



**REQUEST FOR PROPOSALS  
FOR SERVICES DEVELOPING A TECHNICAL STUDY ON  
COMMUNITY CHOICE AGGREGATION**

County of San Mateo  
County Manager's Office  
Office of Sustainability

**Proposals Must be Received by Thursday, April 2, 2015 by 11:59 p.m.**

**RESPONSES WILL NOT BE ACCEPTED AFTER THIS DATE  
AND TIME**

Response must be submitted electronically via email to Jim Eggemeyer at:

[jeggemeyer@smcgov.org](mailto:jeggemeyer@smcgov.org)

Please send your response as a PDF file.

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

**NOTE REGARDING THE PUBLIC RECORDS ACT**

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

Be advised that all information submitted in response to this Request for Proposals is itself a public record without exception. Also, any contract that eventually arises following this Request for Proposals is public record.

**Submission of a proposal constitutes a complete waiver of any claims whatsoever against the County and/or its officers, agents, or employees that the County has violated a Respondent's right to privacy, disclosed trade secrets, or caused any damage by allowing the proposal to be inspected.** By submitting materials you: (1) consent to the release of the materials by the County if requested under the Public Records Act without further notice to you; and (2) agree to indemnify and hold harmless the County for release of the materials.

## **PART 1 – INTRODUCTION**

**1.01** The County of San Mateo ("County") invites responses to this Request for Proposals ("RFP") from qualified consultant firms or individuals. The successful respondent may eventually contract with the County for services to development a technical study on the feasibility of Community Choice Aggregation (CCA) for the County.

**1.02** The County will conduct an in-depth evaluation of the responses submitted and will then provide a more complete Professional Services Agreement and begin sequential contract negotiations beginning with the selected firm.

## **PART 2 – BACKGROUND AND PROJECT DESCRIPTION**

**2.01** The County's Office of Sustainability (OOS) was established in July 2014 as a pilot project of the County Manager's Office. Currently, the OOS manages a number of sustainability-related programs and projects, including conducting research on and coordinating efforts for a potential CCA in the County.

**2.02** Under a CCA, a local government or group of local governments pool (or aggregate) the electricity demands of its community and purchase energy on the community's behalf. The delivery, metering, and billing of the electricity continue to be a function of the incumbent utility. CCAs were established by AB117 in 2002, and California currently has two active programs in Marin and Sonoma Counties, with one more about to launch in the City of Lancaster. Dozens of other local governments are also exploring CCA across the state.

**2.03** The benefits of establishing a CCA include substantial greenhouse gas (GHG) emission reductions through the procurement of renewable energy and the potential to build local, renewable energy projects in the CCA community. CCAs are one way in which local governments in California can meet their climate action plan goals and offer consumers an alternative choice for their electricity. The County is committed to reducing 55,000 metric tons of CO<sub>2</sub> equivalent (MTCO<sub>2</sub>E) by 2020 in order to meet the state requirements under AB32. If successful, a CCA can contribute significantly towards these emission reductions, and help meet the County's climate action goals outlined in its Energy Efficiency Climate Action Plan.

**2.04** Critical to assessing whether a CCA program will make economic sense and meet local environmental objectives is a technical study that identifies pertinent specifications and requirements associated with the prospective CCA program (number of customers likely to be served by a CCA, energy demand requirements, peak demand needs, renewable energy content, etc.). Included in the study will be the projected impacts of various clean energy and greenhouse gas (GHG) reduction scenarios. The technical study is also helpful in determining whether or not the CCA can provide electricity rates that are generally competitive with those offered by the incumbent utility. This study will incorporate two years of historical load data from Pacific Gas & Electric (PG&E) to assess the overall electricity and capacity requirements to serve all electricity customers in the County, as well as examine other CCA program features.

**2.05** The San Mateo County Board of Supervisors voted unanimously on February 24, 2015 to allocate \$300,000 for the completion of the first phase of the CCA project, and directed County staff to undertake the necessary steps, including increased outreach and the completion of the technical study, to evaluate the feasibility of a CCA program for the unincorporated County and its cities. The County will continue to reach out to the incorporated cities, residents, businesses, labor organizations, large energy users, community groups, and stakeholder organizations to provide opportunities for education on CCA and engagement in the CCA formation process.

