Forms and required Documents.

c. Support Services.
   i. Procurement Support - The Consultant shall be capable of providing the County with complete technical and marketing support during the procurement phase. Qualified staff with extensive public sector procurement experience must provide this support. The JOC Consultant will be required to organize and conduct pre-proposal meetings with the intending proposers as well as make presentations on behalf of the County with various business and contracting organizations.
   ii. Technical Support - The consultant shall develop a JOC management information and support system. Expectations include assisting the County in executing procedures, troubleshooting, implementation, and continuous system monitoring. The Consultant shall update, as often as required, any or all of the JOC documents including the Unit Price Books, Catalogs, Technical Specifications, and Contractual Terms and Conditions. The Consultant shall provide ongoing technical support and prepare and conduct periodic review conferences for County management.
   iii. Facilitation Support - The County may require an owner's representative for certain procurement procedures. As such, the Consultant will act on the County's behalf. This service will be on an as-needed basis at the County's discretion

d. Training.
The Consultant shall develop specialized training courses that would involve all parties utilizing the system. This may include:
   i. Procurement Staff
   ii. Project Managers
   iii. Inspectors
   iv. Clerical Administrative Staff
   v. Consultants

3. Project Approach – Indicate any applicable project methodology, type of contract, and payment structure.

C. ADDITIONAL REQUIREMENTS FOR FEE SCHEDULE

1. A-PROGRAM MANAGEMENT

a. Develop Program Schedule

The consultant shall develop full program schedule for the Job Order Contracting Program for the duration of the Contract.

2. B-DOCUMENT PREPARATION

a. Unit Price Book
b. Contracts
c. Forms and Documents

The Consultant shall develop the full set of customized Job Order Contracting documentation including a San Bernardino County specific Unit Price Book, Technical Specifications, and General Conditions and all other documents pertinent to administering the Program.

3. C-SUPPORT

a. Procurement support Contracts

The Consultant shall be capable of providing the County with complete technical and marketing support during the procurement phase. Qualified staff with extensive public sector procurement experience must provide this support. The JOC Consultant will be required to organize and conduct pre-proposal meetings with the intending proposers as well as make presentations on behalf of the County with various business and contracting organizations.

b. Technical Support

The consultant shall develop a JOC management information and support system. Expectations include assisting the County in executing procedures, troubleshooting, implementation, and continuous system monitoring. The Consultant shall update, as often as required, any or all of the JOC documents including the Unit Price Books, Catalogs, Technical Specifications, and Contractual Terms and Conditions. The Consultant shall provide ongoing technical support and prepare and conduct periodic review conferences for County management.

c. Facilitation Support

The County may require an owner's representative for certain procurement procedures. As such, the Consultant will act on the County's behalf. This service will be on an as-needed basis at the County's discretion

4. D-TRAINING

a. Training Items of Work

The Consultant shall develop specialized training courses that would involve all parties utilizing the system. This may include:

i. Procurement Staff
ii. Project Managers
iii. Inspectors
iv. Clerical Administrative Staff
v. Consultants

VI. PROPOSAL SUBMISSION

A. General

1. All interested and qualified Proposers are invited to submit a Proposal for consideration. Submission of a Proposal indicates that the Proposer has read and understands the entire RFP, including all

appendixes, attachments, exhibits, schedules, and addenda (as applicable) and that all concerns regarding the RFP have been resolved.

2. Proposals must be received by the designated date and time. **All proposers must register with the ePro system prior to the date and time to receive the proposal or they will be disqualified. Late or incomplete proposals will not be accepted.** System-related issues in ePro shall be directed to the Purchasing Department at (909) 387-2060. For procurement questions involving ePro, please contact the RFP Contact identified in Section I, Paragraph B – RFP Contact.

3. The Proposer acknowledges that its electronic signature is legally binding. Submittals in ePro will be opened from the system's encrypted lock box after the deadline and evaluated as stated in this RFP.

4. Paper responses submission, by mail or in person to the RFP Contact and will be time/date stamped when received. Proposals can be withdrawn at any time prior to the scheduled Deadline for Proposals.

   Hand carried Proposals may be delivered to the RFP Contact between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays observed by the County. Proposers are responsible for informing any commercial delivery service, if used, of all delivery requirements, and for ensuring that the address information appears on the outer wrapper or envelope used by such service.

5. **The Proposer shall not include Attachment E, "Fee Proposal Sheet(s)", as part of Proposer's hard copy submittal, but instead shall mail or submit in person Attachment E, in a separate sealed envelope labeled "Fee Proposal Sheet" with the RFP Number and Title and the name of the Proposer clearly marked on the outside, to the address stated in Section 1, Paragraph B. The proposal and Attachment E must be received (in separate envelopes) on or before the Deadline for Proposals. Failure to comply with this requirement shall disqualify the Proposer.**

6. Proposals must be submitted in the format described below. Proposals are to be prepared in such a way as to provide a straightforward, concise description of capabilities to satisfy the requirements of this RFP.

