



COUNTY OF ALAMEDA

REQUEST FOR PROPOSAL No. PLN2023-001

for

SMARA COMPLIANCE, SURFACE MINING LAND USE AND GEOTECHNICAL SERVICES

For complete information regarding this project, see Request for Proposal (RFP) posted at [Alameda County Current Contracting Opportunities \[https://gsa.acgov.org/do-business-with-us/contracting-opportunities/\]](https://gsa.acgov.org/do-business-with-us/contracting-opportunities/) or contact the County representative listed below. Thank you for your interest!

Contact Person: Damien Curry
Phone Number: (510) 670-6684
Email Address: damien.curry@acgov.org

RESPONSE DUE

by

5:00 p.m.

on

February 17, 2023

Email:

damien.curry@acgov.org

or

Written:

Alameda County Planning Department
224 W. Winton Avenue, Suite 111
Hayward, CA 94544



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CALENDAR OF EVENTS

REQUEST FOR PROPOSAL No. PLN2023-001
SMARA COMPLIANCE, SURFACE MINING LAND USE AND GEOTECHNICAL SERVICES

EVENT	DATE/LOCATION
Request Issued	January 6, 2023
Online Networking/Bidders Conference No. 1	<p>Monday, January 16, 2023, 1:00 pm Please click the link below to join the webinar: https://us02web.zoom.us/j/82707492900</p> <p>By Phone ONLY: (669) 444-9171 or (669) 900-9128</p> <p>Webinar ID: 827 0749 2900</p>
Online Networking/Bidders Conference No. 2	<p>Thursday, January 19, 2023, 10:00 am Please click the link below to join the webinar: https://us02web.zoom.us/j/83801856214</p> <p>By Phone ONLY: (669) 444-9171 or (669) 900-9128</p> <p>Webinar ID: 838 0185 6214</p>
Written Questions Due via Email: damien.curry@acgov.org	by 5:00 p.m. January 24, 2023
List of Attendees	January 25, 2023
Questions & Answers Issued	February 3, 2023
Addendum Issued	February 3, 2023
Response Due via Email or Mail: damien.curry@acgov.org or Damien Curry, Alameda County Planning Dept 224 W. Winton Avenue, Suite 111 Hayward, CA 94544	by 5:00 p.m. February 17, 2023
Evaluation Period	February 17 – March 3, 2023
Notice of Intent to Award Issued	March 6, 2023
Board Consideration Award Date	March 21, 2023
Contract Start Date	June 30, 2023

NOTE: All dates are tentative and subject to change.

COUNTY OF ALAMEDA

REQUEST FOR PROPOSAL No. PLN2023-001

SPECIFICATIONS, TERMS & CONDITIONS

for

SMARA COMPLIANCE, SURFACE MINING LAND USE AND GEOTECHNICAL SERVICES

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ATTACHMENTS

EXHIBIT A

BID RESPONSE PACKET

I. ACRONYM AND TERM GLOSSARY

Unless otherwise noted, the terms below may be upper or lower case. Acronyms will always be uppercase.

A/E	Architecture(-al) and Engineer(-ing)
Agency	Shall mean the Alameda County Community Development Agency
Board	Shall refer to the County of Alameda Board of Supervisors
CCR	California Code of Regulations
CDA	Alameda County Community Development Agency
CEQA	California Environmental Quality Act
CSC	Shall refer to County Selection Committee
Contractor	When capitalized, shall refer to selected Proposer that is awarded a contract
County	When capitalized, shall refer to the County of Alameda
DMR	Division of Mine Reclamation
FACE	Financial Assurance Cost Estimate
FAM	Financial Assurance Mechanism
Federal	Refers to United States Federal Government, its departments and/or agencies
F.O.B	Shall mean without charge for delivery to destination and placing on board a carrier at a specified point (Free On Board)
IRS	Refers to Internal Revenue Service
Labor Code	Refers to California Labor Code
MSDS	Refers to Material Safety Data Sheets
OSHA	Refers to California Occupational Safety and Health Administrations
PRC	Public Resource Code
Proposal	Shall mean proposer/contractor response to this RFP
Proposer	Shall mean specific person or firm responding to this RFP
PO	Shall refer to Purchase Order(s)
Qualifications	Shall mean Proposer's response to this RFP in compliance with the most recent version of SMARA and the SMO Qualifications and all agencies having jurisdiction
Request for Proposal	Shall mean this document, which is the County of Alameda's request for contractors'/proposers' proposal to provide the goods and/or services being solicited herein. Also referred herein as RFP
Response	Shall refer to proposer's proposal or quotation submitted in reply to RFP
RFP	Request for Proposal
SF	Standard Form
SLEB	Small Local Emerging Business
SMARA	Surface Mining and Reclamation Act
SMO	Alameda County Surface Mining Ordinance
SMGB	State Mining and Geology Board
State	Refers to State of California, its departments and/or agencies

II. STATEMENT OF WORK AND SCOPE OF SERVICES

A. PROJECT DESCRIPTION AND OVERVIEW

The Alameda County Community Development Agency (CDA) requests Qualifications and Proposals for on-call consultant services to conduct compliance reviews, monitoring and inspection work relative to the mines and quarries located in Alameda County. The County seeks to hire firms that have demonstrated technical expertise in and familiarity with all applicable federal, state, and local requirements necessary for the monitoring and evaluation of compliance of quarry and mining operations that are conducted in Alameda County. Of particular importance is supporting the County as Lead Agency in implementing applicable requirements. To avoid any actual conflict of interest or any appearance of conflict of interest, the Respondent must not have worked directly or indirectly for any Permittee, Operator or Landowner of any quarries subject to California Surface Mining and Reclamation Act (SMARA) (Public Resources Code section 2710 et seq.) or the Alameda County Surface Mining Ordinance (SMO) in Alameda County in the prior 12 months during the duration of the multi-year contract with the County.

The Respondent, for the County's benefit, shall provide compliance support services for all surface mining operations as required of SMARA, SMARA regulations (California Code of Regulations, Title 14, Division 2, Chapter 8, Subchapter 1, Section 3500 et seq.), Alameda County Code of Ordinances, SMO and all other State and Federal regulations pertaining to the operation of surface mining operations. All references to Public Resources Code sections will be identified with the prefix "PRC"; all references to the California Code of Regulations sections will be identified with the prefix "CCR". All PRC and CCR Sections shall be taken into consideration while completing the scope of services, even if not explicitly referenced below.

Respondent shall ensure that all personnel and subconsultants providing services under this Contract possess and maintain appropriate professional licensing and obtain appropriate professional training. Respondent shall provide regular staff support services as well as on call SMARA compliance support services

B. PERFORMANCE

The Respondent is required to perform the consulting services in accordance with the standards and regulations put forth by SMARA and SMARA Regulations.

Background

Alameda County has the following sites:

1. SMP-16, large aggregate quarry with ancillary uses, near Livermore, California;
2. SMP-17; large site for the future quarry and remains as a mineral resource reserve, with no mining yet initiated in the Sunol Valley.

3. SMP-23, large aggregate quarry with ancillary uses, near Pleasanton/Livermore, California;
4. SMP-24, large aggregate quarry with ancillary uses, east of Interstate 680 in the Sunol Valley;
5. SMP-28, clean earth quarry, north of Interstate 680 near Mission Pass (Fremont);
6. SMP-30, large aggregate quarry with ancillary uses, south of interchange of Interstate 680 and Calaveras Road, Sunol Valley;
7. SMP-31/36, large aggregate quarry with ancillary uses, presently idle and in the process of final reclamation, near Pleasanton, California;
8. SMP-32, large aggregate quarry, west of intersection of Interstate 680 and State Route 84, Sunol Valley;
9. SMP-33, modest-sized aggregate quarry in process of ongoing reclamation, adjacent to SMP-24, Sunol Valley; and
10. SMP-34, clean earth and rock quarry presently idle and in the process of final reclamation, one mile west of the town of Sunol, unincorporated Alameda County.

C. SCOPE OF SERVICES

In accordance with the circumstances described above, the County seeks a firm or firms to provide the following generally described phases of service:

1. Coordinate and Conduct County and State as required by the County SMO and SMARA annual inspections; Financial Assurance Cost Estimate (FACE) and Financial Assurance Mechanism (FAM) review and Operator's Annual Conditions of Approval Report inspection and review each calendar year. Report back to the County on compliance issues, prepare annual inspection and condition compliance reports for the County and Planning Commission and submittal to the State.
2. Be available on as as-needed basis for general reviews of reclamation plans, reclamation plan updates, modifications and amendments, and FACEs and FAMs, as required by SMARA and the County SMO.
3. Be available, on an as-needed basis, to assist County staff with identification and resolution of critical geotechnical and engineering issues at quarries and mines.

4. Be available, on an as-needed basis, for general review of geotechnical issues not addressed by County staff where geotechnical/engineering expertise is required.
5. Be available, on an as-needed basis, to help with analysis and resolution of emergencies (slides, flooding, etc.).
6. Be available, on an as-needed basis, to help with analysis and resolution of compliance and enforcement of SMARA, SMO and Zoning.
7. Perform peer-review of Geological sections of Environmental Impact Reports (EIR) for various planning projects.
8. Coordinate and schedule meetings as required and necessary with the applicant (mine operators), County staff, other agencies having jurisdiction, property owners, consultants/professionals, etc. and the general public.
9. Review and become familiar with all pertinent data on the surface mine(s) permitted in Alameda County, including but not limited to, location, geology, existing surface mining permit, prior annual reports, financial assurance estimate, reclamation plan or interim management plan, etc. [Note: A four-wheel drive vehicle with ground clearance may be required for access to some of the sites.]
10. Assist staff in processing surface mining permits, permit modifications, reclamation plans and amendments, resolving technical issues related to the application.
11. Develop California Environmental Quality Act (CEQA) compliance documents, including EIRs, Negative Declarations and Exemptions.
12. Prepare written reports, photographs and other documentation for staff, the Planning Commission, and the general public.
13. Be available on as as-needed basis for updates and amendments to the County SMO.
14. Be available on as as-needed basis to coordinate public information services such as the County web site and electronic media, including the evaluation of the web site for ADA compliance, and including SMARA updates where applicable.
15. Be available for site visits, community meetings and public hearing(s), which may occur outside of normal business hours or in the evenings.