**2.06** To participate in the technical study, each incorporated city was asked to provide the County with permission to access the city's electricity load data. This permission could have been granted via a resolution passed by the city council or by a letter from the city manager. To date, 19 out of 20 incorporated cities have provided the County with permission to access their electricity load data. The County is already in communication with PG&E and submitted the request for data on March 12, 2015 for both the unincorporated areas and incorporated cities. It is expected that the data request will take eight to ten weeks to fulfill.

**2.07** The technical study will be completed on behalf of the County unincorporated areas and the twenty incorporated cities. The study will be reviewed by the OOS, Board of Supervisors, the Office of County Counsel and advisory committee established for the purpose of providing insight and feedback on the CCA opportunity and process. The final study will also be distributed to each city and be made available to the public.

**2.08** The selected firm or individual will develop a technical study to assess the feasibility of CCA for San Mateo County. The selected firm or individual will be expected to gather data, and provide analysis to fulfill all parts of the study scope listed in Part 3 below. Results of the analysis will be included in the final study.

### **PART 3 – SCOPE OF REQUESTED SERVICES**

**3.01** This Part sets forth an outline/overview of the scope of services required for the Project.

**3.02** The technical study will identify pertinent technical parameters of the CCA program, including but not limited to:

**3.02.1** The number of customer accounts that are likely to be served by the program and identification of related tariff designations/options under which such customers will take electric service, assuming the participation of all sectors of energy users;

**3.02.2** Quantification of expected electric energy requirements for customers participating in the prospective CCA program;

**3.02.3** Determination of periodic peak demands associated with such customers. This would involve the anticipated customer energy requirements (hourly) throughout the CCA's defined implementation period and expected peak demands (for purposes of quantifying the CCA's resource adequacy requirements across each applicable capacity designation: system, local and flexible); and

**3.02.4** Analysis of renewable energy requirements (to achieve compliance with California's Renewables Portfolio Standard) as well as other pertinent information that may be required to develop supplier bid specifications and promote successful CCA implementation.

**3.02.5** The technical study will also examine the potential for GHG reductions (through the use of varying levels of renewable/clean energy), and the projected financial impacts of varying levels of renewable energy integration.

**3.02.6** The technical study will include a comparative analysis of the CCA with PG&E's new 100% renewable option (Green Option), particularly as it relates to rates, local renewable content, REC content, GHG impacts and any other relevant metric.

**3.03** The study will examine the CCA's ability to achieve rate competitiveness with PG&E and assess the likelihood of meeting community goals within the framework of the following draft CCA program goals set out by the County. Please note that these draft goals are offered here for reference and are not a statement of specific tasks or study scope. Further, these goals may be modified as the initiative progresses.

**3.03.1** Supplies an energy supply portfolio with a lower greenhouse gas (GHG) intensity than PG&E, which can support the climate goals of the member agencies and meet or exceed state goals for renewable energy.

**3.03.2** Provides overall rates that are lower or competitive with those offered by PG&E for similar power supply products.

**3.03.3** Supplies an energy portfolio that prioritizes the development of local renewable resources and minimizes the use of unbundled renewable energy credits (RECs).

**3.03.4** Creates quantifiable and equitable economic benefits in the region through job creation (e.g. union and prevailing wage jobs) and the investment of surplus funds to develop local renewable sources.

**3.03.5** Provides differentiated energy options (e.g. 100% renewable option) in which customers may voluntarily participate.

**3.03.6** Stimulates the growth of state-wide and regional renewable energy development.

**3.03.7** Promotes regional energy conservation through custom programs targeted at local customers and implementing demand management best practices.

**3.03.8** Promotes local and community ownership and control of renewable resources in order to spur increased community resilience to climate change, especially in low income communities and communities of color.

**3.03.9** Operates a well-managed organization based on a financially sustainable and flexible business model.

**3.03.10** Fosters collaboration and communication between the County, incorporated cities, residents, and business community.