7. Proposals must be completed in all respects as required in this section. A Proposal may not be considered if it is conditional or incomplete.

B. Proposal Format

Responses to this RFP must be in the form of a Proposal package, which must be submitted in the following format:

1. **Presentation**
   Submit all hard copies of the Proposal on 8 ½ x 11 paper. Each page, including attachments, must be clearly and consecutively numbered.

2. **Cover Page**
   Use Attachment A as the cover page.

   This form must be fully completed and signed by an authorized officer of the Proposer.

3. **Table of Contents**
   All pages of the Proposal, including the enclosures, must be clearly and consecutively numbered and correspond to the Table of Contents.

4. **Statement of Certification**
   Include the following on Attachment B:
   a. A statement that the offer made in the Proposal is firm and binding for nine (9) months from the Deadline for Proposals.
   b. A statement that all aspects of the Proposal, including cost, have been determined independently, without consultation with any other Proposer (competitor) for the purpose of restricting competition.
   c. A statement that all declarations in the Proposal and attachments are true and that this shall constitute a warranty, the falsity of which will entitle the County to pursue any remedy by law.
   d. A statement that the Proposer agrees that all aspects of the RFP and the Proposal submitted shall be binding if the Proposal is selected and a Contract awarded.
   e. A statement that the Proposer agrees to provide the County with any other information the County determines is necessary for an accurate determination of the Proposer's ability to perform the Services as proposed.
   f. A statement that the Proposer, if selected will comply with all applicable rules, laws and regulations.
   g. A statement that the Proposer has reviewed the RFP and General Contract Terms in their entirety and have no exceptions to any requirements, terms or conditions, except as noted in Attachment H.

5. **Statement of Experience and Qualifications**
   Include the following in this section of the Proposal:
   a. Business name of the Proposer and type of legal entity such as corporation, partnership, etc. If Proposer is a business entity that must be registered with the California Secretary of State, Proposer shall provide the County the entity number assigned to it by the Secretary of State.
   b. Number of years the Proposer has been in business under the present business name, as well as related prior business names.
   c. Statement that the Proposer does not have any commitments or potential commitments that may impact the Proposer's ability to perform the Contract, if awarded.

6. **Licenses, Permits, and/or Certifications**
   Provide copies of all licenses, permits and/or certifications in Attachment C as required under Section X. TERMS AND CONDITIONS Paragraph A, 22

7. **Reserved**

8. **Project Team Organization Chart**
   Provide an organization chart illustrating the project team, and clearly show the organization of the team and the hierarchy of the members. It must include:
   a. Organizational framework for the proposed project team.
   b. Company name and staff name for each role identified in the chart.
   c. Resumes of key personnel, including qualifications, education and project experience

9. **Proposal Description**
   The Proposal should include the following:
   a. A brief synopsis of the Proposer's understanding of the County's needs and how the Proposer plans to meet them.
   b. A detailed statement of the proposed Services.
   c. An explanation of any assumptions or constraints.

10. **Work Plan and Schedule**
    Include the following:
    a. Summary of management/work plan for this Project.
    b. Project schedule

11. **Certification Regarding Debarment or Suspension**
    Complete Attachment D.

12. **Cost**
    Complete proposed pricing on Attachment E and enclose it in a separately sealed and labeled envelope to be submitted as part of the Proposal.

13. **References**
    Provide three (3) references from other entities, preferably public agencies, of same or similar size as the County, with whom you have established a contract on a project of this nature. Provide Contact Name, Address, Phone Number, and dates Services were provided on Attachment F.

14. **Former County Officials**
    Complete Attachment G

15. **Exceptions to RFP**
    Complete Attachment H.

16. **Public Records Act Exemptions**
    Complete Attachment I – Public Records Act Exemptions if applicable.

17. **Indemnification and Insurance Requirements Affidavit**
    Submit evidence of ability to insure as stated in Section X, Paragraph B – Indemnification and Insurance Requirements. Proposer must complete and submit Attachment J – Indemnification and Insurance Requirements Affidavit, and ensure the form is complete, including the signature from Proposer's insurance broker/agent.

18. **Conflict of Interest**
    Complete Attachment L – Conflict of Interest and Political Reform Act Obligations.

19. **Campaign Contribution Disclosure (SB 1439)**
    Complete Attachment M – Campaign Contribution Disclosure (SB 1439)

VII. EVALUATION

Proposals will be subject to an Initial Review to confirm responsiveness, by determining whether each Proposal includes the stipulated content, required certifications or licensing, etc., and is presented in the required format, in order for the Proposal to advance for evaluation. Any reasonable person reviewing for responsiveness must be able to ascertain that the Proposal meets these requirements.

The evaluation process includes the following categories, and may include additional specific criteria. Likewise, the listed considerations are possible considerations, and may not be the only factors involved in the evaluation.