



COUNTY *of* VENTURA

**Request for Proposals (RFP) for Conversion of
1400 Vanguard Dr. Oxnard, CA into a Permanent Supportive
Housing/Recuperative Care Facility**

**Issued by:
County Executive Office (CEO)**

Date Issued: 10/5/2022

Proposal Deadline: 11/18/2022

RFP OVERVIEW

DATE ISSUED:	10/5/2022
TITLE:	Vanguard Dr. Permanent Supportive Housing RFP
DESCRIPTION:	The County of Ventura, County Executive Office, is seeking proposals from development/operating partners to convert and operate two County owned parcels into a Permanent Supportive Housing (PSH)/Recuperative Care center.
PROPOSAL DEADLINE:	11/18/2022 at 5:00pm (PDT)
PROPOSAL DELIVERY ADDRESS:	Subject Line: "Vanguard Dr. RFP Proposal" Via Electronic Submission to: Vanguard.RFP@ventura.org
CONTRACT ADMINISTRATOR:	Clay McCarter County Executive Office
QUESTIONS:	Proposers may submit questions regarding this RFP by emailing Vanguard.RFP@ventura.org . All questions and answers will be made available to all proposers at https://www.ventura.org/county-executive-office/community-development . No individual answers will be given. The deadline for questions is 11/2/2022.
SITE TOURS:	An optional site tour will be held on 10/19/2022 at 2:00 pm at 1400 Vanguard Dr. Oxnard, CA.

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1. The Opportunity

1.1 Introduction

The County of Ventura (County) Executive Office (CEO) is soliciting proposals from experienced and qualified permanent supportive housing (PSH) operators (Proposers) to develop and operate PSH and recuperative care facilities at a County-owned property located at 1400 Vanguard Drive Oxnard, California. The successful Proposer(s) will convert this property from office/parking use to a mixed use of PSH and recuperative care. It is intended that the majority of the building spaces will be dedicated to PSH, including wrap-around services. Proposers also have the option of including bridge housing as part of their design plan.

The County will select the proposal that best fulfills the requirements and serves the goals of this RFP, best serves the public interest and represents the best value for the public, considering the proposed facility and services, and lease and contract terms. The successful Proposer will be invited to negotiate with the County for one or more agreements (including a lease) (hereafter collectively, “the Agreement”) to perform the Scope of Work described in Section 2 and covering all the parties’ rights and responsibilities with respect to the project. The County additionally reserves the right to not make an award under this RFP.

1.2 Background

The mission of the County is to provide superior public service and support so that all residents have the opportunity to improve their quality of life while enjoying the benefits of a safe, healthy, and vibrant community. The CEO is dedicated to serving the diverse needs of Ventura County residents, primarily those with lower incomes, with affordable and supportive housing, community development programs, social service programs, and economic development opportunities.

According to the 2022 point in time homeless count, 2,238 individuals in Ventura County experienced homelessness on a single night in February 2022. There are nearly 5,000 individuals in the County’s Homeless Management Information System, a more accurate reflection of the actual need of persons experiencing homelessness Countywide. Survey results show 629 chronically homeless adults need permanent supportive housing (PSH) Countywide. Project Roomkey is providing temporary non-congregate sheltering through motel vouchers to 320 unhoused residents who are linked to case management through local homeless service providers; however, these clients need to transition to PSH or other permanent housing in 2023. **It is the primary goal of this RFP to house as many homeless individuals/Roomkey residents in permanent housing as possible.**

1400 Vanguard Drive, Oxnard

This vacant County-owned building was formerly operated by the County's Human Services Agency. The property contains two parcels:

- APN 220-0-296-055 is a 2.45 acre surface parking lot located to the north of the building (Site A).
- APN 220-0-296-035 is a 4.64 acre parcel improved with an 78,122 square foot two story building (Site B).
 - The building was occupied by the Human Services Agency until a sub slab water flooding event resulted in the building being mostly vacated and/or limited to second floor occupancy. Since the event, the ground floor areas have been cleaned and prepped for renovation work and tenant improvements.
 - The 1st floor is a vacant shell, while the 2nd floor is built-out office space.
 - The building features solar panels and a small atrium.
 - An emergency diesel powered generator is located at the southwest corner of the building exterior.