**3.04 Study Scope and Requirements:** In preparation for the study, an initial step will be to receive and review San Mateo County's electricity load data (compiled from the County and the cities' within the County) from PG&E, as outlined in line item #16 of PG&E's CCA Info Tariff. The personal identifiable information of customer accounts will be redacted from the load data before being received by the technical consultant. The county requested two years of load data. The technical consultant will review, format, and import data into an analytical framework and prepare summary level data for residential, commercial, industrial and municipal accounts. The selected consultant will also prepare a 10-year load forecast in consideration of this data, using applicable load profiles made available by the incumbent utility. The County expects the selected firm or individual to prepare the forecast to the best of its ability; however, the County understands that the accuracy of such forecasts cannot be guaranteed. Specific tasks will include the following:

**3.04.1 Load study and forecast:** Prepare utility load forecast that reviews historical and projects future electric energy requirements and peak demand across all customer classes, taking into account growth in renewables (e.g. rooftop solar) and other appropriate factors, such as compensation for line losses. This task would also entail the development of class-specific forecasts which could be aggregated to comprise a composite of expected electrical energy requirements (and hourly shape) for all of San Mateo County. This forecast should be developed in a manner that will allow for the inclusion or exclusion of current direct access electrical accounts, as identified in customer data provided by the utility, in the event that such accounts should elect to become CCA customers. The load study will estimate the number of megawatts per hour that will be required to serve the electric energy requirements of the CCA during the first ten years of operations including applicable peak demand for purposes of quantifying pertinent resource adequacy requirements (RAR).

**3.04.2 Rate analysis:** Prepare both CCA and incumbent/PG&E rate analysis with reasonable estimates of future PG&E rate increases/fluctuations based on historical prices and factors that may affect the rate of increase into the future (e.g. local generation construction, spot market pricing, renewable energy mandates and declining cost of renewables, etc.). Other factors may also include ancillary services, transmission congestion impacts, transmission scheduling coordination costs and other factors. This analysis should be presented in a scenario analysis, with high, medium and low estimates of future PG&E pricing for all rate classes. Other considerations to be included in this section are:

- 1) Identification of other factors that may affect rate comparison (examples

include combinations of the following: high gas, low gas, high hydro, low hydro, etc., and rate restructuring);

- 2) Investor-owned utility (IOU) costs and surcharges embedded in rate forecast for direct comparison to CCA costs;
- 3) Utility rate forecast under continued IOU service scenario;
- 4) Based on IOU rate forecasts and other independent rate forecasts, compile electric generation service cost/payment estimates for prospective CCA customers in consideration of applicable IOU rate schedules.

**3.04.3 Supply scenarios for San Mateo County CCA:** The technical consultant will develop three scenarios for the energy procurement requirements of the CCA. Each scenario will examine the likely rates and competitiveness with PG&E, given historic, current, and future market conditions. Each scenario will also estimate GHG impacts compared to PG&E. The consultant should consider variations in how both the renewable and non-renewable portions of the power mix can be obtained (e.g., in-state, in-county, out-of-state, unbundled vs. bundled renewable energy credits, technology preferences), and non-renewable portfolio attributes (e.g., system purchases, natural gas, hydro-electric). Finally, the comparative analysis with PG&E should include analysis of its new 100% renewable option, particularly as it relates to rates, local renewable content, REC content, GHG impacts and any other relevant metric.

Please provide current and forecasted market information based on the following clean power supply scenarios:

- 1) Option 1: Baseline, minimum 35% renewable content. The goal of the CCA will be to exceed the State Renewable Portfolio Standard (RPS) during the CCA's the first year of operation, so the first scenario should examine a supply scenario that exceeds the 2020 RPS minimum of 33% at the time of service commencement.
- 2) Option 2: Minimum 50% California qualified renewable energy.
- 3) Option 3: High scenario of 100% CA qualified renewable energy that would be offered on a premium, voluntary basis, with a substantial portion of that coming from local renewable resources in the County and general region as the program develops over time.

