

***Request for Proposals
Geotechnical Engineering Services
San Mateo County Replacement
Correctional Facility***



San Mateo County Sheriff's Office

Issued: March 30, 2012

Responses due: April 17, 2012, 2:30 pm

Lieutenant Deborah Bazan, Project Executive
San Mateo County Sheriff's Office
Jail Planning Unit
400 County Center, 3rd floor
Redwood City, CA94063

Telephone: (650) 508-6721
Email: dbazan@smcgov.org

DISCLAIMER

This Request for Proposals (RFP) is not a commitment or contract of any kind. The County of San Mateo reserves the right to pursue any, or none of the ideas generated by this request. Costs for developing the proposals are entirely the responsibility of the applicants and shall not be reimbursed. The County reserves the right to select the proposal that is in the County's best interest, to reject any and all proposals, to terminate the RFP process, and/or to waive any requirements of this RFP when it determines that doing so is in the best interest of the County. Further, while every effort has been made to ensure the information presented in this RFP is accurate and thorough, the County assumes no liability for any unintentional errors or omissions in this document.

NOTE REGARDING THE PUBLIC RECORDS ACT:

(a) General Provisions Regarding Public Nature of Proposals.

Government Code Section 6250 *et. seq.*, the Public Records Act, defines a public record as any writing containing information relating to the conduct of the public's business that is prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. The Public Records Act provides that public records shall be disclosed upon written request, and that any citizen has a right to inspect any public record, unless the document is exempted from the disclosure requirements.

(b) Proposer's Rights Regarding Confidentiality of Proposals.

The County of San Mateo does not represent or guarantee that any information submitted in response to the RFP will be kept confidential. If the County of San Mateo receives a request under the Public Records Act for any document submitted in response to this RFP, it will not assert any privileges that may exist on behalf of the person or business submitting the proposal. In the event that a party who has submitted a proposal wishes to prevent disclosure, it is the sole responsibility of that party to assert any applicable privileges or reasons why the document should not be produced and to obtain a court order prohibiting disclosure. If material is designated as confidential, the County will attempt in a timely manner to inform the person or entity that submitted such material of the public records request in order to permit the person or entity to assert any applicable privileges.

Section 10 of this document sets forth the procedures for designating a document as confidential. Failure to comply with the procedures in Section 10 constitutes a waiver by the submitting party of any claim that the information is protected from disclosure. If you submit information you claim is protected as a trade secret or on any other basis, you **must** follow all procedures in Section 10.

PART 1 – INTRODUCTION

- 1.01 The County of San Mateo (“County”) invites responses to this Request for Proposals (“RFP”). The successful respondent will contract with the County to provide the geotechnical contract services for the County’s Replacement Correctional Facility (the “Project”).
- 1.02 This RFP and the proposals submitted in response to it is the County’s RFP process that will culminate in award of the geotechnical contract. The County will conduct an in-depth evaluation of the proposals submitted and conduct interviews with each of the respondents. The County will then begin sequential contract negotiations beginning with the most qualified firm.
- 1.03 This RFP and the responses of the selected geotechnical firm will be included in their geotechnical contract for the Project following award.

PART 2 –SUBMISSION OF PROPOSALS

- 2.01 Please read the entire RFP and all enclosures before preparing your proposal. Proposers should seek clarification of any requirements that they do not fully understand. Misunderstandings resulting in an improper response will not be considered a valid reason to fail to supply all features indicated to exist by the Proposer. Respondents should address any issue or question via email to Lieutenant Deborah Bazan, Project Executive. Email: dbazan@smcgov.org
- 2.02 Respondents should address every item listed in this RFP. Brevity and clarity are of utmost importance. Responses that are comprised of standard marketing materials that do not specifically address the items below will not be evaluated; however, respondents may include ten (10) bound copies of their marketing materials, as long as they are not permanently attached to the RFP. Responses that do not comply with all applicable requirements will not be considered.
- 2.03 All proposals shall be firm offers, and will so be considered by the County, although the County reserves the right to negotiate terms upon evaluation of the proposals. Proposals will be considered valid offers for a period of ninety (90) days following the close of the RFP.
- 2.04 The responses to this RFP should be bound and printed vertically (“portrait” orientation) on standard 8 ½” by 11” paper. The responses should not exceed **15 pages; single sided** but will preferably be much shorter. Type size should be no smaller than 10 point, but preferably larger. The top of page one of the response should state the respondent’s name, address, phone number, fax number, e-mail address, and contact name. No cover letter is necessary.
- 2.05 Respondents must submit an original, signed response to the RFP, together with fifteen (15) copies, and one (1) electronic copy, **no later than 2:30 PM on April 17, 2012** to:

Lieutenant Deborah Bazan, Project Executive
San Mateo County Sheriff’s Office
Jail Planning Unit
400 County Center, 3rd floor
Redwood City, CA94063
Telephone: (650) 508-6721
Email: dbazan@smcgov.org

The signed, original RFP response should include a statement signed by an owner, officer, or authorized agent of the respondent, acknowledging and accepting the terms and conditions of this RFP.

Proposals received late will not be opened or given any consideration for the proposed services.

PART 3 – SHERIFF’S OFFICE BACKGROUND

- 3.01** The San Mateo County Sheriff’s Office is managed by a Sheriff who is directly elected for a four-year term. In addition to overseeing all adult correctional facilities in San Mateo County, the Sheriff is responsible for patrol services in both unincorporated areas of the county and contract cities, investigations, custody, and security in the courts, and various administrative functions.
- 3.02** The incumbent Sheriff is Greg Munks. Directly under his command are Undersheriff Carlos Bolanos and Assistant Sheriff Trisha Sanchez. Overseeing this architectural RFP is Lieutenant Deborah Bazan, the Project Executive.

PART 4 – PROJECT DESCRIPTION

- A. The Project will be located on an approximately 4.85-acre site within Redwood City, CA. The Project will initially house 576 beds (including 88 non-secure transitional beds) with future expansion to 832 beds. The site is not located within a State of California Earthquake Fault Hazard Zone (1982) for active faulting; however, the site is in an area of active seismic shaking, and according to the State of California Seismic Hazard Zones Map (CGS, Palo Alto Quadrangle, 2006), is located within an area susceptible to liquefaction. Geologic mapping by Brabb (2000) indicates the site is underlain by artificial fill (af) and Bay Mud deposits (Qhb).
- B. The County is using a “Construction Manager/General Contractor at Risk” (CM/GC at Risk) delivery method.
- C. The firm selected will be asked to provide geotechnical services appropriate to the Project.
- D. The facility shall be designed in accordance with all local and state laws, building codes and applicable zoning issues and ordinances. Additionally, the facility shall adhere to all of the requirements defined by California Administrative Code Title 24, Minimum Standards for Local Adult Detention Facilities
- E. The proposed development plan includes demolition of the existing structures and construction of a new correctional facility that includes a detention structure and an administration building. The building heights are yet to be determined, but may range from 3 to 7 stories high. It is possible that a below grade parking garage may also be under consideration by the design team. The new facility will also utilize “green” design and construction concepts to achieve a minimum LEED Silver certification.

PART 5 – OUTLINE OF SCOPE OF WORK

This Part 5 sets forth an outline/overview of the scope of services required for the Project Schedule for the Phase 1 to Phase 4 work should be developed and coordinated with the Design Team upon award of contract. The detailed services required is contained in Appendix A of the

draft Professional Services Agreement attached hereto as Attachment C1. Your proposal should take into consideration and address the full scope of services as set forth in Appendix A. To the extent there are conflicts between this Part 5 and Exhibit A, such conflicts will be resolved during the negotiation of the Professional Services Agreement with the selected firm.

Phase 1 Scope– Geotechnical Feasibility Assessment

The geotechnical feasibility assessment will include a desk study, preliminary geotechnical exploration and report preparation. Limited exploration will be performed using Cone Penetration Test (CPT) equipment, but no soil samples will be collected for laboratory testing from this Phase 1 geotechnical study. The intent of the geotechnical feasibility assessment is to identify site hazards, such as liquefaction and soft soil settlement potentials, and provide preliminary soil information for project planning and budgeting purposes.