The services generally described above shall include, but not be limited to, the following more specific descriptions of tasks:

Lead Agency Reporting Requirements:

Respondent shall assist the County with submitting the following forms electronically to the Division of Mine Reclamation (DMR) by the specified deadlines:

- Approved reclamation plans within 60 days of receipt and approval in accordance with subparagraph (B) of paragraph (7) of subdivision (b) PRC Section 2772.1, including reclamation plans approved or upheld by the board or lead agency following an appeal pursuant to subdivision (e) of PRC Section 2770.
- Interim management plans at the time of approval pursuant to subdivision (e) of PRC section 2770
- Financial Assurance mechanisms at the time of approval pursuant to subdivision (e) of PRC Section 2773.4.
- Notices of violations at the time of issuance pursuant to paragraph (1) of subdivision (a) of PRC Section 2774.1.
- Orders to comply at the time of issuance pursuant to subparagraph (A) of paragraph (3) of subdivision (a) of PRC Section 2774.1
- Notices of violations at the time of issuance pursuant to the surface mining ordinance of Alameda County.
- Stipulated orders to comply at the time of issuance pursuant to subparagraph (a) of paragraph (2) of subdivision (a) of PRC Section 2774.1.
- Orders imposing an administrative penalty at the time of issuance pursuant to subdivision (c) of PRC Section 2774.1
- Administrative decisions at the time of issuance following an appeal of an order to comply issued pursuant to subparagraph (C) of paragraph (3) of subdivision (a) of at the time of issuance pursuant to subdivision (c) of PRC Section 2774.1
- Notices to an operator of a violation or failure to comply with an order to comply or stipulated order to comply at the time of issuance pursuant to subdivision (d) of PRC Section 2774.1.
- Notices of completion of inspection within 90 days of the inspection, including the completed inspection form, at the time of issuance pursuant to subdivision (b) of PRC Section 2774.
- Permits at the time of approval to conduct surface mining operations pursuant to PRC Section 2770.
- Vested rights determinations pursuant to PRC Section 2776.

Annual Mine Report Monitoring:

- Respondent shall ensure all Mine Operators with active and idle mines complete and submit the proper annual reporting forms in accordance with PRC Section 2207.

Mine Inspection, Annual Conditions Of Approval Report Verification And Compliance:

- All mine inspections shall be conducted by an individual who is a state- licensed

geologist, state-licensed civil engineer, state-licensed landscape architect, state-licensed forester, or a qualified lead agency employee who has not been employed by surface mining operation during the previous 12 months (PRC Section 2774(b)(1)). On or after July 1, 2020 all inspectors shall have on file with the lead agency and the Division of Mine Reclamation (DMR) a certificate of completion of an inspection workshop pursuant to PRC Section (2774(d)(3)).

- Respondent shall inspect mines using the guidance document for surface mine inspections (GDSMI) as described in CCR Section 3504.6. The inspections are to ensure compliance with all federal, state and local statutory and regulatory requirements, specifically but not limited to PRC Section 2774(b) and CCR Sections 3504.5 and 3504.6.
- Respondent is to perform a surface mining permit conditions of approval and reclamation plan compliance review simultaneously with the annual mine inspection of the mining operations. Respondent is to review the surface mining permit conditions of approval, reclamation plan and all previous inspections and reports prior to the mine inspection to ensure the operator is in compliance with the surface mining permit conditions of approval, uses and reclamation plan requirements.
- Respondent shall conduct the mine inspection on the requested date provided by the mine operator through the Mining Operation Annual Report form required by PRC Section 2207. If the Respondent is unable to inspect the mine on the requested date, the Respondent shall provide five days written notice of the newly scheduled inspection date to the operator.
- If a surface mining operation is not in compliance with the established regulations of SMARA, the Respondent is to notify the County and assist the County in taking appropriate enforcement action. The Respondent is to follow the process established by PRC Section 2774.1.
- Respondent is to use the acceptable surface mining and reclamation practices outlined in CCR Section 3507 as a guide when inspecting the mines for compliance with PRC Section 2774.1.
- Respondent is to reference the performance standards outlined in CCR Sections 3703 through 3713 when reviewing mine operation compliance.
- Respondent is to assist the County in ensuring mine operations compliance with typical requirements for the following environmental acts:
 - CEQA and CEQA Guidelines
 - The Clean Water Act; including Section 404 Permits
 - California Endangered Species Act and Federal Endangered Species Acts
 - California Fish and Game Code; including 1602 Streambed Alteration Agreements
 - Processing of Storm water Pollution Prevention Plans (SWPPP's)
 - Spill Prevention Control and Countermeasures Plans (SPCCP's)
 - And other State and Federal regulations to protect the environment

Financial Assurance Verification

- Respondent shall review FACEs annually to ensure that the funding is adequate to perform the actions specified in the approved reclamation plan as defined in PRC Section 2773.1. When reviewing financial assurances, Respondent is to refer to PRC Sections 2773.1, 2773.1.5 and CCR Article 11 Section 3800 et. seq. and CCR Section 3702. Special attention is to be directed to the full cost of design, permitting and implementation of all water conveyance improvements required by the Reclamation Plan and the Livermore Amador Valley Quarry Area Reclamation Plan (LAVQAR).
- Once the initial review of the FACE is complete, the Respondent is to submit the FACE to the DMR Supervisor for review (PRC Section 2773.4). It is the Respondent's responsibility to ensure that the FACE provided by the Operator is adequate, complete, and consistent with PRC Section 2773.1 and CCR Article 11, Section 3800 et. seq. FACEs shall be filled out on the most current form (currently form FACE-1) as required by CCR Section 3805.1.
- Respondent shall coordinate all correspondence between the County, DMR Supervisor, State Mining and Geology Board (SMGB), and Operator during the annual financial assurance verification process to ensure applicable timelines are met.
- Once the FACE is approved and deemed adequate, the Respondent is to obtain the (FAM) from the Operator for Alameda County's records. The Respondent is to review, report, and resolve any discrepancies between the provided FAM and the approved FACE.
- On an as-needed basis the Respondent is to assist with the completion of the FACE-1 form for the requested mining operations. The Respondent is to use the guidelines outlined in CCR Section 3804 when calculating the FACE.
- On an as-needed basis, the Respondent shall assist the County with the appeal process to ensure all SMARA regulations and requirements are met by specified deadlines as outlined in PRC Section 2770 and CCR Article 7 commencing with Section 3680.
- On an as-needed basis, the Respondent is to assist the County with Public Hearings regarding mining operations with insufficient funds to complete reclamation plans or abandoned surface mining locations as outlined in PRC Section 2773.1(b).

Permit Application Review, Processing And Approval:

- On an as-needed basis, the Respondent shall assist the County with new and existing surface mine permit, conditions of approval and/or reclamation plan amendment or modification application review, processing, and approval per the County's Surface Mining Ordinance. The Respondent shall work with the County to review the submitted mine permit application to ensure it is complete and compliant with PRC Sections 2772 and 2773 and the County's current application form. The Respondent shall assist the County with the established permit application review and approval processes. Services may include, but not limited to:
 - Reviewing application to determine completeness,
 - Processing fees,

- Reviewing site plan, operations plan, and reclamation plan,
- Distribution of complete surface mining permit application to various stakeholders,
- Preparation of the letter of completeness,
- Assistance with compliance review, including but not limited to compliance with SMARA and SMARA regulations, CEQA and CEQA guidelines,
- Assistance with staff report and preparation of presentation for the County Planning Commission review.
- On an as-needed basis, the Respondent is to assist the County with denied permit appeals to ensure the County follows all procedures outlined in PRC Section 2775 and CCR Article 4 commencing with Section 3625.

Reclamation Plan Review And Approval:

- On an as-needed basis, Respondent shall review, and process submitted reclamation plans; plan amendments; surface mine permits and conditions of approval amendment and modification applications and ensure all required information is provided as outlined in PRC Section 2772.
- Once the initial review of the reclamation plan; plan amendments; surface mine permit and conditions of approval amendment and modification application is completed, including the required staff report to the Planning Commission; the Respondent shall send the complete amendment or modification application relating to SMARA to the DMR Supervisor for review and approval by the SMGB as outlined in PRC Section 2772.1(a)(1).
- Prior to submittal of the proposed SMARA amendment or modification application , the Respondent is to ensure compliance with all applicable requirements of PRC Sections 2772, 2773, 2773.3, CCR Article 1 commencing with Section 3500, CCR Article 9 commencing with Section 3700, and the County's Surface Mining Ordinance as outlined in PRC Section 2772.1.
- The Respondent shall coordinate all correspondence between the County, DMR Supervisor, SMGB, and Operator (PRC Section 2772.1).
- Within 30 days of final approval of the reclamation plan or plan amendment, the Respondent shall provide the DMR Supervisor a notice of the approval. No later than 60 days after the approval of the reclamation plan or plan amendment; the Respondent shall provide the DMR Supervisor with an official copy of the approved reclamation plan or plan amendment. The official copy shall include all requirements outlined in PRC Section 2772.1.
- On the County's behalf the Respondent shall record a "Notice of Reclamation Plan Approval" with the County Recorder upon approval of a reclamation plan or an amendment to a reclamation plan. The Respondent shall follow the guidelines outlined in PRC Section 2772.7 when filing the "Notice of Reclamation Plan Approval".
- On an as-needed basis the Respondent shall assist the County with the appeal process to ensure all SMARA regulations and requirements are met by specified deadlines as

outlined in PRC Section 2770 and CCR Article 4 commencing with Section 3650.