The property is located within the Oxnard city limits and Supervisorial District 5. **The property is located within an Opportunity Zone.**

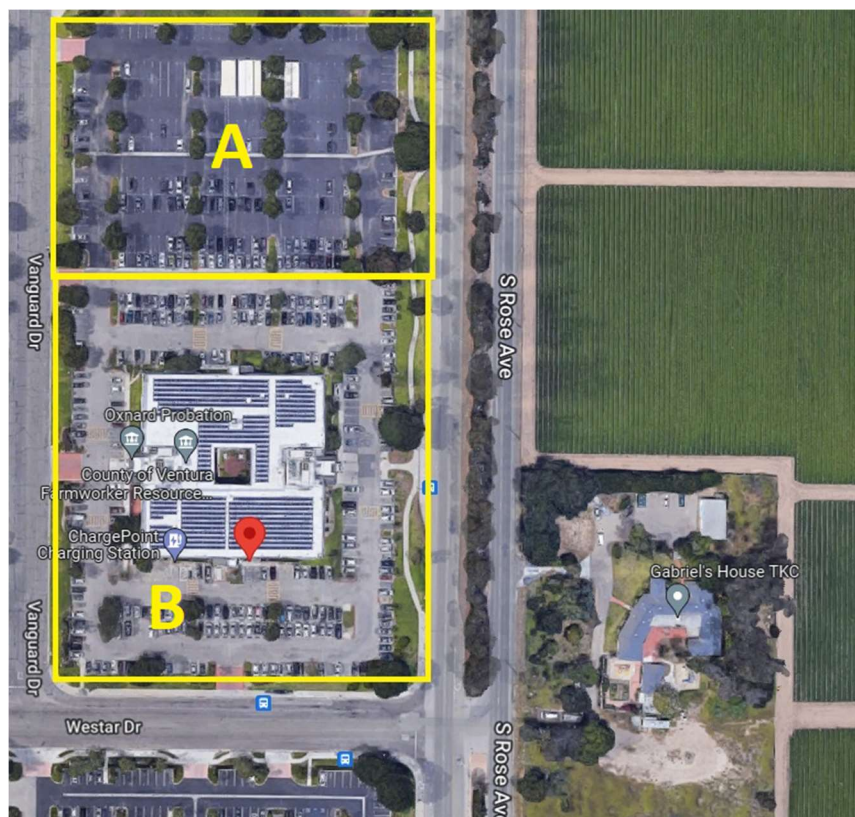


Fig. 1. 1400 Vanguard Dr. (Boundaries for convenience only).

1.3 Environmental/Physical Condition of the Property

A Phase I Environmental Assessment and Physical/Capital Needs Assessment have been completed. These reports are available on the RFP website, including details on the work the County has performed in response to the deficiencies identified.

A Phase I assessment has revealed no evidence of recognized environmental conditions in connection with the property. Proposers are recommended to review the Phase I report, as it contains a wealth of information about the history and condition of the properties.

Note: the environmental and physical condition of the site will need to be independently assessed and determined by the selected Proposer(s).

Note: The building has a County communications closet. County staff will continue to require access to this equipment throughout the lease term.

1.4 Historic Context of the Properties

The property is not listed on any historical registry.

1.5 Land Use/Permitting

While the property is located within the city limits of Oxnard, the County will exercise sovereign immunity regarding all land use entitlements and permitting. Therefore, all necessary land use and permitting approvals for both properties will be reviewed only by the County of Ventura. The selected Proposer will be responsible for performing extensive community outreach, and the City of Oxnard will be a key partner in this effort.

1.6 Contract and Funding Sources

The Agreement will be subject to approval by the Board of Supervisors. Certain work to be performed under the Agreement may be considered “public works” subject to prevailing wage, apprenticeship and other labor requirements of Labor Code division 2, part 7, chapter 1, section 1720 et seq. and/or subject to the federal Davis-Bacon Act, depending on the source and type of funds used.

As part of the 2022-23 State of California budget, **the Vanguard property received \$7.5M in State funding to support the development. Proposers should include this amount in their pro forma as a County contribution.** The County contribution to the Vanguard property can be in the form of a capital subsidy or a source to fund services. The County reserves the right to adjust its contribution at any time.