Based on the information gathered in this Phase 1 study, the design team will develop conceptual/preliminary building layout, building heights and finished site grades. A more detailed breakdown of the Phase 1 services follows:

- A. Desk Study
 - Review existing geotechnical data and any public documentation for the project site
 - Review published geologic maps, geologic hazard maps and aerial photographs
 - Review regional historic groundwater level and FEMA flood maps

 - B. Preliminary Geotechnical Exploration
 - Advance 5 to 6 Cone Penetration Test (CPT) holes, 80 to 120 feet deep within the project site. Locations of the exploratory locations to be verified with the design team. Soil shear wave velocities will be measured from one of the CPT locations, at 5 to 10 feet intervals
 - Obtaining permit for drilling
 - Drumming and disposal of soil cuttings
 - Private utility locator to clear all exploratory holes

 - C. Report Preparation
 - Summarize findings from desk study and preliminary geotechnical exploration
 - Discuss regional and site-specific geologic maps and site seismicity, including 2010 California Building Code Seismic parameters and Site Class. If the site is classified as Soil Profile Type F, code based deterministic lower limit MCE will be provided.
 - Preliminary assessment of geological hazards affect the site, such as: faulting, liquefaction and lateral spreading, soft soils, shallow groundwater, expansive soils, as appropriate.
 - Comment on the suitability of the site for the proposed detention center
 - Discuss potential load-induced settlements based on assumed load ranges and general soil characteristics
 - Preliminary discussion on mitigation and treatment of geotechnical constraints, such as: soft/compressible soils, existing fills, liquefiable soils, as necessary
 - Preliminary earthwork recommendations including site drainage and fill placement
 - Preliminary foundation options with discussions of the following:
 - Deep Foundation – preliminary pile depth to obtain 100-ton capacity for up to 3 types of piles, as specified by the structural engineer
 - Shallow Foundation – preliminary soil bearing capacities for structural mat foundation and ground improvement options to enhance soil bearing capacities
 - Preliminary earth pressures for shoring and retaining wall design
 - Discussion on storm water infiltration opportunities within the site and provide a general range of permeability for the various soil types using CPT logs and published maps
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D. Consultation

After publishing the Geotechnical Feasibility Assessment report, Consultant will continue to provide recommendations and consultation to the county and project team during project planning. Supplemental documents and analysis will be performed or prepared as necessary.

Phase 2 Scope- Design Level Geotechnical Report

Once the preliminary development plans are available and outline the locations of the proposed building(s), site finished grades, and finished floor grades, Phase 2 geotechnical study can commence. The Phase 2 study is a design-level study to accommodate a submittal.

The following scope assumes an at-grade structure with up to 5 stories will be constructed. The scope of exploration, including the type of borings (hollow stem auger, mud rotary or CPTs) should be revisited after the development plan is available.

A. Work Plan and Consultation

Prepare a work plan for the design-level geotechnical exploration. The work plan will outline locations of borings, planned depth, schedule, and equipment.

B. Detailed Geotechnical Exploration

- Drill 4 to 5 boreholes, 50 to 100 feet deep within the project site
- Obtaining permit for drilling
- Drumming and disposal of soil cuttings
- Private utility locator to clear all exploratory holes
- Laboratory testing of select soil samples including moisture-density, Atterberg Limits, gradation, strength, corrosivity, consolidation tests, and R-value testing, as necessary

C. Report Preparation

- Discuss physical properties of the soil materials encountered in the borings
- Detailed discussion on earthquake-induced liquefaction settlements (total and differential) and impacts on utilities and structural design
- Detailed discussion on load-induced ground settlements (total and differential) and impacts on utilities and structural design
- Provide mitigation measures techniques and recommendations for geotechnical constraints, such as surcharge program and ground improvements, if applicable.
- Recommendations for site grading, drainage, utilities, and pavements.
- Recommendations for foundation design including:
 - Deep Foundation – Tip elevations, vertical pile capacity, pile spacing, L-pile design parameters (fixed and free head), pile group effects, and corrosion effects
 - Shallow Foundation – soil modulus of subgrade reaction, effective plasticity index, unsupported center and edge lift parameters, bearing capacities, pad treatment, and subgrade soil preparations
 - Site specific seismic response spectra, if deemed applicable
 - Retaining wall design parameters – active, at-rest and passive pressures; pressure distribution diagrams; and base friction value(s)
- Recommendations for exterior pavement design based on actual R-value

Phase 3 Scope: Plan Review, Document Preparation and Consultation

After completion of the design-level geotechnical report, Consultant will continue to provide geotechnical services including:

- Coordination and consultation with the Civil Engineer to reduce the impacts of proposed grading on site utilities.
- Coordination and consultation with the Structural Engineer to design an indicator pile program prior to construction, if the proposed structures are to be supported on pile foundations to address soft soil and liquefaction.
- Coordination and consultation with the project team to design a surcharge program prior to construction, if the proposed structures are to be supported on shallow foundations requiring soft soil or liquefaction ground improvement.
- Coordination with the local jurisdiction and governmental agencies to facilitate advancement of the project. Service will include preparation of plan review letters (e.g. foundation plans, grading plans, improvement plans and/or shoring plans); supplemental documents to clarify geotechnically related concerns and/or response to peer review comments.
- Design-phase consultation with the project team. Consultation will be focused on a value engineering approach such as developing advantages and disadvantages of each foundation and ground improvement alternative, as well as providing preliminary quantities to assist with project construction cost estimates.

Phase 4 Scope: Geotechnical Construction Observation and Testing (Correspondent to submit price for budgetary purpose only, not in contract scope)

- Geotechnical testing and observation (T&O) during mass grading, utility trench backfill, retaining wall construction, pavement subgrade preparation, and paving activities.
- Attend meetings and provide consultation, as requested during construction. This may include attending pre-construction meetings, weekly or bi-weekly construction meetings, and meetings with city representative to resolve site geotechnical issues. Additionally, plan to prepare geotechnical response letters or memoranda upon the request of the contractor, the design team or the County on unexpected subsurface conditions or clarification on geotechnical recommendations.
- If an indicator pile program will be implemented, perform observation services during pile loading tests and perform additional analyses on test results. Provide revised foundation recommendation if deemed necessary.
- Site visits by the project geotechnical engineer to observe foundation excavations, pile driving, and/or shoring installation.

Prepare final reports at the completion of the earthwork, utility trench backfill, shoring, foundation excavations and paving activities. Final reports will include all the laboratory test reports and field testing summaries to support the geotechnical services completed at the site

PART 6 PROPOSAL REQUIREMENTS

Each proposal shall consist of the following sections:

6.01 Company Information and Qualifications

Respondents should submit the following information in 15 pages or less addressing their qualifications and experience:

- A. Fifteen (15) years of experience providing geotechnical exploration, testing and design recommendations for large projects.
- B. Experience providing geotechnical services for at least one (1) complex infrastructure program with the value of at least \$50 million or more, within the last ten (10) years.

- C. Experience preparing geotechnical design recommendations, engineering and construction documents for projects within the County of San Mateo, Santa Clara and San Francisco.
- D. Knowledge of the current sea level rise design criteria within SF Bay Area.
- E. Experience preparing geotechnical recommendations for developments constructed on reclaimed land, hydraulically placed fill, and Bay Mud deposits.
- F. Laboratory testing experience and experience interpreting test results for the physical properties of soils and rock.

License Requirements

The qualifications listed below are required for key positions on the project team. In addition to the specific qualification requirements applicable to each individual position ALL key/lead team members must have been employed by their firm for at least six (6) months prior to the date that proposals are received. It is the responsibility of the Respondent to put forth a highly qualified team with the experience and capabilities needed to support the designs and to propose individuals who meet specific qualifications highlighted in this section.

6.02 Proposed Project Team Qualifications and Availability

The specific minimum experience requirements for the key/lead team member positions are defined below:

Principal in Charge

The Principal in Charge should be a licensed professional Geotechnical Engineer (GE) in the State of California with a minimum of Fifteen (15) years of experience with the geotechnical aspects of infrastructure design and construction. The Principal in Charge should have experience working within the County of San Mateo, Santa Clara and San Francisco.

Project Manager

The Project Manager should be a licensed professional Geotechnical Engineer (GE) in the State of California with a minimum of ten (10) years of experience with the geotechnical aspects of infrastructure design and construction.

Lead Geotechnical Engineer

The Lead Geotechnical Engineer should be a licensed professional Geotechnical Engineer (GE) in the State of California with a minimum of twenty (20) years of experience preparing geotechnical documents.