**3.04.4 Economic impacts:** For these scenarios, the consultant should examine not just costs and GHG impacts, but also direct and indirect employment creation through existing economic development models such as the Jobs and Economic Development Impact (JEDI) model from the National Renewable Energy Laboratory or other industry-standard models to quantify potential economic impacts of various supply scenarios.

**3.04.5 Sensitivity analysis:** The consultant's model should be able to accommodate sensitivity analyses reflecting changes in the following variables:

- 1) Market prices for conventional (non-renewable) energy;
- 2) Market prices for renewable energy based on preferred technologies;
- 3) Changes in PG&E generation rates, exit fees and customer surcharges;

- 4) Changes in policies affecting local renewables development, including the possible reduction or elimination of the federal solar tax credit and production tax credit for wind power;
- 5) Rate sensitivity to higher renewable energy portfolio targets that exceed state RPS;
- 6) Rate sensitivity to local renewable generation, energy efficiency and demand reduction programs; and
- 7) Customer opt-out rates.

**3.04.6 Pro-forma analysis:** The consultant should assess the overall cost-benefit potential to support a threshold decision to move forward with CCA. Costs shall include upfront program development and implementation costs as well as net ratepayer costs over the forecast period. Quantifiable impacts shall include potential for: annual and net savings over PG&E, net GHG reductions, expanded use of renewable energy resources and local economic development (job-years created and indirect economic impacts). This analysis should include:

- 1) Pro forma report, including cash flow analysis, detailing costs and projected benefits under the three electric supply scenarios outlined in 3.04.3.
- 2) Pro forma reports detailing costs and projected benefits under sensitivity case assumptions.
- 3) Pro forma reports detailing costs and projected benefits of phasing in customer load over time.
- 4) Consultant should assemble known and predictable cost-of-service variables and incorporate these into base-case analyses. Predictable cost-of-service variables include:
  - a. Energy Costs - Variable inputs for resource portfolio mixes to include:
    - i. Forecast spot market prices
    - ii. Long-term and short-term power contracts (for wholesale products such as 6X16, 7X24 power products)
    - iii. Renewable Energy minimums as required under SBXI-2, or in excess of this minimum per electric supply scenarios
  - b. Start-up costs
  - c. Cost of Capital
  - d. Operating and Maintenance Costs
    - i. Administrative and general expenses
    - ii. Staffing
    - iii. External technical/legal/marketing/PR support
    - iv. Billing, metering, and collections
    - v. Customer service (call center) and data management

- vi. Scheduling and coordination
- e. Uncollected accounts
- f. Program reserves
- g. CCA Bonding for Reentry Fees
- h. PG&E surcharges, Cost-Recovery Mechanism [exit fees]
- i. Characterize and evaluate feed in tariff and net energy metering programs that would encourage development of renewable energy generation projects in the region by offering customers a sustained reliable payback on their investment in renewable energy and sustainable local generation system.

**3.05 Risk analysis:** The consultant should also analyze the potential risks to the program, as well as outline risk-mitigation measures. Such risks could include, but not be limited to:

**3.05.1** Financial risk to the JPA member cities in the event that the CCA fails;

**3.05.2** The financial risk to a CCA that procures too much or too little electricity and what the reasons might be for missing demand forecasts (e.g.: higher than expected opt-out rate);

**3.05.3** Regulatory and legislative risk, due to rules changes at the California Public Utilities Commission (CPUC) or changes in state law that affect the ability of CCAs to be competitive;

**3.05.4** Ability to procure the necessary amounts of renewable energy in order to meet RPS standards, particularly if the RPS rises to 50% by 2030 and the demand for renewable energy spikes. The consultant should examine concerns expressed by some in the community that there may not be enough renewable energy supply with a number of new CCAs potentially coming into the market.

**3.05.5** Market volatility and price risk.

**3.06 Deliverables and reports:** The selected firm or individual will be expected to provide the following deliverables and reports:

**3.06.1** Weekly updates with OOS, either written or verbal, on the status of the project;

**3.06.2** Verification/finalization of load data request to PG&E, including required Non-Disclosure Agreement (NDA) for any member of firm that will be analyzing data;

**3.06.3** Verification/finalization of study scope and three power supply scenarios to be considered;

**3.06.4** Draft technical study in Microsoft Word;

**3.06.5** Final version of study will be submitted after review by OOS staff in Microsoft Word. Final draft should include all annexes, pro-forma analyses, Excel spreadsheets and additional documentation that were utilized in the development of the study; and

**3.06.6** Presentation of study findings and results before relevant CCA stakeholder committee and the County Board of Supervisors.