General Plan Amendment Or Specific Plan Preparation:

- Respondent shall assist the County with updates and amendments to the Alameda County Surface Mining Ordinance (SMO) and LAVQAR specific plan updates, revisions and amendments and preparation of requests in relation to surface mining operations. The Respondent shall ensure that any amendments to the County General Plan are in compliance with the requirements outlined in PRC Section 2764.

Public Record Requests

- On an as-needed basis, Respondent shall assist the County with preparing information for Public Records Requests pursuant to the regulations provided by PRC Section 2778.
- On an as-needed basis, the Respondent shall assist the County with preparing materials to be presented to the public regarding the County's surface mining operations.

D. TIME OF SERVICES/PROJECT SCHEDULE

The Agency must complete inspections on an annual basis. Other Schedules will be developed based upon the services requested.

The selected firm shall provide a schedule which demonstrates achievement of services within these overall time frames, but may modify intermediate dates to fit the proposing firm's methodology.

E. OTHER COUNTY REQUIREMENTS

1. **Local Participation:** Note that it is a requirement for award that all contracts such as this one include local (defined as Alameda County based) businesses to the maximum extent possible consistent with the nature of the services to be provided. The County Small Local and Emerging Business (SLEB) Program requires that to be awarded this contract the lead firm must be a SLEB or, if the lead firm is not a SLEB, the lead firm must partner with SLEBs to the maximum extent reasonable and possible, with a minimum of 20% SLEB participation required. Please note detailed provisions in COUNTY PROVISIONS SECTION of this RFP.
2. **Conflict of Interest:** To avoid any conflict or the appearance of any conflict of interest the Respondent/Contractor must not hold a financial interest in, or have been employed by any surface mining operation in Alameda County in any capacity, including contract employees and those hired pursuant to third-party contracts, during the 12 months preceding a contract with Alameda County or at any time during the contract period.
3. **Environmentally Friendly Packaging:** Alameda County is an environmentally responsible employer and seeks all practical opportunities for waste reduction

and recycling. The County, therefore, encourages its contractors to reduce waste volume and toxicity by using environmentally friendly packaging material whenever possible. Options may include backhauling product packaging to the supplier for reuse or recycling, shipping in bulk or reduced packaging, using soy bean-based inks for packaging printing, using recycled product packaging or using recyclable or reusable packaging material. The County encourages all bidders and contractors for goods and services to adhere to these principles where practicable.

4. The County reserves the right to reject any and all responses, or part or any submission, received in response to this RFP. A contract will be based on the factors described in this RFP.
5. At the discretion of the County, this SMARA compliance, Surface Mining Land Use and Geotechnical support services contract may be amended to include additional bid optional items. The costs for the optional items will be part of this contract and agreed to by the County and the Respondent. It is anticipated that the cost for optional items will be based on the same approximate cost as the contract for the initial scope of work.

F. BIDDER QUALIFICATIONS

Qualifications—A statement of qualifications relating to the prospective consultant’s experience and knowledge in required field of expertise.

1. To avoid any actual conflict of interest or any appearance of conflict of interest, all consultants, their staff; subconsultants and their staff must not have worked directly or indirectly for any Permittee, Operator or Landowner of any quarries subject to SMARA (Public Resources Code section 2710 et seq.) or the County SMO in Alameda County in the prior 12 months preceding a contract with Alameda County or at any time during the duration of the multi-year contract with the County
2. In addition to performing SMARA annual inspections, at a minimum under SMARA; CCR 35004.5(b), the firm or individual must meet the following qualifications:

“(b) A person who in the determination of the lead agency has demonstrated competence in performing inspections of surface mining operations, shall perform inspections. Evaluation of geological and engineering conditions, when required, shall be performed by or under the supervision of a Geologist Registered to practice in the state under the Geologists and Geophysicists Act or a Professional Engineer registered to practice in the state under the Professional Engineers Act.”

“(c) A surface mine inspection shall not be performed by any person who holds a financial interest in or has been employed by the surface mining operation in any capacity, including as a consultant or as a contractor, during the year preceding the inspection.”

“(d) Annual surface mine inspections may be conducted by a specialist or a team of specialists with expertise that includes but is not limited to, geology, engineering, surveying, ecology, water chemistry and quality, and permitting. Persons participating in the inspection shall follow such reasonable requirements of the operator so that there is minimal interference with the surface mining operation and the inspection is conducted in a safe manner in accordance with all state and federal safety requirements.”

3. Demonstrated expertise in communicating technical issues to the general public visually, verbally and in writing;
4. A four-wheel drive vehicle with ground clearance may be required for access to the site(s).
5. To provide other geotechnical services, at a minimum under the firm or individual must meet the following qualifications:
 - a. Be knowledgeable and familiar with surface mining and operations;
 - b. Be knowledgeable and familiar with applicable sections of the CODE;
 - c. Be knowledgeable and familiar with CEQA;
 - d. Be knowledgeable and familiar with SMARA. (Evaluation of geological and engineering conditions, when required, shall be performed by or under the supervision of a Geologist Registered to practice in the state under the Geologists and Geophysicists Act or a Professional Engineer registered to practice in the state under the Professional Engineers Act;
 - e. Demonstrated expertise in communicating technical issues to the general public visually, verbally and in writing;
 - f. A four-wheel drive vehicle with ground clearance may be required for access to the site(s).
6. Staffing
 - a. Provide a list of individuals, their qualifications, resumes, and references of those who will be committed providing the required services including all sub-contractors.
 1. Describe the roles of key individuals on the team, including roles of individuals in each consultant firm. Provide resumes and references for all key team members. Resumes shall show relevant experience, for the

Project's Scope of Work, as well as the length of employment with the proposing firm. Key members, especially the Project Manager, shall have significant demonstrated experience with this type of project, and should be committed to stay with the project for the duration of the project.

2. Describe how your team will work with the Agency staff and identify what information and time will be required from them for projects. Indicate where the Project Managers for each firm on the team will be physically located.

b. Scope of Work Provided:

1. Include a detailed Scope of Work statement describing all services to be provided.
2. Describe your Cost Control and Budgeting Methodology for this project.

c. Schedule of Work:

Provide a description of general availability and ability to perform work in a timely way.

d. Litigation:

Indicate if your firm was involved with any litigation in connection with your prior projects. If yes, briefly describe the nature of the litigation and the result.

e. Hourly Rate Schedule

Provide hourly rate fee schedules for your office and each key consultant indicating the job classifications for the proposed staff for the intended. The hourly rates are to be maintained throughout the duration of the contract.

f. References

Provide at least three references for clients/projects which are similar to this one and who can attest to proposer's firm/team performance. Provide name, contact address and telephone number, with brief description of the project. Completed projects are preferred, however one project may be ongoing.

G. BIDDERS CONFERENCE(S)

1. The Bidders Conference(s) held on the date(s) specified in the Calendar of Events will have online conference capabilities for remote participation.
2. Information regarding the RFP will be presented during the conference(s). To get the best experience, the County recommends that Bidders who participate

remotely use equipment with audio output such as speakers, headsets, or a telephone.

3. Bidders Conference(s) will be held to:
 - a. Provide an opportunity for Small Local Emerging Businesses (SLEBs) and large firms to network and develop subcontracting relationships to participate in the contract(s) that may result from this RFP.
 - b. Provide an opportunity for Bidders to request clarification on this RFP and ask specific questions about the project, goods, and services.
 - c. Provide the County with an opportunity to receive feedback related to this RFP.
4. The Bidders Conference(s) Attendees List will be released in a separate document.
5. Written questions submitted via email by the stated deadline will be addressed in a posted RFP Questions and Answers (Q&A) following the Bidders Conference(s). Should there be a need to amend or revise the RFP, an Addendum will be issued. Any verbal statements, including at any Bidders Conference(s) are not binding. Only the written documents will be binding.
6. Questions regarding these specifications, terms, and conditions are to be submitted in writing via email by 5:00 p.m. on the date specified in the Calendar of Events to:

Damien Curry, Senior Planner
Alameda County Planning Department
Email: damien.curry@acgov.org
7. Attendance at the Bidders Conference(s) is recommended to further facilitate subcontracting relationships but not mandatory. Vendors who attend the Bidders Conference(s) will be added to the Vendor Bid List.

III. COUNTY PROCEDURES, TERMS, AND CONDITIONS

H. EVALUATION CRITERIA / SELECTION COMMITTEE

1. **Initial Evaluation (Completeness of Response and Debarment and Suspension).**
All proposals will first be reviewed to determine if they pass the initial Evaluation Criteria (Section A), which are determined on a pass/fail basis.