6.04 Compensation

- A. Your fee should be broken out by the phases described in the Scope of Work. Propose your fee on a Lump Sum basis, broken out by project phase.
- B. Identify reimbursable expenses that will be charged to the Project. Provide an estimate in the line items provided in Attachment of what you believe these expenses should be for the Project.
- C. Provide lump sum fees, by phases described in the Scope of Work, for any sub-consultants you would propose to include with your team. Also include mark-ups on sub-consultants, if applicable.
- D. Include hourly rates for all personnel

FEE ESTIMATE AND SCHEDULE

Phase 1 – Geotechnical Feasibility Assessment	Fee
Tasks 1A, 1B and 1C - Desk study, preliminary geotechnical exploration & geotechnical assessment report	
Task 1D - Consultation (up to 30 hours)	
Phase 1 Subtotal	
Schedule: 3 to 4 weeks to complete after authorization	
Phase 2 – Design Level Geotechnical Exploration	Fee
Tasks 2A, 2B and 2C – Work plan and consultation, design-level geotechnical exploration, laboratory testing, analysis, and report preparation	
Phase 2 Subtotal	
Schedule: 7 to 8 weeks to complete after authorization	
Phase 3 – Plan Reviews, Document Preparation and Consultation	Fee
Consultation (up to 40 hours)	
Plan Reviews, Response to Peer Review Letters (up to 3 letters)	
Develop Indicator Pile Program/Documents, or Surcharge Program	
Task 3 Subtotal	
Pre-Bid Geotechnical Services (Phases 1, 2 and 3)	
GRAND TOTAL FOR PRE-BID SERVICES	

Phase 4 – Geotechnical Construction Observation and Testing Services (submit price for budgetary purpose only, not in contract scope)			
Scope of Service	Hourly or Unit Rate	Estimated Hours	Estimated Cost
Services to be performed by Geotechnical Engineer of Record (GOR)			
Pile Load Test and Supplemental Foundation Recommendations			
Engineering Observations, such as: Surcharge Program, Pier Drilling/Pile Driving, Foundation Excavation, and Shoring Installation			
Consultation and Meetings			
Document Preparation for Final Reports, RFIs, and Miscellaneous Letters			

6.05 Acceptance of the County's Professional Services Agreement

A draft of the County's Professional Services Agreement is attached to this RFP as Attachment C1. Bidders are instructed to include exceptions (if any) to the County's Draft Professional Services Agreement with specific alternate language in the form of redlines to Attachment 1. If no exceptions are stated the County will assume the respondent is prepared to sign the County contract as-is. The County reserves the right to modify the draft agreement during the negotiations with the selected firm and is not bound to the terms set forth in the draft agreement.

Each proposal must include a statement of the respondent's commitment and ability to comply with each of the terms of the following:

- A. No person shall, on the grounds of race, color, creed, national origin, religious affiliation or non-affiliation, sex, sexual orientation, marital status, age (over 40), disability, medical condition (including but not limited to AIDS, HIV positive diagnosis or cancer), political affiliation or union membership be excluded from participation in, be denied the benefits of, or be subjected to discrimination under this agreement.
- B. Respondents shall ensure equal employment opportunity based on objective standards of recruitment, selection, promotion, classification, compensation, performance evaluations, and management relations, for all employees under any contract that may result from this submittal. Respondents' personnel policies shall be made available to County upon request.
- C. Respondents shall assure compliance with section 504 of the Rehabilitation Act of 1973 by submitting a signed letter of compliance. Respondents shall be prepared to submit a self-evaluation and compliance plan to County upon request within one (1) year of the execution of any agreement that may result from this submittal.
- D. Respondents must comply with the County Ordinance Code with respect to the provision on employee benefits. As set forth in the ordinance, such respondents are prohibited from discriminating in the provision of employee benefits between an employee with a domestic partner and an employee with a spouse. The County jury duty ordinance.

In addition, the respondent should include a statement that it will agree to have any disputes regarding any Agreement venued in San Mateo County. Also include a statement indicating your ability to obtain liability insurance of a minimum of \$1,000,000 for each of the following: comprehensive general, motor vehicle, professional and worker's compensation.

PART 7 – KEY SELECTION CRITERIA

7.01 The evaluation by the Selection Committee will be based on the criteria listed below.

- A. **Completeness of Response Submission**
- B. **Personnel Experience and Qualification**
- C. **Depth and Quality of Respondent's Performance**
- D. **Successful Track Record of Similar Projects.**
- E. **Competitive Consulting Fees**

The County may consider any other criteria it deems relevant, and the Selection Committee is free to make any recommendations it deems to be in the best interest of the County.