**3.07 Project timeline:** The selected firm or individual will be expected to complete the technical study and produce copies of the final draft within 60 days of the release of the electricity load data from PG&E. The request for the electricity load data of the County unincorporated areas and 19 incorporated cities was submitted by San Mateo County's County Manager—John Maltbie—on 03/12/15. It is expected, but not guaranteed, that the load data request will take eight to ten weeks to fulfill. The County has requested two years of historic load data from PG&E pursuant to Tariff Schedules #11 (estimated annual generation revenues) and #16 (customer information) of E-CCAINFO and E-CCA.

## **PART 4 – MINIMUM QUALIFICATIONS**

**4.01** To be considered for the contract, respondents must meet the following minimum qualifications:

**4.01.1** Firm or individual shall demonstrate direct experience within and understand the California energy market, including relevant legislation and regulations applicable to CCA and its major participants – investor owned utilities, CA Independent System Operator, energy service providers and independent power producers, California Public Utilities Commission, and other key market players.

**4.01.2** Firm or individual shall demonstrate an understanding of the CCA formation process in California including - statutory and regulatory requirements, and best practices. Bidder shall have experience in customer data requests and analysis.

**4.01.3** Firm or individual shall demonstrate experience in resource planning and energy procurement.

**4.01.4** Firm or individual shall demonstrate experience in rate setting /design and sensitivity analysis, including anticipated rate impacts related to varying levels of renewable energy procurement and local renewable project/program development as well as energy efficiency and demand reduction program implementation.

**4.01.5** Firm or individual shall demonstrate experience in California energy compliance reporting as it relates to CCA.

**4.01.6** Firm or individual shall possess all permits, licenses, and professional credentials necessary to supply product and perform services specified under this RFP.

## **PART 5 – SUBMITTAL REQUIREMENTS**

**5.01** Please read this entire RFP and all enclosures before preparing your response. Responding firms should seek clarification of any requirements they do not fully understand. Misunderstandings resulting in an improper response will not be considered a valid reason for submitting a non-responsive submittal.

**5.02** Any clarification desired by respondent regarding the meaning or interpretation of this RFP, must be requested in writing by email not later than March 24, 2015. Responses to questions will be sent as an addendum via email by the OOS to all RFP recipients.

**5.03** Respondents should address any issues or questions via email to: Jim Eggemeyer, Director of the Office of Sustainability, at [jeggemeyer@smcgov.org](mailto:jeggemeyer@smcgov.org).

**5.04** Respondents should address every item listed in this RFP. Brevity and clarity are of utmost importance. Responses that do not comply with all requirements of this RFP, including the submittal deadline, will not be considered.

**5.05** The responses to this RFP should be submitted electronically via email in a PDF file to Jim Eggemeyer at: [jeggemeyer@smcgov.org](mailto:jeggemeyer@smcgov.org) no later than 11:59 p.m. on April 2, 2015.

**5.06** The responses shall not exceed 20 pages (double sided), but will preferably provide a full response in less pages. Type size shall be no smaller than 12 point. No cover letter is necessary. Maximum page numbers does not include any additional attachments or materials submitted with the response.

**5.07** The RFP response shall include a statement signed by an owner, officer, or agent of the Respondent who is authorized to commit its firm, acknowledging and accepting the terms and conditions of this RFP.

**5.08** The body of the response shall include the following minimum information about the firm or individual:

**5.08.1** Background Information

1) Company Information

- a. Name of Firm
- b. Address of Firm
- c. Telephone & Fax Numbers
- d. E-Mail Address
- e. Primary Contact Person
- f. Organization Chart

2) Brief History of Firm

- a. Legal Structure (corporation, partnership, joint venture, etc.)
- b. Size of Firm / Staff
- c. Years in Business

3) If firm is a partnership or association, a listing of all of the partners, general partners, or association members known at the time of submission, who will participate in the contract if awarded must be included.