Selection of a Proposer under this RFP is not a guarantee of any future financial assistance from the County. The selected team is expected to seek outside funding sources for both the conversion and operation of the homeless housing and services. Additional funding may be available on a competitive basis for these projects and includes:

- American Rescue Plan Act (ARPA) funds (State and Local Fiscal Recovery Fund-County Controlled). Should ARPA funds be allocated by the County for this project, the Proposer will be required to comply with all ARPA regulations, including the Code of Federal Regulations, title 2, part 200. All ARPA funds must be expended by December 31, 2026.
- Homekey (State of California). If your proposal assumes Homekey funding, please keep this important timeline in mind¹:
 - Homekey funds must be spent within eight months of award.
 - Completion of construction on Homekey sites must occur within 12 months of the award date and 90% of the units must be leased/occupied within 90 days of completion.
 - To receive a funding bonus (toward the operational subsidy), 90% of the units must be leased/occupied within eight months of award.
- Homeless Housing, Assistance and Prevention (HHAP-State of California).
- Other State, federal, or philanthropic funding.

1.7 Minimum Qualifications

Proposers must meet the following minimum requirements to bid on this opportunity:

- Qualified to conduct business in the State of California.
- Not having been debarred by Federal, State, or local government.
- Able to comply and remain current with the County's insurance requirements.
- Experience in facilitating community stakeholder consultations and shall facilitate such consultations.
- The proposer must comply with the RFP format and requirements set forth in this RFP.
- The proposer must have demonstrated the quality, fitness, capacity, and experience to satisfactorily perform the scope of services.
- Any other requirements as set forth within this document and any such amendments that may occur prior to the selection for this RFP.

1.8 Conditions

The CEO reserves the right to request additional information from respondents, reject any and all submittals, waive irregularities in the submittal requirement process, or cancel the RFP. By submitting a response to this RFP, Proposers acknowledge and agree to the terms and conditions of the RFP and certify the accuracy of the information they submit in the response to the RFP. All submittal packages become the property of the County and will not be returned.

¹ Based on the Homekey Round 2 NOFA. Round 3 may contain different rules.

1.9 Subconsultants

Responses to this RFP may include subconsultants. Subconsultants not disclosed in the Proposer's response to this RFP may be employed under the Agreement, subject to CEO approval, which will not be unreasonably withheld.

2. Scope of Work

The County seeks operators to convert and operate 1400 Vanguard Dr. into a PSH/recuperative care center. Additional solutions to homelessness can be added to proposals, but the proposals must include PSH and recuperative care. Proposers are required to prepare a draft Work Plan that will include a detailed pro forma budget, a list of tasks, and a list of deliverables. That Work Plan will guide the work done under this Agreement. The selected operator will be the project manager. The scope of project management work shall include:

- Schedule meetings, take and distribute minutes, and develop timelines. Meetings may include weekly project management meetings, community meetings, preparatory meetings, and a presentation before the Board of Supervisors.

Deliverables and Service Level Requirements

The County is requesting Proposers to complete the following scope of work:

Design/Development

- Identify one or more design approaches to rehabilitate the property into a mixed-use capacity for PSH and recuperative care. Each design must include at least one site plan and one street view elevation. Additional concept drawings are welcome.
- Utilize the parking lots for additional PSH/homeless services, while maintaining the minimum parking spaces required. While PSH is required, Proposers can optionally add bridge housing to the design plan. All bridge housing units must be self-contained, including bathrooms and kitchen areas.
- Creative solutions that deliver housing as quickly as possible, including factory-built units, are encouraged.
- Include administrative and green/recreational space.
- Include ancillary service spaces:
 - Health Clinic to serve the in-house residents and referrals from other homeless service providers/walk-ups.
 - Sobering Center.
 - Other homeless services.
- Determine the financial feasibility of the project(s), including developmental and operational viability.