PART 8 – REVIEW AND SELECTION PROCESS

8.01 Review of Proposals

- A. The County will evaluate the information based on materials submitted in response to this RFP

- B. Respondents should prepare their response according to the RFP format, i.e., by section and paragraph of this RFP. The County reserves the right to reject any response to this RFP not submitted within the required timeframe; reject any incomplete RFP submitted; contact client references; require further information; and/or require interviews with any respondent. All costs related to the preparation, submittal, and/or presentation of this RFP are the responsibility of the respondent and will not be assumed in full or in part by the County.
- C. Proposals shall be used to determine the applicant's capability of rendering the services to be provided and the cost for the services. By submitting a proposal, each respondent certifies that its submission is not the result of collusion or any other activity which would tend to directly or indirectly influence the selection process. The County reserves the sole right to evaluate the contents of proposals submitted in response to this RFP and to select a successful respondent, or none at all.
- D. The County reserves the right to waive any requirements of this RFP when it is determined that waiving a requirement is in the best interest of the County.
- E. The County will evaluate proposals based on each respondent's written submission only. Evaluation will be performed only on the material included directly in the proposal itself unless otherwise indicated by the County in this RFP. The Evaluation Committee will not access company web sites or read sales brochures, marketing materials, or white papers in evaluating vendor experience or proposed methodology unless doing so is in the County's best interest. You may submit additional materials or reference on-line information in your proposal if you wish, but these will not be considered during the proposal evaluation process.
- F. If errors are found in a proposal, the County may reject the proposal. However, the County may, in its sole discretion, correct arithmetic and/or transposition errors or contact a respondent for clarification. The respondent will be informed of the errors and corrections.
- G. The County reserves the right to accept other than the lowest costs submitted and to negotiate with a respondent on a fair and equal basis when the best interests of the County are served by doing so.

PART 9 –Appeal of Decision

Unsuccessful respondents/firms shall have five business days from the delivery of County's letter of rejection to submit a written appeal, addressed directly to Sheriff Greg Munks at 400 County Center, Redwood City, CA 94063. Appeals received after the deadline will not be accepted. The written appeal should specifically address any perceived irregularities in the process and/or the RFP review committee's recommendation. The committee will review the written appeal, and to present to the Sheriff the reason for the committee's recommendations. An appeal that merely addresses a single aspect of the selected proposal, e.g., comparing the cost of the selected proposal in relation to the non-selected proposal, is not sufficient to support an appeal. A successful appeal will include sufficient evidence and analysis to support a conclusion that the selected proposal, taken as a whole, is an inferior proposal.

The Sheriff will respond to an appeal within ten (10) business days of receiving it, and the Sheriff may, at its election, set up a meeting with the respondent to discuss the concerns raised by the protest. The decision of the Sheriff will be final.

PART 10 – CONFIDENTIALITY OF PROPOSALS

California Government Code Sections 6250 *et seq.* (the "Public Records Act") defines a public record as any writing containing information relating to the conduct of the public business. The Public Records Act provides that public records shall be disclosed upon written request and that

any citizen has a right to inspect any public record unless the document is exempted from disclosure. The County is subject to the California Public Records Act.

Any contract that eventually arises from this RFP is a public record in its entirety, as is all information submitted in response to this RFP except as outlined in this Section. Failure to comply with the procedures in this Section constitutes a waiver by the submitting party of any claim that the information is protected from disclosure.

If you submit information you claim is protected from disclosure as a trade secret or on any other basis, you must do **all** of the following:

- (i) Identify each page of such material as "CONFIDENTIAL";
- (ii) Place all such pages in a separate tab in the appropriate section of your submission as listed in Section V.C, below; and
- (iii) **Submit with your proposal a proposed non-disclosure agreement for review.**

For example, if your response contains confidential materials in Tabs 5 and 6, you should include separate tabs labeled "Tab 5-CONFIDENTIAL" and "Tab 6-CONFIDENTIAL" in the appropriate sections of your submission, and each page within those tabs must have the label "CONFIDENTIAL" on it. In this way you must segregate such materials in relation to each tab. You must also submit a proposed non-disclosure agreement.

Over-designation of materials as confidential, such as designating every page of a submission, may result in rejection of the entire proposal at the County's sole discretion. Failure to designate a portion of your submission as confidential means that you consent to that portion's release by the County if requested under the Public Records Act without further notice to you and that you will indemnify and hold harmless the County for release of such information.