**5.08.2 Staff qualifications:** Provide the names and contact information of individuals who will be assigned to provide services requested by this RFP. List the qualifications of each individual, including: date and school of any applicable degrees, additional applicable training, any professional certification/licensing, and any work or professional experience relevant to the services required by this RFP. In lieu of listing this information, you may submit a resume or curriculum vitae (CV) for each such individual if the resume/CV includes all the requested information.

Note: If the proposer is an individual, provide a statement of qualifications, a statement of current contracts, the amount of time you have available to complete this contract, a description of services provided to current contracts, and a statement of the extent of experiences/history providing the services requested by this RFP, including information requested in 5.08.1 above.

**5.08.3** Specify how the firm or individual has attained or fulfills the knowledge, experience and abilities listed in Part 4, above.

**5.08.4 References:** Please provide a list of at least two references familiar with respondent's previous work. List should include most current contact information for each reference.

**5.08.5 Sub Consultants:** Respondents should identify all consultants with whom they propose for this contract of services and include their contact information and qualifications. Qualifications should include all information listed in 5.08.1 above. Specify what roles the sub consultants will perform.

**5.09 Cost Proposal:** Provide a cost proposal detailing the full cost of the development and production of the technical study. Include cost proposal as an Excel spreadsheet attached as an appendix to the RFP response (Note: cost proposal does *not* count in RFP page limit). Break cost proposal down by the following:

**5.09.1 Labor Costs –** Indicate labor classification (position) and corresponding estimated hours, related hourly rate, and total labor costs for each position. Indicate the total estimated hours and direct labor calculated. Include costs for both prime and sub-consultants.

**5.09.2 Overhead Costs**

**5.09.3 Travel Expenses**

**5.09.4 Other Reimbursable Expenses –** Any expenses associated with the development and production of study, including any fees for the collection and analysis of pertinent data (Note: Fees for initial electricity load data from PG&E will *not* be included in this cost proposal).

## **PART 6 - SELECTION PROCEDURE**

**6.01** A Screening and Selection Committee comprised of staff from the OOS, Board of Supervisors' offices, and Office of the County Counsel, will review the responses to the RFP and determine which firms/individuals complied with submittal requirements and meet the

minimum criteria. The Committee will then review the eligible responses and rank the firms/individuals according to the criteria indicated below. The firm/individual will be notified electronically via email if it has been selected.

**6.02** See the following table for a timeline of the selection process:

| <b>Event</b>                              | <b>Time Frame</b>             |
|---|-------------------------------|
| RFP Notice                                | March 13, 2015                |
| Deadline for Question Submittal           | 11:59 pm, March 24, 2015      |
| Addendum of Questions and Answers         | March 27, 2015                |
| <b>Proposal Due</b>                       | <b>11:59pm, April 2, 2015</b> |
| Proposal Evaluation                       | April 2015                    |
| Notice of Finalist                        | April 2015                    |
| Board of Supervisors Approval of Contract | May 2015                      |
| Start of Services                         | June 2015                     |

**PART 7 - EVALUATION CRITERIA (not all weighted equally)**

**7.01 Completeness of response submission** - Responses should respond to each of the items set forth in the RFP.

**7.02 Personnel Experience and Qualification** - Evaluation of the list of personnel specifically assigned to provide the services requested, including their qualifications, expertise, and overall experience.

**7.03 Economic feasibility and justification of all costs** – Evaluation of cost effectiveness based on respondent’s cost proposal.

**7.04 Quality and depth of references**

**7.05 Availability** - Evaluation of the workload of the respondent and the staffing to be assigned to the services requested. Evaluation of the time schedule of the respondent in relation to that of the locations of offices and facilities from which the services are to be provided to the County.