2. **Evaluation by County Selection Committee.** All proposals that have passed the initial Evaluation Criteria will be evaluated by a County Selection Committee (CSC). The CSC may be composed of County staff and other parties that may have expertise or experience related to the goods or services that are being procured. The CSC will score the proposals according to the Evaluation Criteria set forth in this RFP. Other than the initial pass/fail Evaluation Criteria, the evaluation of the proposals will be within the sole judgment and discretion of the CSC.
3. **Unrealistic Bids.** Bidders should bear in mind that any proposal that is unrealistic in terms of the technical or schedule commitments or unrealistically high or low in cost may be deemed reflective of an inherent lack of technical knowledge or indicative of a failure to comprehend the complexity and risk of the County's requirements as set forth in this RFP.
4. **Price Discrepancy.** In the case of a discrepancy between the unit price and an extension, the unit price will be used for evaluation purposes.
5. **Evaluation Criteria Descriptions.** The items listed in the Evaluation Criteria should be considered as minimum requirements. All information contained in a proposal and presented in vendor interviews (if there are interviews) will be considered during the evaluation process and included in scoring within the appropriate Evaluation Criteria.
6. **Evaluation Scores.** Proposals will be evaluated and scored on the zero to five-point scale within each Evaluation Criteria below. Scores for all Evaluation Criteria (see the section below) will then be added, according to their assigned weight (below), to arrive at a weighted score for each proposal. A proposal with a higher-weighted total will be deemed of higher quality than a proposal with a lesser-weighted total.
7. **Reference Checks.** The County reserves the right to conduct reference check(s) on all Bidders who submitted a bid proposal. The CSC will then score the reference check(s), as identified in the Evaluation Criteria below, which will then be included in the final score.
8. **Optional Vendor Interviews.** The County may in its sole discretion, conduct vendor interviews. Should the County opt to conduct a vendor interview, the interview may include responding to standard and specific questions from the CSC regarding the Bidders' proposal. Whether or not a shortlist process is used, the score of any evaluation criterion below may be revised or informed based on the vendor interview.

9. **Final Score.** The final maximum score for any procurement is 500 points, including the possible 50 points for local and small, local and emerging, or local preference points (maximum 10% of the final score; derived from 5% for *local* preference and 5% for either *Small and Local* or *Emerging and Local* preference). Proposals will be ranked by their final scores. The final score will be determined by the evaluation of the written proposal with the reference score added.
10. **Contact During Evaluation Process.** Bidders must neither contact nor lobby CSC during the evaluation process. Attempts by Bidders to contact and/or influence members of the CSC may result in disqualification of Bidders.
11. **Determining Award.** As a result of this RFP, the County intends to award a contract to the highest-ranked responsible Bidder(s) as determined by the combined weight of the Evaluation Criteria, whose response conforms to the RFP and whose bid presents the greatest value to the County considering all Evaluation Criteria. The combined weight of the Evaluation Criteria is greater in importance than the cost in determining the best value to the County. The County may award a contract of higher qualitative competence over the lowest priced response.
12. The zero to five-point scale range is defined as follows:

0	Not Acceptable	Non-responsive, fails to meet RFP specification. The approach has no probability of success. If the unmet specification is a mandatory requirement, this score may result in the disqualification of the proposal.
1	Poor	Below average, falls short of expectations, is substandard to that which is the average or expected norm, has a low probability of success in achieving objectives per RFP.
2	Fair	Has a reasonable probability of success; however, some objectives may not be met.
3	Average	Acceptable and likely to achieves all objectives in a reasonable fashion per RFP specification. This will be the baseline score for each item with adjustments based on the interpretation of the proposal by CSC members.
4	Above Average / Good	Better than that which is average or expected as the norm. Excellent probability of success in achieving all objectives of the RFP requirements and expectations.
5	Excellent / Exceptional	Exceeds expectations, is very innovative, clearly superior to that which is average or expected as the norm. Excellent probability of success in achieving all objectives and meeting RFP specifications.

13. The Evaluation Criteria and their respective weights are as follows:

	Evaluation Criteria	Weight
A.	Completeness of Response: Responses to this RFP must be complete. Responses must address all the requirements identified within this RFP and all related documents, including any Addenda. Failure to meet the Bidder Minimum Qualifications may also be considered an incomplete response and may result in the disqualification of the Bidder.	Pass/Fail
	Debarment and Suspension: Bidders, its principal, and named subcontractors are not identified on the list of Federally debarred, suspended, or other excluded parties located at www.sam.gov/SAM .	Pass/Fail
B.	Cost: The points for Cost will be computed by dividing the amount of the lowest responsive and responsible bid received by each Bidder's total proposed cost. Cost evaluation points may be adjusted by considering: <ol style="list-style-type: none"> 1. Reasonableness (i.e., how well does the proposed pricing accurately reflect the Bidder's effort to meet requirements and objectives?). 2. Realism (i.e., is the proposed cost appropriate to the nature of the products and/or services to be provided?). 	50 points
C.	Technical Criteria: In each area described below, an evaluation will be made of the probability of success and risks associated with the proposal response: <ol style="list-style-type: none"> 1. Ancillary Services - A comparison will be made of the proposed services with the requirements of this RFP. Scoring will take into account responsiveness and technical expertise. 	50 Points
D.	Description of Proposed Services: Proposals will be evaluated considering the RFP specifications and the questions below:	

	<ol style="list-style-type: none"> 1. Does the description of proposed services depict a logical approach to fulfilling the requirements of the RFP? 2. Does the description of proposed services match and contribute to achieving the objectives set out in the RFP? 3. Does the description of proposed services interface with the County's schedule? 4. Has the bidder addressed culturally appropriate services; including accommodations for language and/or cultural differences? 	50 Points
E.	<p>Relevant Experience:</p> <p>Proposals will be evaluated, including considering the RFP specifications and the questions below:</p> <ol style="list-style-type: none"> 1. How much experience does the Bidder have with similar projects? 2. Do the individuals assigned to the project have experience on similar projects? 3. How extensive is the applicable education and experience of the personnel designated to work on the project? 	50 Points
F.	References (See Exhibit A – Bid Response Packet)	50 Points
G.	<p>Understanding of the Project:</p> <p>Proposals will be evaluated considering the RFP specifications and the questions below:</p> <ol style="list-style-type: none"> 1. Has/How well has the Bidder demonstrated a thorough understanding of the purpose and scope of the project? 2. How well has the Bidder identified pertinent issues and potential problems related to the project? 3. Has/How well has the Bidder demonstrated that it understands the deliverables the County expects it to provide? 4. Has/How well has the Bidder demonstrated that it understands the County's schedule and can meet it? 	100 Points
H.	<p>Methodology:</p> <p>Proposals will be evaluated considering the RFP specifications and the questions below:</p>	

	<p>5. Does the methodology depict a logical approach to fulfilling the requirements of the RFP?</p> <p>6. Does the methodology match and contribute to achieving the objectives set out in the RFP?</p> <p>7. Does the methodology interface with the County's schedule?</p>	50 Points
I.	<p>Budget Justification, Fiscal Practice, and Budget Form</p> <p>Proposals will be evaluated against the RFP specifications and the questions below:</p> <p>1. How well does the Bidder's cost capture all activities and staff needed to meet the services requested?</p> <p>2. How well does the Bidder allocate staff and resources?</p> <p>3. How well does the Budget Justification detail how Bidder arrived at particular calculations?</p> <p>4. Is the proposed cost appropriate to the nature of the services to be provided?</p> <p>5. How clear, realistic, and reasonable are costs in relation to the services provided and the number of clients to be served?</p> <p>6. How well does the Bidder outline, and how diverse are, the revenue sources for its organization and the proposed program?</p> <p>7. How well does the Bidder describe its fiscal oversight and management practices?</p> <p>8. How well do staff salaries reflect local costs of living?</p>	50 Points
SMALL LOCAL EMERGING BUSINESS PREFERENCE		
	<p>Local Preference: Points equaling 5% of Bidder's total score for the above Evaluation Criteria will be added. This will be the Bidder's <u>final score</u> for purposes of award evaluation.</p>	5%
	<p>Small and Local or Emerging and Local Preference: Points equaling 5% of Bidder's total score for the above Evaluation Criteria will be added. This will be the Bidder's <u>final score</u> for purposes of award evaluation.</p>	5%

I. CONTRACT EVALUATION AND ASSESSMENT

1. During the initial 120-day period of any contract awarded, the County may review the proposal, the contract, any goods or services provided, and/or meet with the Contractor to identify any issues or potential problems.
2. The County reserves the right to determine, at its sole discretion, whether:
 - a. The Contractor has complied with all terms of this RFP and the contract; and
 - b. Any problems or potential problems with the proposed goods and/or services were evidenced, which makes it unlikely (even with possible modifications) that such goods and/or services have met or will meet the County requirements.
3. If, as a result of such determination, the County concludes that it is not satisfied with the Contractor's performance under any awarded contract and/or Contractor's goods and services as contracted for therein, the Contractor may be notified that the contract is being terminated. The Contractor must be responsible for returning County facilities to their original state at no charge to the County. The County will have the right to invite the next qualified Bidder(s) to enter into a contract. The County also reserves the right to rebid this project if it is determined to be in its best interest to do so. The County's right to go to the next qualified Bidder(s) and/or rebid is not limited by the award of a contract or the 120-day period.

J. NOTICE OF INTENT TO AWARD

1. At the conclusion of the RFP response evaluation period, all Bidders will be notified in writing by email or US Postal Service mail of the contract award recommendation. The document providing this notification is the Notice of Intent to Award/Non-Award.

The Notice of Intent to Award/Non-Award will provide the following information:

- a. The name(s) of the Bidder(s) being recommended for contract award; and
 - b. The names of all other parties that submitted proposals.
2. The submitted proposals will be made available upon request no later than five calendar days before approval of the award and contract is scheduled to be considered by the Board of Supervisors.

K. BID PROTEST / APPEALS PROCESS

The County of Alameda prides itself on the establishment of fair and competitive contracting procedures and the commitment made to follow those procedures. The following is provided in the event that Bidders wish to protest the bid process or appeal the recommendation to award a contract once the Notices of Intent to Award/Non-Award have been issued. Bid protests submitted prior to issuance of the Notices of Intent to Award/Non-Award will not be accepted by the County.

1. Any bid protest must be submitted in writing by 5:00 p.m. on the SEVENTH (7th) calendar day following the date of issuance of the Notice of Intent to Award/Non-Award, not the date received by the Bidder.
2. The bid protest must be submitted via email to damien.curry@acgov.org.