The County of San Mateo does not represent or guarantee that any information submitted in response to this RFP will be kept confidential. If the County receives a request for any portion of a document submitted in response to this RFP that complies with the procedures in this Section, the County will not assert any privileges that may exist on behalf of the person or entity submitting the proposal but will notify the party that marked the pages/information "CONFIDENTIAL." It is the responsibility of the person or entity submitting the proposal to assert any applicable privileges or reasons why the portion of the document so marked should not be produced. If material is designated as confidential, the County will attempt in a timely manner to inform the person or entity that submitted such material of the public records request in order to permit the person or entity to assert any applicable privileges.

To the extent consistent with applicable provisions of the Public Records Act and applicable case law interpreting those provisions, the County and/or its officers, agents and employees retain the discretion to release or withhold disclosure of any information submitted in response to this RFP.

Submission of a proposal constitutes a complete waiver of any claims whatsoever against the County and/or its officers, agents, or employees that the County has violated a respondent's right to privacy, disclosed trade secrets, or caused any damage by allowing the proposal to be inspected.

PART 11 – GENERAL CONDITIONS

11.01 The RFP responses should be clear and concise to enable management-oriented personnel to make a thorough evaluation and arrive at a sound determination as to whether the RFP response meets the County's requirements. To this end, each RFP

response should be as specific, detailed, and complete as to clearly and fully demonstrate that the respondent has a thorough understanding of and has demonstrated knowledge of the requirements to perform the work (or applicable portion thereof). The respondent and each of its members must verify the RFP response under oath.

- 11.02** The submission of a response to this RFP does not commit County to award a contract for the Project, to pay costs incurred in the preparation of responses to this RFP or to procure or contract for any services. Costs for preparing responses to this RFP will be paid entirely by the respondents.
- 11.03** County reserves the right to interpret or change any provision of this RFP at any time prior to the RFP submission date. Such interpretations or changes shall be in the form of addenda to this RFP and posted on the Sheriff's Office webpage. County, in its sole discretion, may determine that a time extension is required for submission of responses to this RFP, in which case such addenda shall indicate a new RFP submission deadline. County reserves the right to waive inconsequential deviations from stated requirements.
- 11.04** County retains the right to reject any and all responses to this RFP, to contract work with whomever and in whatever manner County decides, or to abandon the work entirely. County shall make final decisions regarding a respondent's qualifications as of proposal day. All decisions concerning respondent selection shall be made in County's best interests.
- 11.05** This RFP constitutes part of each proposal and includes the explanation of the County's needs, which must be met.
- 11.06** This RFP and all materials submitted in response to this RFP will become the property of the County.
- 11.07** Alteration of Terms and Clarifications. It is mutually understood and agreed that no alteration or variation of the terms of this RFP shall be valid unless made or confirmed in writing and signed by the County and respondent selected, and that no oral understandings or agreements not incorporated herein, and no alterations or variations of the terms hereof unless made or confirmed in writing between said parties hereto, shall be binding.
- 11.08** If a respondent discovers any ambiguity, conflict, discrepancy, omission, or other error in the RFP, the respondent shall immediately notify the County of such error in writing and request modification or clarification of the document. Modifications to the RFP will be made by addenda as outlined above.
- 11.09** Clarifications will be sent by email to all parties. Each respondent must provide the County with electronic contact information in response to this RFP.
- 11.10** If a respondent fails to notify the County of an error in the RFP prior to the date fixed for submission, the respondent shall submit a response at his/her own risk, and if the respondent enters into a contract, the respondent shall not be entitled to additional compensation or time by reason of the error or its later correction.
- 11.11** Should respondent realize during the review process that there has been a substantive error or omission in its submittal, which does not alter basic services and has not already resulted in disqualification from participating in the RFP process for other reasons, said respondent is invited to submit to the Project Executive a written request and explanation of respondent's desire to correct its submittal. It shall be at the sole discretion of the

County's selection committee to decide whether to grant respondent's request to correct its RFP submittal.

- 11.12** Contact with County/Jail Planning Unit Employees. As of the issuance date of this RFP and continuing until the final date for submission of proposals, all respondents are specifically directed not to hold meetings, conferences, or technical discussions with any County or Jail Planning Unit employee (or their agents or representatives), for purposes of responding to this RFP except as otherwise permitted by this RFP. Any respondent found to be acting in any way contrary to this directive may be disqualified from entering into any contract that may result from this RFP.