- Propose Agreement terms, including the length of the lease and rent for the property, and terms providing for County engagement.
- Apply for all necessary project financing.
- Prepare and carry out a development plan necessary to convert the property to non-congregate PSH/recuperative care and create safe and habitable living spaces.
- Development plan shall include installation of kitchen/kitchenettes and bathrooms in each housing unit.
- Lease, manage, and operate the property(ies) with County engagement.
- The County will require the ownership/management team to incorporate the principals of [Housing First](#).
- Units must be filled through the Ventura County Continuum of Care's Coordinated Entry System, [Pathways to Home](#).
- Conduct a multilingual (English and Spanish) outreach program to receive public comment throughout the process.
- The selected operator will assume responsibility for all aspects of the development and operations of the facility(ies), including construction work to renovate units, property operations, and maintenance in accordance with all applicable local, State, and federal laws and all applicable financing regulations.

Services

The selected Operator will provide the following services on or off site:

1. Mental and physical (primary) health services.

- Staff and volunteers must be regularly trained on common physical (primary) and mental health problems of people experiencing homelessness and how to obtain needed and appropriate services.

2. Substance use disorder services.

- Residents must be provided with access to substance use disorder services. This must include, at minimum, providing regular training about substance use disorders and how to obtain needed and desired services as appropriate.

3. Employment

- Selected Operators must commit to encouraging and supporting resident interest in obtaining employment and facilitating connections to desired services that will engage residents in job skills training and placement as appropriate.

4. Program Intake

- All referrals to housing for persons currently unhoused must occur through the Coordinated Entry System (CES).

The scope of work outlined in this RFP may not be comprehensive and the County reserves the right to make adjustments.

3. Proposal Content and Submission

3.1 Proposal Format

Proposals shall be in response to only the material contained in the RFP, amendments, addenda, and other material published by the County relating to the RFP. Proposals must meet the requirements outlined in this RFP. It is requested that proposals be prepared economically and avoid the use of unnecessary promotional material.

Proposals should include detailed responses to each proposal item (listed below). If selected, proposers must be willing and able to commit to the Proposal Items. The contents of the winning Proposal will be deemed as a binding commitment and included as an attachment to any Agreement.

Submissions must be formatted to standard letter-sized 8.5” X 11” paper. **Please limit responses to a maximum of 75 pages.** Proposers must respond to each of the following items in their written proposal. Each response in the proposal must be numbered to correspond with each of the numbered items below. Proposers must use the following template to create a Table of Contents so the reviewers can easily locate each component of your proposal.

PROPOSAL CHECKLIST/TABLE OF CONTENTS	
<u>Follow this sequence in presenting your proposal with the checklist as the Table of Contents. Proposals must be ordered as indicated on this form.</u>	
PROPOSAL DOCUMENTS	PAGE NUMBER
(1) Cover Letter	
Proposal Checklist/Table of Contents	
(2) Qualifications and Experience	
(3) Proposed Staffing and Project Organization	
(4) Preliminary Work Plan	
(5) References	

1. **Cover Letter:** Each proposal must include a cover letter that references the title of this RFP, contains a general statement of the purpose for submission, and includes the following detailed company information:
 - a. Full legal name of the Proposer.
 - b. Legal business status (individual, partnership, corporation, etc.), address, website (if applicable), email, and telephone number of the Proposer.
 - c. If the Proposer is a corporation, partnership, LLP, LLC, etc., identify the state under whose laws Proposer is organized. Otherwise, if Proposer is an individual, identify the state where Proposer is domiciled.
 - d. Name, title, address, email, and telephone number of the person or persons authorized to represent the Proposer to enter into negotiations with the County for the RFP and any subsequently awarded contract. The cover letter must also indicate any limitation of authority for any person named.
 - e. List of subconsultants, if any, including all the information requested in (a) through (c) above.

Proposals must be signed by a duly authorized officer eligible to sign contract documents and authorized to bind the company to all commitments made in the proposal. Consortiums, joint ventures, or teams submitting proposals will not be considered responsive unless all contractual responsibility rests solely with one Proposer or one legal entity. The proposal must identify the responsible entity.

2. **Qualifications and Experience:** This section of the proposal should establish the ability of Proposer to satisfactorily perform the required work by reasons of experience performing work of a similar nature; demonstrated competence in the services to be provided; strength and stability of the firm; staffing capability; workload; and record of meeting schedules on similar projects. The applicable experience of the Proposer should be described in detail, including projects of a similar nature. Proposers are permitted to partner with other organizations to meet the experiences described below.