A bid protest received after 5:00 p.m. is considered received as of the next calendar day. A protest received after 5:00 p.m. on the SEVENTH (7th) calendar day following the date of issuance of the Notice of Intent to Award/Non-Award will not be considered under any circumstances by the Protest Evaluator or their designee.

Generally, the County will promptly send an email acknowledging receipt of the protest; it is the responsibility of the protestor to confirm that the protest was timely received.

- a. The bid protest must contain a complete statement of the reasons and facts for the protest.
 - b. The protest must refer to the specific portions of all documents that form the basis for the protest.
 - c. The protest must include the name, address, email address, and telephone number of the person submitting the protest on behalf of the protesting party.
 - d. An email response notification will be sent to Bidders if a protest is received.
3. The Alameda County Planning Director, serving as Protest Evaluator, will review and evaluate the protest and issue a written decision.

A notification of the decision will be communicated by email and/or US Postal Service mail to the protestor. Notification will be provided to Bidders when a decision has been made on the protest and whether or not the recommendation

to the Board of Supervisors in the Notice of Intent to Award/Non-Award will stand.

4. The procedures and time limits set forth in this section are mandatory and are each Bidder's sole and exclusive remedy in the event of a bid protest. A Bidder's failure to timely complete both the bid protest and appeal procedures will be deemed a failure to exhaust administrative remedies. Failure to exhaust administrative remedies, or failure to comply otherwise with these procedures, will constitute a waiver of any right to further pursue the bid protest, including filing a Government Code Claim or legal proceedings.

L. TERM / TERMINATION / RENEWAL

1. The contract term, which may be awarded pursuant to this RFP, will be five years.
2. By mutual agreement, any contract, which may be awarded pursuant to this RFP, may be extended for an additional five years.
3. The County has and reserves the right to suspend, terminate or abandon the execution of any work, services and/or providing of goods by the Contractor without cause at any time upon giving the Contractor prior written notice. In the event that the County should abandon, terminate or suspend the Contractor's work, services and/or providing of goods, the Contractor will be entitled to payment for services provided hereunder prior to the effective date of said suspension, termination, or abandonment. The County may terminate the contract at any time for cause without written notice upon a material breach of contract or substandard or unsatisfactory performance by the Contractor. In the event of termination with cause, the County reserves the right to seek any and all damages from the Contractor. In the event of such termination, with or without cause, the County reserves the right to invite the next highest-ranked Bidder to enter into a contract or rebid the project if it is determined to be in its best interest to do so.

M. BRAND NAMES AND APPROVED EQUIVALENTS

1. Any references in this RFP, including Addendum and other documents, to manufacturers' trade names, brand names, and/or catalog numbers are intended to be descriptive but not restrictive unless otherwise stated and are intended to indicate the quality level desired. Unless otherwise noted, Bidders may offer any equivalent product that meets or exceeds the specifications; however, if the County, in its sole discretion, determines the product proposed is not equivalent, the Bid may be disqualified, or a lower score awarded by the CSC. Bids based on equivalent products must:

- a. Clearly describe the alternate offered and indicate how it differs from the product specified; and
 - b. Include complete descriptive literature and/or specifications as PDF attachments to the online bid submission as proof that the proposed alternate will be equal to or better than the product named in this RFP.
2. The County reserves the right to be the sole judge of what is equal and acceptable. It may require Bidders to provide additional information and/or samples or disqualify the bid proposal.
3. If Bidders do not specify otherwise, it is understood that the referenced brand will be supplied.

N. QUANTITIES

Quantities listed herein are annual estimates based on past usage, and are not to be construed as a commitment. No minimum or maximum is guaranteed or implied.

O. PRICING

1. Reasonable price increases or decreases for subsequent contract terms may be negotiated between Contractor and County after completion of the initial term.
2. All prices quoted must be in United States dollars.
3. Price quotes must include any and all payment incentives available to the County.
4. In the evaluation of cost, if applicable, it will be assumed that the unit price quoted is correct in the case of a discrepancy between the unit price and an extension, and the Bidder must honor the unit price quoted.
5. Federal and State minimum wage laws apply. The County has no requirements for living wages. The County is not imposing any additional requirements regarding wages.

P. AWARD

1. Most Responsive and Responsible Bidder(s)
 - a. The award will be made to the highest-ranked Bidder(s) who meet the requirements of these specifications, terms, and conditions.

- b. Awards may also be made to the subsequent highest ranked Bidder(s) who will be called in order should the County need to contract with another Bidder(s).
 - c. An award will be recommended for the Bidder(s) that submitted the proposal(s) that best serves the overall interests of the County by attaining the highest overall point score. The award may not necessarily be made to the Bidder(s) with the lowest price.
2. Small Local Emerging Business (SLEB) Program
- a. Small and Emerging Locally Owned Business: The County is vitally interested in promoting the growth of small and emerging local businesses by means of increasing the participation of these businesses in the County's purchase of goods and services.
 - b. As a result of the County's commitment to advancing the economic opportunities of these businesses, **Bidders must meet the County's Small and Emerging Locally Owned Business requirements in order to be considered for the contract award.** These requirements can be found online at:
 - (1) [Alameda County SLEB Program Overview](http://acgov.org/auditor/sleb/overview.htm) [<http://acgov.org/auditor/sleb/overview.htm>]; and
 - (2) [Alameda County SLEB Program Additional Information](https://gsa.acgov.org/do-business-with-us/vendor-support/small-local-and-emerging-businesses/) [<https://gsa.acgov.org/do-business-with-us/vendor-support/small-local-and-emerging-businesses/>]
 - c. A small business is defined by the United States Small Business Administration (SBA) as having no more than the number of employees or average annual gross receipts over the last three years required per SBA standards based on the small business's appropriate NAICS code.
 - d. An emerging business is defined by the County as having either annual gross receipts of less than one-half that of a small business OR having less than one-half the number of employees AND that has been in business less than five years.
 - e. If a Bidder is certified by the County as either a small and local or an emerging and local business (SLEB), the County will provide up to 5% bid preference for procurements over \$25,000.
 - f. If a Bidder is located within Alameda County, the County may provide a 5% local bid preference.

3. County Rights

- a. The County reserves the right to reject any or all responses that materially differ from any terms contained in this RFP, including Exhibits and any Addendums, to waive informalities and minor irregularities in responses received, and to provide an opportunity for Bidders to correct minor and immaterial errors contained in their submissions. The decision as to what constitutes a minor irregularity shall be made solely at the discretion of the County.
- b. Any bid proposals that contain false or misleading information may be disqualified by the County.
- c. The County reserves the right to award to a single or multiple Contractors.
- d. The County reserves the right to conduct additional procurements for the same or similar goods and/or services or to award to additional contract(s), including to other Bidder(s), during the term of the contract if it determines that additional Contractors are needed to supplement goods and/or services being provided.
- e. The County has the right to decline to award this contract or any part thereof for any reason.

4. Procedures

- a. Board approval to award a contract is required.
- b. A contract must be fully executed by the recommended awardee and the County prior to any services and goods being provided or work being performed.
- c. The County uses its Standard Services Agreement terms and conditions for purchases and services. Any terms that are not acceptable to a Bidder must be identified on the Exceptions and Clarifications form in Exhibit A - Bid Response Packet. Bidder may access a copy of the Standard Services Agreement template at:

[Alameda County Standard Services Agreement Template](https://acgovt.sharepoint.com/:w:/s/GSADigitalLibrary/EeGBnUyJSMFBoXqtvbj7ly0BqycT5J83NKyIV19tLO6-yA?e=YwGjFP)

[\[https://acgovt.sharepoint.com/:w:/s/GSADigitalLibrary/EeGBnUyJSMFBoXqtvbj7ly0BqycT5J83NKyIV19tLO6-yA?e=YwGjFP\]](https://acgovt.sharepoint.com/:w:/s/GSADigitalLibrary/EeGBnUyJSMFBoXqtvbj7ly0BqycT5J83NKyIV19tLO6-yA?e=YwGjFP)

The template contains minimal standard language and specific contract terms, including the scope of services that may be drafted and negotiated based on this RFP and the bid proposal(s).

- d. The RFP specifications, terms, conditions, Exhibits, RFP Addenda, and Bidder's proposal may be incorporated into and made a part of any contract that may be awarded as a result of this RFP.

Q. METHOD OF ORDERING

1. A written Purchase Order (PO) will be issued after an executed contract and Board approval. If there is any conflict in terms of any PO and the executed contract, the contract will control, even if a PO is issued later. Payment cannot be made to any Contractor until a PO is issued.
2. POs and payments for goods and/or services will be issued only in the name of the Contractor, as identified on the contract.
3. The Contractor must adapt to changes to the method of ordering procedures as required by the County during the term of the contract.
4. Any change orders must be agreed upon in writing by Contractor and County and issued as needed by County.

R. WARRANTY

Bidder expressly warrants that all services to be furnished pursuant to any contract awarded arising from the proposal will conform to the descriptions and specifications contained herein, in the submitted proposal, and in other representations, and will be free fit and sufficient for the purpose(s) intended.

S. INVOICING

1. Contractor shall invoice the Alameda County Community Development Agency (CDA), unless otherwise directed, upon satisfactory performance of services.
2. CDA will use reasonable efforts to make payment within 30 days following receipt and review of invoice and complete satisfactory receipt of goods and/or performance of services.
3. CDA will notify the Contractor of any adjustments or corrections that must be made to receive payment on an invoice.
4. Invoices submitted by the Contractor must contain the County PO number, invoice number, remit to address, itemized goods and/or services description,

and price as quoted and must be accompanied by an acceptable proof of delivery and any other information requested by the County.

5. Contractor must utilize a standardized invoice format upon request.
6. Invoices must be issued by, and payments made to, the Contractor who is awarded a contract.
7. CDA will pay the Contractor, after receipt and approval of an invoice, monthly. CDA will not pay for goods and/or services in advance.
8. In the event the Contractor's performance has been deemed unsatisfactory by a review committee, the County reserves the right to withhold future payments until the performance and/or deliverable goods are deemed satisfactory.