PART 12 – Negotiation of Contract

Once a respondent is selected, the agreement with that firm must still be negotiated and submitted to the Sheriff and/or San Mateo County Board of Supervisors for approval, and there is no contractual agreement between the selected firm unless and until the Board of Supervisors or its designee, as applicable, accepts and signs the Agreement. Selection of a proposal for negotiation of contract terms and eventual submission to County management by way of an agreement does not constitute an offer, and respondents acknowledge by submission of a proposal that no agreement is final unless and until approved by the County Manager or the Board of Supervisors, as applicable. Should the selected firm not, in the County's determination, be prepared to negotiate in good faith; or should the selected firm not be able to meet the County's contractual terms and conditions which the County believes to be essential to a successful contract, the County reserves the right to terminate contract negotiations and begin contract negotiations with one or more than one of the remaining respondents.

PART 13 – PROJECT EXECUTIVE

All written inquiries and requests for additional information pertaining to this RFP, any addendum, or any matter relating to the architect selection process, must, unless otherwise identified in an addendum, be directed to the following designated Project Executive:

Lieutenant Deborah Bazan
San Mateo County Sheriff's Office
Jail Planning Unit
400 County Center 3rd floor
Redwood City, CA 94063
Telephone: (650) 508-6721
Email: dbazan@smcgov.org

SAN MATEO COUNTY SHERIFF'S OFFICE

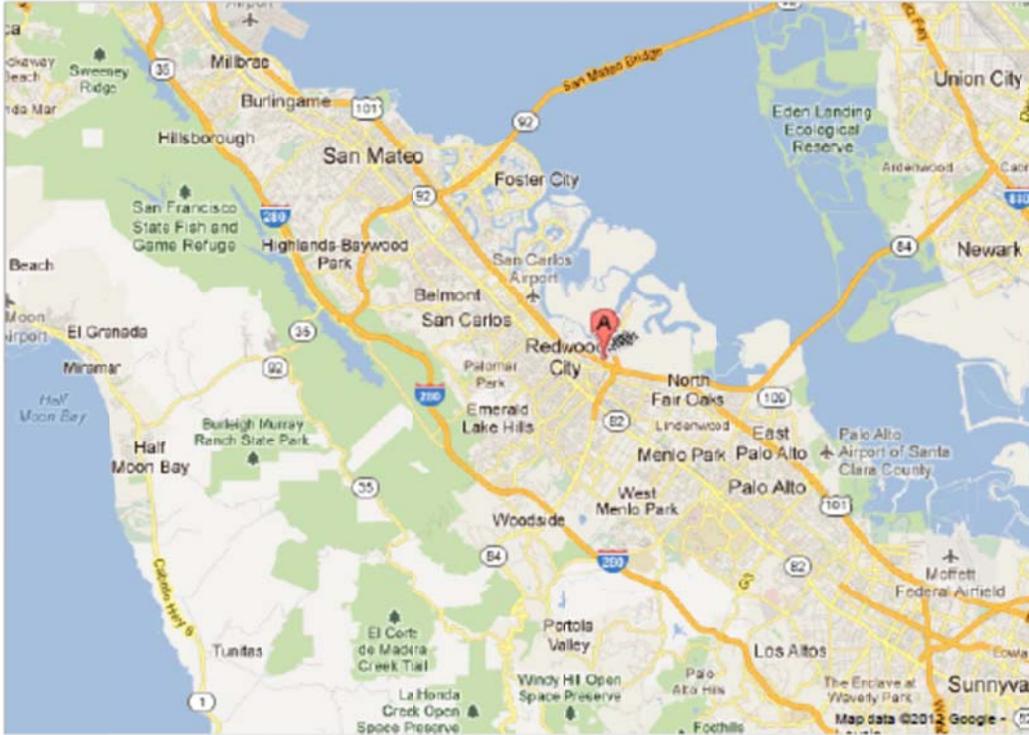
Greg Munks, Sheriff

ANTICIPATED SCHEDULE OF EVENTS FOR RFP PROCESS

Sheriff Issues Request for Proposals	March 30, 2012
Questions via email due Lieutenant Deborah Bazan at dbazan@smcgov.org by 5 P.M.	April 5, 2012
Responses to Questions posted on JPU webpage	April 12, 2012
RFP Responses Due: 2:30 P.M.	April 17, 2012

County reserves the right to modify this schedule at any time at its sole discretion.

Attachment A1



Attachment B1