**7.06** The County may consider any other criteria it deems relevant.

**PART 8 - GENERAL CONDITIONS**

**8.01** The RFP responses should be clear and concise to enable management-oriented personnel to make a thorough evaluation and arrive at a sound determination as to whether the RFP response meets the County’s requirements. To this end, the RFP response should be as specific, detailed, and complete as to clearly and fully demonstrate that the Respondent has a thorough understanding of and has demonstrated knowledge of the requirements to perform the work (or applicable portion thereof).

**8.02** The submission of a response to this RFP does not commit the County to award a contract for the services requested or to pay costs incurred in the preparation of responses to this RFP.

**8.03** The County reserves the right to interpret or change any provision of this RFP at any time prior to the RFP submission date. Such interpretations or changes shall be in the form of addenda to this RFP and sent directly to the registered respondents. The County, in its sole discretion, may determine that a time extension is required for submission of responses to this RFP, in which case such addenda shall indicate a new RFP submission deadline. The County reserves the right to waive inconsequential deviations from stated requirements.

**8.04** This RFP constitutes part of each response and includes the explanation of the County's needs, which must be met. This RFP and all materials submitted in response to this RFP will become the property of the County.

**8.05** Alteration of Terms and Clarifications. It is mutually understood and agreed that no alteration or variations of the terms of this RFP shall be valid unless made or confirmed in writing and signed by the County and selected firm/individual, and that no oral understandings or agreements not incorporated herein, and no alterations or variations of the terms hereof unless made or confirmed in writing between said parties hereto, shall be binding.

**8.06** Clarifications will be sent by email to all parties. Each respondent must provide the County with electronic contact information in response to this RFP.

**8.07** All responses shall remain valid for a period of not less than 120 days from the submission.

**8.08** The County reserves the right to retain all responses submitted and use any ideas included in a response regardless of whether that response is selected.

**8.09** County reserves the right to contact individual respondents for clarifying information any time during the RFP process.

**8.10** No person shall, on the grounds of race, color, creed, national origin, religious affiliation or non-affiliation, sex, sexual orientation, marital status, age (over 40), disability, medical condition (including but not limited to AIDS, HIV positive diagnosis or cancer), political affiliation or union membership be excluded from participation in, be denied the benefits of, or be subjected to discrimination under this agreement.

**8.11** Respondents shall ensure equal employment opportunity based on objective standards of recruitment, selection, promotion, classification, compensation, performance evaluations, and management relations, for all employees under any contract that may result from this submittal.

**8.12** Respondents' personnel policies shall be made available to the County upon request.

**8.13** Respondents must comply with the County Ordinance Code with respect to the provision on employee benefits. As set forth in the ordinance, such respondents are prohibited from discriminating in the provision of employee benefits between an employee with a domestic partner and an employee with a spouse.

**8.14** Respondents must comply with the County Jury Duty Ordinance.

## **PART 9 - NEGOTIATION OF CONTRACT**

**9.01** Once a respondent is selected for consideration, a Professional Services Agreement (PSA) with that firm must still be finalized. The rate sheet will be made part of the PSA, which will then be subject to approval by the County Manager's Office and there is no contractual agreement between the selected firm unless and until the County Manager's Office or its designee, as applicable, accepts and signs the Agreement. Selection of a proposal for negotiation of contract terms and eventual submission to County management by way of an agreement does not constitute an offer, and respondents acknowledge by submission of a proposal that no agreement is final unless and until approved by the County Manager's Office. Should the selected firm not, in the County's determination, be prepared to negotiate in good faith; or should the selected firm not be able to meet the County's contractual terms and conditions which the County believes to be essential to a successful contract, the County reserves the right to terminate contract negotiations and begin contract negotiations with one or more than one of the remaining respondents.

## **PART 10 – PROJECT COORDINATOR**

**10.01** All inquiries and requests for additional information pertaining to this RFP, any addendum, or any matter relating to the selection process, must, unless otherwise identified in an addendum, be directed to the designated project coordinator at the following:

Jim Eggemeyer  
Office of Sustainability  
County Manager's Office  
County of San Mateo  
400 County Center, 1st Floor  
Redwood City, CA 94063  
Telephone: (650) 363-4189  
Email: [jeggemeyer@smcgov.org](mailto:jeggemeyer@smcgov.org)