T. ACCOUNT MANAGER / SUPPORT STAFF

1. The Contractor must provide dedicated support staff to be the primary contact for all issues regarding the response to this RFP and any contract which may arise pursuant to this RFP.
2. Contractor must also provide adequate, competent support staff that shall be able to service the County during normal working hours, Monday through Friday, or as otherwise identified in this RFP. Such representative(s) must be knowledgeable about the contract, products, and/or services offered and able to identify and resolve quickly any issues, including but not limited to order and invoicing problems.
3. Contractor must provide a dedicated, competent account manager who shall be responsible for the County account/contract and receive all orders. Contractor account manager shall be familiar with County requirements and standards and work with CDA staff to ensure that established standards are adhered to.

IV. INSTRUCTIONS TO BIDDERS

U. COUNTY CONTACTS

1. Any communication regarding this RFP with CDA personnel may result in disqualification.
2. The evaluation phase of the competitive process shall begin upon receipt of sealed bid proposals and continue until a contract has been awarded.
3. Contact Information for this RFP:

Damien Curry, Senior Planner

Alameda County Planning Department
224 W. Winton Ave, Suite 111
Hayward, CA 94544
Email: damien.curry@acgov.org
Phone: (510) 670-6684

4. Each Bidder is responsible for checking the Alameda County Planning Department website for any Addendums and other notices related to this RFP. Go to <http://www.acgov.org/cda/planning/> or [Alameda County Current Contracting Opportunities](https://gsa.acgov.org/do-business-with-us/contracting-opportunities/) [https://gsa.acgov.org/do-business-with-us/contracting-opportunities/] to view the posting for this RFP and other current contracting opportunities.

V. SUBMITTAL OF PROPOSALS

1. Document Submittal

- a. All proposal documents must be completed, and submitted via email to damien.curry@acgov.org. Early submittal is recommended, as there shall be no time extensions provided.
- b. Bidders **must** submit an electronic version of their proposal in a PDF file, preferably a single file if 20MB or less.
- c. The submitted proposal must conform to and include Exhibit A – Bid Response Packet, as amended or revised by Addendum, including additional required documentation. **A Bidder may be disqualified if the most current version of Exhibit A, as revised and published through Addenda, is not used.**
- d. In whole or in part, proposal responses are NOT to be marked confidential or proprietary. The County may refuse to consider any proposal or part thereof so marked. Bid proposals submitted in response to this RFP may be subject to public disclosure, even if marked confidential or proprietary. The County shall not be liable in any way for disclosure of any such records. Please refer to the County's website at [Alameda County Proprietary and Confidential Information Policies](https://gsa.acgov.org/do-business-with-us/contracting-opportunities/policies-procedures/proprietary-confidential-information/) [https://gsa.acgov.org/do-business-with-us/contracting-opportunities/policies-procedures/proprietary-confidential-information/].
- e. For the proposals to be considered complete, the Bidder **must** provide responses to all information requested in Exhibit A – Bid Response Packet, as revised by any Addenda.

2. Submissions Processes

- a. All costs required for the preparation and submission of a proposal shall be borne by the Bidder.
- b. Only one bid proposal will be accepted from any one person, partnership, corporation, or other entity; however, several alternatives may be included in one response. For purposes of this requirement, “partnership” shall mean, and is limited to, a legal partnership formed under one or more of the provisions of California or other state’s Corporations Code or an equivalent statute.
- c. The final award information will be posted on the County’s “Contracting Opportunities” website.
- d. The County reserves the right to reject any proposal.
- e. All bid proposals shall remain open to acceptance and irrevocable for a period of not less than 180 days unless otherwise specified in the bid documents.

3. Legal Requirements

- a. “In submitting a bid to a public purchasing body, the Bidder offers and agrees that if the bid is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. or under the Cartwright Act (Chapter 2, commencing with Section 16700, of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the Bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the Bidder”. (California Government Code Section 4552).
- b. By submitting a bid proposal, the Bidder expressly acknowledges that it is aware that if a false claim is knowingly submitted (as the terms “claim” and “knowingly” are defined in the California False Claims Act, Cal. Gov. Code, §12650 et seq.), County will be entitled to civil remedies set forth in the California False Claim Act. Such actions may also be considered fraud and subject to criminal prosecution.
- c. The Bidder, by submitting a proposal, certifies that it is, at the time of bidding, and shall be, throughout the period of the contract, licensed by the State of California to do the type of work required under the terms of the RFP and contract documents. Bidder further certifies that it is

regularly engaged in the general class and type of work called for in the RFP and contract documents.

- d. The Bidder, by submitting a proposal, certifies that it is not, at the time of bidding, on the California Department of General Services (DGS) list of persons determined to be engaged in investment activities in Iran or otherwise in violation of the Iran Contracting Act of 2010 (Public Contract Code Section 2200-2208).



EXHIBIT A

BID RESPONSE PACKET

INSTRUCTIONS

1. Please read **EXHIBIT A – Bid Response Packet** carefully; **INCOMPLETE BID PROPOSALS MAY BE REJECTED.** Alameda County will not accept submissions or documentation after the bid response due date. Successful uploading of a document does not equal acceptance of the document by Alameda County.
2. The bid proposal must comply with all requirements contained in the RFP. **It is strongly recommended that Bidders verify and review all Addenda to confirm the use of the most current forms and provide all information requested.**
3. The bid proposal submission must conform to and include Exhibit A – Bid Response Packet, as amended or revised by Addendum, including additional required documentation. **A Bidder may be disqualified if the most current version of Exhibit A, as revised and published through Addenda, is not used.**
4. The following pages require confirmation, declaration, and /or a signature (✍). These must be either: (1) be printed and have an original signature(s); or (2) be digitally signed via a DocuSign, CongaSign, or other verifiable independent electronic signature services. All signatures must be by an individual authorized to bind the Bidder. These pages must then be included with the emailed proposal.
 - a. Exhibit A – Bid Response Packet, [Bidder Acceptance](#)
 - b. Exhibit A – Bid Response Packet, [Debarment and Suspension Certification](#)
 - c. Exhibit A – Bid Response Packet, [Small Local Emerging Business \(SLEB\) Information Sheet](#)
 - (1) [Must be signed by Bidder](#)
 - (2) [Must be signed by SLEB Partner](#) if subcontracting to a SLEB
5. Each page of the Bid Response Packet must be submitted through the [EZSourcing Supplier Portal](#) as PDF attachment(s) with all required information included and documents attached; any pages of the Bid Response Packet not applicable to the Bidders are to be submitted with such pages or items clearly marked “N/A” or the bid proposal may be disqualified as incomplete.
6. Bidders must not modify the Bid Response Packet or any other County-provided document unless instructed to do so, or the bid proposal may be disqualified.

7. Excel Bid Form(s) must be emailed with the proposal.
8. Bidders must quote price(s) as specified in the RFP, using the form(s) as amended or revised by any Addenda.
9. Any clarifications or exceptions to policies or specifications of this RFP, including all Addenda and other documents must be submitted in the **Exceptions and Clarifications** form of the Bid Response Packet.
10. **Bidders who do not comply with the requirements and/or submit incomplete bid proposal packages are subject to disqualification and their bid proposals rejected.**



COUNTY OF ALAMEDA

EXHIBIT A BID RESPONSE PACKET

RFP No. PLN2023-001

SMARA Compliance, Surface Mining Land Use
and Geotechnical Services

BIDDER INFORMATION

Official Name of Bidder:					
Street Address Line 1:					
Street Address Line 2:					
City:		State:		Zip Code:	
Webpage:					

Type of Entity / Organizational Structure (check one):

- ☐ Corporation ☐ Joint Venture ☐ Partnership
- ☐ Limited Liability Partnership ☐ Limited Liability Corporation ☐ Sole Proprietor
- ☐ Non-Profit / Church ☐ Other:

Jurisdiction of Organizational Structure:	
Date of Organizational Structure:	
Federal Tax Identification Number:	
Alameda County Supplier Identification Number (if applicable):	
DIR Contractor Registration Number (if applicable):	


Primary Contact Information:

Name / Title:			
Telephone Number:		Alternate Number:	
Email Address:			

BIDDER ACCEPTANCE

1. The undersigned declares that the procurement bid documents, including, without limitation, the RFP, Q&A, Addenda, and Exhibits (the Bid Documents), have been read and accepted.
2. The undersigned has reviewed the Bid Documents and fully understands the requirements for this RFP, including, but not limited to, general County requirements, and that each Bidder who is awarded a contract must be, in fact, a prime Contractor, not a subcontractor, to County, and agrees that its bid proposal, if accepted by County, will be the basis for the Bidder to enter into a contract with County in accordance with the intent of the Bid Documents.
3. The undersigned agrees to the following terms, conditions, certifications, and requirements found on the County's website:
 - a. **General Requirements**
[\[http://www.acgov.org/cda/planning/\]](http://www.acgov.org/cda/planning/)
[\[https://gsa.acgov.org/do-business-with-us/contracting-opportunities/policies-procedures/general-requirements/\]](https://gsa.acgov.org/do-business-with-us/contracting-opportunities/policies-procedures/general-requirements/)
 - b. **Debarment & Suspension Policy**
[\[https://gsa.acgov.org/do-business-with-us/contracting-opportunities/debarment-suspension-policy/\]](https://gsa.acgov.org/do-business-with-us/contracting-opportunities/debarment-suspension-policy/)
 - c. **Iran Contracting Act (ICA) of 2010**
[\[https://gsa.acgov.org/do-business-with-us/contracting-opportunities/policies-procedures/iran-contracting-act-of-2010-ica/\]](https://gsa.acgov.org/do-business-with-us/contracting-opportunities/policies-procedures/iran-contracting-act-of-2010-ica/)
 - d. **General Environmental Requirements**
[\[https://gsa.acgov.org/do-business-with-us/contracting-opportunities/policies-procedures/general-environmental-requirements/\]](https://gsa.acgov.org/do-business-with-us/contracting-opportunities/policies-procedures/general-environmental-requirements/)
 - e. **Alameda County SLEB Program Overview**
[\[http://acgov.org/auditor/sleb/overview.htm\]](http://acgov.org/auditor/sleb/overview.htm)
 - f. **Alameda County SLEB Program Additional Information**
[\[https://gsa.acgov.org/do-business-with-us/vendor-support/small-local-and-emerging-businesses/\]](https://gsa.acgov.org/do-business-with-us/vendor-support/small-local-and-emerging-businesses/)
 - g. **First Source**
[\[http://acgov.org/auditor/sleb/sourceprogram.htm\]](http://acgov.org/auditor/sleb/sourceprogram.htm)
 - h. **Online Contract Compliance System**
[\[http://acgov.org/auditor/sleb/elation.htm\]](http://acgov.org/auditor/sleb/elation.htm)
4. The undersigned acknowledges that Bidder is and will remain in good standing in the State of California, with all the necessary licenses, permits, certifications, approvals, and authorizations necessary to perform all obligations in connection with this RFP and any contract that is awarded.
5. The undersigned acknowledges that it is the responsibility of each Bidder to be familiar with all of the specifications, terms, and conditions of the RFP and, if applicable, the site condition. By the submission of a bid proposal, the Bidder certifies that if awarded a contract, they will make no claim against the County based upon ignorance of conditions or misunderstanding of the specifications.

6. The undersigned acknowledges that Bidder has accurately completed the SLEB Information Sheet.
7. Bidder agrees to hold the County of Alameda, its officers, agents, and employees harmless from liability of any nature or kind, including cost and expenses, for infringement or use of any patent, copyright, or other proprietary rights, secret process, patented, or unpatented invention, article or appliance furnished or used in connection with bid proposal and/or any resulted contract or purchase order.
8. The undersigned acknowledges **ONE** of the following (please check only one box):
- ☐ Bidder is not local to Alameda County and is ineligible for any bid preference; **OR**
- ☐ Bidder is a certified SLEB and is requesting 10% bid preference; (Bidder must check the first box and provide its SLEB Certification Number in the [SLEB PARTNERING INFORMATION SHEET](#)); **OR**
- ☐ Bidder is LOCAL to Alameda County and is requesting 5% bid preference, and has attached the following documentation to this Exhibit:
- Copy of a verifiable business license issued by the County of Alameda or a City within the County; and
 - Proof of six months of business residency, identifying the name of the bidder and the local address. Example of proof includes but are not limited to utility bills, deeds of trusts or lease agreements, etc., which are acceptable verification documents to prove residency.
9. By signing below, the signatory warrants and represents that the signer has completed, acknowledged, and agreed to this Bidder Acceptance in their authorized capacity and that by their signature on this Bidder Acceptance, they and the entity upon behalf of which they acted, acknowledged and agreed to this Bidder Acceptance and that all are true and correct and are made under penalty of perjury pursuant to the laws of California.

<p>SIGNATURE:  _____</p> <p>Name/Title of Authorized Signer: _____</p> <p>Dated this _____ day of _____ 20_____</p>


DEBARMENT AND SUSPENSION CERTIFICATION (PROCUREMENTS \$25,000 AND OVER)

The Bidder, under penalty of perjury, certifies that, except as noted below, Bidder, its principal, and any named and unnamed subcontractor:

- Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- Has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past three years;
- Does not have a proposed debarment pending; and
- Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three years.

If there are any exceptions to this certification, insert the exceptions in the following space. For any exception noted, indicate to whom it applies, initiating agency, and dates of action. Exceptions will not necessarily result in denial of the award but will be considered in determining Contractor responsibility.

Notes: Providing false information may result in criminal prosecution or administrative sanctions. The above certification is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute the signature of this Certification.

BIDDER: _____	
PRINCIPAL: _____	TITLE: _____
SIGNATURE:  _____	DATE: _____

SMALL LOCAL EMERGING BUSINESS (SLEB) INFORMATION SHEET

Instructions: On the following page is the **SLEB Information Sheet**. Every Bidder must complete and submit a signed SLEB Information Sheet indicating their SLEB certification status. If the Bidder is not certified, the information sheet must be completed with the name, identification information, and goods/services to be provided by the CERTIFIED SLEB partner(s) with whom the Bidder will subcontract to meet the County SLEB participation requirement. The Exhibit must be signed by EACH of the named CERTIFIED SLEB(s) that will be subcontractors.

SLEB certification must be **valid** at the time of bid proposal submittal for SLEB primes and SLEB subcontractor(s).

- For SLEB Subcontracting Questions: Please contact the General Services Agency - Office of Acquisition Policy, GSA.OAP@acgov.org.
- For questions/information regarding SLEB certification, including requirements, please contact the Auditor-Controller Agency, Office of Contract Compliance & Reporting – SLEB Certification Unit, OCCR@acgov.org, (510) 891-5500.

SLEB INFORMATION SHEET

In order to meet the Small Local Emerging Business (SLEB) requirements of this RFP, all Bidders must complete this form.

Bidders that are not certified SLEBS (for the definition of a SLEB, see [Alameda County SLEB Program Overview; \[http://acgov.org/auditor/sleb/overview.htm\]](http://acgov.org/auditor/sleb/overview.htm)) are required to subcontract with a SLEB for at least 20% of the total estimated bid amount in order to be eligible for contract award. SLEB subcontractors must be independently owned and operated from the prime Contractor with no employees of either entity working for the other. A copy of this form must be submitted for each SLEB that the Bidder will subcontract with as evidence of a firm contractual commitment to meeting the SLEB participation requirement.

Bidders are encouraged to form a partnership with a SLEB that can participate directly with this contract. One of the benefits of the partnership will be economical, but this partnership will also assist the SLEB to grow and build the capacity to eventually bid as a prime on their own.

Once a contract has been awarded, substitutions of the named subcontractor(s) are not allowed without prior written approval from the Auditor-Controller, Office of Contract Compliance & Reporting (OCCR).

County departments, prime, and subcontractors are required to use the web-based Elation Systems to monitor SLEB subcontractor compliance with [Elation Systems; \[http://www.elationsys.com/elationsys/\]](http://www.elationsys.com/elationsys/).

☐ **BIDDER IS A CERTIFIED SLEB (sign at bottom of page)**

SLEB BIDDER Business Name: _____

SLEB Certification #: _____ SLEB Certification Expiration Date: _____

NAICS Codes Included in Certification: _____

OR

☐ **BIDDER IS NOT A CERTIFIED SLEB AND WILL SUBCONTRACT ____% WITH THE SLEB NAMED BELOW FOR THE FOLLOWING GOODS/SERVICES:** _____

SLEB Subcontractor Business Name: _____

SLEB Certification #: _____ SLEB Certification Expiration Date: _____

SLEB Certification Status: ☐ Small / ☐ Emerging

NAICS Codes Included in Certification: _____

SLEB Subcontractor Principal Name: _____

SLEB Subcontractor Principal Signature:  _____

Upon award, Bidder (the Prime Contractor) and all SLEB subcontractors agree to register and use the secure web-based ELATION SYSTEMS. ELATION SYSTEMS will be used to submit SLEB subcontractor participation, including, but not limited to, subcontractor contract amounts, payments made, and confirmation of payments received.

Bidder Printed Name/Title: _____

Street Address: _____ City _____ State _____ Zip Code _____

Bidder Signature:  _____ Date: _____

BIDDER MINIMUM QUALIFICATIONS

All mine inspections shall be conducted by an individual who is a state- licensed geologist, state-licensed civil engineer, state-licensed landscape architect, state-licensed forester, or a qualified lead agency employee who has not been employed by surface mining operation during the previous 12 months (PRC Section 2774(b)(1)). On or after July 1, 2020 all inspectors shall have on file with the lead agency and the Division of Mine Reclamation (DMR) a certificate of completion of an inspection workshop pursuant to PRC Section (2774(d)(3)).

The Bidder shall provide proof of the licenses, and professional credentials necessary to perform the required services as specified in this RFP.

Maximum Length: None

BUDGET DETAIL OR COST NARRATIVE

Instructions: Bidder is to provide a **Budget Detail**.

The *Budget Detail* must provide a breakdown of the cost(s) listed in the *BUDGET/BID FORM*. Bidders may use a budget template of their own choice; however, all costs attributed to the project under the awarded contract **MUST** be listed and described in the *Budget Detail*.

In the case of a discrepancy between the unit price and an extension, the unit price will be used for evaluation purposes unless the County, in its sole discretion, determines the extension to be more favorable.

At a minimum, the Bidder must detail:

1. The work to be performed and all associated costs.
 - a. If coordination with County personnel is needed, it should also be described in the Budget Detail.
 - b. The work to be performed must clearly match up with work performed in the Description of Proposed Services (below).
2. The position and cost of individuals that will perform the services.
 - a. Names of Key Personnel must be included in the narrative; however, they may also be identified in the budget, or identification may be made by position title or program.
 - b. The estimated number of hours for each individual/position, corresponding hourly rates, and extended costs.

TABLE OF KEY PERSONNEL

Instructions: Bidder is to provide a **Table of Key Personnel**. The table is to include all essential personnel associated with providing services to the County.

To appropriately evaluate Bidder's qualifications, the table should include the following information for each key person:

1. The person's relationship with Bidder, including job title and years of employment with Bidder.
2. Work contact information includes, but is not limited to, the following: work address, office telephone number, mobile work number, and work email address.
3. The person's role in connection with the RFP and any awarded contract.
4. Educational background; and
5. Related experience on similar projects, certifications, and merits.

If a Bidder collaborates with any other partners or subcontractors, the Bidder shall identify all key personnel, subcontractors, subcontractor qualifications, and how they plan to work together. Bidder shall identify any existing agreements or MOUs between the Bidder(s) and proposed collaborator(s).

In addition to the table, Bidder(s) must submit a complete résumé or curriculum vitae for each key personnel listed in the table, including educational background, relevant experience on similar projects, certifications, and merits. (Resumes should include work contact information, not personal contact information for the person.)

Maximum Length: There is no limit to the table. There is, however, a 2-page limit per résumé or curriculum vitae. Résumé and curriculum vitae are subject to public disclosure and business addresses should be used not home addresses.

DESCRIPTION OF PROPOSED SERVICES

Instructions: Bidder is to provide a **Description of Proposed Services**.

The *Description of Proposed Service* must describe the overall services. The Bidder must address how they will meet or exceed each requirement listed in Section H.

At a minimum, the Bidder must include the following details:

1. Describe how Bidder will meet the program's desired overall goals, anticipated outcomes, measurable objectives, and critical tasks, including how key personnel will be responsible for achieving them.
2. Detail existing data collection infrastructure and demonstrate the ability to interface with County's database(s) as described in the RFP and/or provide reporting data to the County for maximum efficiency.
3. Explain any unique resources, procedures, or approaches that make the services of Bidder responsive to meeting the minimum qualifications and requirements of the RFP.
4. Identify any limitations or restrictions that exist for the Bidder to provide the services. Explain what measures will be taken to adequately provide the services. (Please note any requests for exceptions or clarifications MUST be identified on the Exceptions and Clarification form. **The County is under no obligation to accept any exceptions or clarifications, and any such exceptions and clarifications may be a basis for bid disqualification.**)

IMPLEMENTATION PLAN AND SCHEDULE

Instructions: Bidder is to provide an **Implementation Plan and Schedule**.

In conjunction with the *Description of Proposed Services* and the *Budget Detail*, the Bidder must include an *Implementation Plan and Schedule* that specifically addresses the following:

1. A timeline of project goals, measurable outcomes, and benchmark activities related to the provision of required services and the key personnel assigned to each.
2. The ideal Implementation Plan and Schedule will provide a clear picture of what the County can expect during the contract term and in preparing to start the contract. Bidders should consider the information and questions contained in the Evaluation Criteria and Specific Requirements in preparing the Implementation Plan and Schedule.

REFERENCES

Instructions: On the following pages are the templates that Bidders are to use for providing references. Bidders are to provide a list of 3 references. References must be satisfactory as deemed solely by County.

Services or goods provided by Bidders to the references should have similar scope, volume, and requirements to those outlined in these specifications, terms, and conditions.

Bidders should verify that the contact information for all references provided is current and valid. If a reference cannot be contacted, it may affect the qualification and scoring of the Bidders' bid proposals.

Bidders are strongly encouraged to notify all references that the County may be contacting them to obtain a reference.

The County may contact some or all the references provided in order to determine items such as Bidders' years of experience and performance records on work similar to that described in this request.

The County reserves the right to contact individuals/entities for references other than those provided in the Response and to use any information obtained in the evaluation process.

NOTE: Bidders should not list the County department requesting services/goods as part of the references.

REFERENCES

RFP No. PLN2023-001

SMARA Compliance, Surface Mining Land Use and Geotechnical Services

Bidder Name: _____

Company Name:	Contact Person:
Address:	Telephone Number:
City, State, Zip:	Email Address:
Services Provided / Date(s) of Service:	

Company Name:	Contact Person:
Address:	Telephone Number:
City, State, Zip:	Email Address:
Services Provided / Date(s) of Service:	

Company Name:	Contact Person:
Address:	Telephone Number:
City, State, Zip:	Email Address:
Services Provided / Date(s) of Service:	

Company Name:	Contact Person:
Address:	Telephone Number:
City, State, Zip:	Email Address:
Services Provided / Date(s) of Service:	

Company Name:	Contact Person:
Address:	Telephone Number:
City, State, Zip:	Email Address:
Services Provided / Date(s) of Service:	

*Use additional pages as necessary

EXCEPTIONS AND CLARIFICATIONS

Instructions: Bidders must use the **Exceptions and Clarifications** form to identify and list below any and all exceptions and/or clarifications to the RFP and associated Bid Documents and submit them with the bid proposal.

THE COUNTY IS UNDER NO OBLIGATION TO ACCEPT ANY EXCEPTIONS AND CLARIFICATIONS; ANY SUCH EXCEPTIONS AND CLARIFICATIONS MAY BE A BASIS FOR BID PROPOSAL DISQUALIFICATION.

[illegible]

*Use additional pages as necessary

INSURANCE REQUIREMENTS

Instructions: Insurance certificates are not required at the time of submission; however, by signing the Bid Response Packet and submitting a bid proposal, the Bidder agrees to meet the minimum insurance requirements and provide any documentation requested by County upon request.

Insurance documentation must be provided to the County before award and include an insurance certificate and additional insured certificate, naming the County of Alameda, which meets the minimum insurance requirements, as stated in the RFP.

The following page contains the minimum insurance limits required by the County of Alameda to be held by the Contractor performing on a contract issued from this RFP:

**SEE NEXT PAGE FOR COUNTY OF ALAMEDA
MINIMUM INSURANCE REQUIREMENTS**

EXHIBIT C
COUNTY OF ALAMEDA MINIMUM INSURANCE REQUIREMENTS

Without limiting any other obligation or liability under this Agreement, the Contractor, at its sole cost and expense, shall secure and keep in force during the entire term of the Agreement or longer, as may be specified below, the following minimum insurance coverage, limits and endorsements:

TYPE OF INSURANCE COVERAGES		MINIMUM LIMITS
A	Commercial General Liability Premises Liability; Products and Completed Operations; Contractual Liability; Personal Injury and Advertising Liability	\$1,000,000 per occurrence (CSL) Bodily Injury and Property Damage
B	Commercial or Business Automobile Liability All owned vehicles, hired or leased vehicles, non-owned, borrowed and permissive uses. Personal Automobile Liability is acceptable for individual contractors with no transportation or hauling related activities	\$1,000,000 per occurrence (CSL) Any Auto Bodily Injury and Property Damage
C	Workers' Compensation (WC) and Employers Liability (EL) Required for all contractors with employees	WC: Statutory Limits EL: \$1,000,000 per accident for bodily injury or disease
D	Professional Liability/Errors & Omissions Includes endorsements of contractual liability and defense and indemnification of the County	\$1,000,000 per occurrence \$2,000,000 project aggregate
E	<p><u>Endorsements and Conditions:</u></p> <ol style="list-style-type: none"> ADDITIONAL INSURED: All insurance required above with the exception of Professional Liability, Commercial or Business Automobile Liability, Workers' Compensation and Employers Liability, shall be endorsed to name as additional insured: County of Alameda, its Board of Supervisors, the individual members thereof, and all County officers, agents, employees, volunteers, and representatives. The Additional Insured endorsement shall be at least as broad as ISO Form Number CG 20 38 04 13. DURATION OF COVERAGE: All required insurance shall be maintained during the entire term of the Agreement. In addition, Insurance policies and coverage(s) written on a claims-made basis shall be maintained during the entire term of the Agreement and until 3 years following the later of termination of the Agreement and acceptance of all work provided under the Agreement, with the retroactive date of said insurance (as may be applicable) concurrent with the commencement of activities pursuant to this Agreement. REDUCTION OR LIMIT OF OBLIGATION: All insurance policies, including excess and umbrella insurance policies, shall include an endorsement and be primary and non-contributory and will not seek contribution from any other insurance (or self-insurance) available to the County. The primary and non-contributory endorsement shall be at least as broad as ISO Form 20 01 04 13. Pursuant to the provisions of this Agreement insurance effected or procured by the Contractor shall not reduce or limit Contractor's contractual obligation to indemnify and defend the Indemnified Parties. INSURER FINANCIAL RATING: Insurance shall be maintained through an insurer with a A.M. Best Rating of no less than A:VII or equivalent, shall be admitted to the State of California unless otherwise waived by Risk Management, and with deductible amounts acceptable to the County. Acceptance of Contractor's insurance by County shall not relieve or decrease the liability of Contractor hereunder. Any deductible or self-insured retention amount or other similar obligation under the policies shall be the sole responsibility of the Contractor. SUBCONTRACTORS: Contractor shall include all subcontractors as an insured (covered party) under its policies or shall verify that the subcontractor, under its own policies and endorsements, has complied with the insurance requirements in this Agreement, including this Exhibit. The additional Insured endorsement shall be at least as broad as ISO Form Number CG 20 38 04 13. JOINT VENTURES: If Contractor is an association, partnership or other joint business venture, required insurance shall be provided by one of the following methods: <ul style="list-style-type: none"> Separate insurance policies issued for each individual entity, with each entity included as a "Named Insured" (covered party), or at minimum named as an "Additional Insured" on the other's policies. Coverage shall be at least as broad as in the ISO Forms named above. Joint insurance program with the association, partnership or other joint business venture included as a "Named Insured". CANCELLATION OF INSURANCE: All insurance shall be required to provide thirty (30) days advance written notice to the County of cancellation. CERTIFICATE OF INSURANCE: Before commencing operations under this Agreement, Contractor shall provide Certificate(s) of Insurance and applicable insurance endorsements, in form and satisfactory to County, evidencing that all required insurance coverage is in effect. The County reserves the rights to require the Contractor to provide complete, certified copies of all required insurance policies. The required certificate(s) and endorsements must be sent as set forth in the Notices provision. 	