This section must include the following information:

- a. If the Proposer has a board of directors, provide a listing of the board members.
- b. Number of employees both in Ventura County and nationally.
- c. The Proposer must include a complete disclosure of any alleged significant prior or ongoing contract failures. Disclosure of any alleged significant prior or ongoing plan of correction and contract failures, any past or pending civil or criminal litigation or investigations which involve the Proposer or which the Proposer has been found guilty or liable. The County also requires that all potential contract entities self-disclose any pending investigations, charges or convictions against them or any individual with their organization for violations of criminal law, any sanctions, and any disciplinary actions by any federal or state law enforcement agency, regulatory agency, or licensing agency. Failure to fully comply with this provision may disqualify a Proposer.

- d. Proof of Legal Entity Status. Provide proof of incorporation, tax status and Employer Identification Number (EIN) or other tax ID number, and any other applicable documentation to evidence that the proposer has the authority to operate and conduct business in the State of California.
- e. Experience with Housing First, the Homeless Management Information System (HMIS), and the Coordinated Entry System. Provide a detailed description of your understanding and experience with Housing First, HMIS, and participation in the County's Coordinated Entry System. If you have no experience with the County's Coordinated Entry System, please provide your experience with other coordinated entry systems.
- f. Experience with development and operation of Affordable/Permanent Supportive Housing/Recuperative Care. Provide your experience developing Affordable/Permanent Supportive Housing/Recuperative Care facilities. At a minimum, please include the following information in your response:
 - Portfolio of projects completed/managed over the last 5 years.
 - Name and location of each project.
 - Timeline to complete each project.
 - Number and Type of Units (e.g. Permanent Supportive Housing or Affordable Housing) created at each project.
 - Financing Sources used at each project.
 - Experience reporting on data/outcomes.
 - Community Outreach Strategy employed at each project.
 - Experience complying with federal/State prevailing wage law.
 - Experience providing a suite of supportive services on-site and through off-site referrals, including but not limited to: case management, behavioral health services, physical health services, assistance obtaining benefits and essential documentation, and education and employment services.
 - Experience complying with life and safety regulations and California Building Code (CBC) Sections 11A and 11B and the Americans with Disabilities Act Title II.
- g. Fiscal and budgetary experience.
 - Describe the proposer's financial position and capability to implement the project and provide services.
 - Provide applicable documents to support the above narrative, including but not limited to:
 - Current profits and loss statement, balance sheet, or other documents demonstrating the proposer's financial position and ability to implement services on a reimbursement basis.
 - Current audited financial statements for the past two years, signed by a Certified Public Accountant.
 - Current operating budget including funding sources.
 - Any other relevant documents.

- h. **Proposed Staffing and Project Organization.**
 - Establish the method which will be used by the Proposer to manage the project as well as identify key support personnel from the firm with subject matter expertise.
- 3. **Preliminary Work Plan:** Proposer should provide a narrative, which addresses the Scope of Work and shows Proposer's understanding of the County's needs and requirements, including but not limited to:
 - A detailed description of your understanding of and willingness to overcome the complexities and significant number of unknowns of this project.
 - Your commitment to this project and how it fits within your organization's mission.
 - An overview of how your organization would propose to complete the scope of work (e.g. an analysis of the most pressing questions to be answered and tasks to be undertaken).
 - A projected timeline, including but not limited to dates for completion of CEQA, Permits, Site Preparation, and Construction Completion.
 - Your plan to provide community outreach and engagement.
 - A description of any other considerations related to the scope of work not detailed above.
 - **A pro forma budget of at least 20 years that includes estimated development and operational costs and assumed contributions from the County, State, federal government, grants, fundraising, etc.**
- 4. **References:** Proposer must include three (3) business references. For each reference, please list the name and position of the key person, their organization, address, phone number, email address, and briefly describe the nature of the project that forms the basis for the reference.

3.2 Tips for a Successful Proposal

Proposers shall consider the following guidelines in preparing their proposals:

- Read the RFP in its entirety.
- Ensure the proposal is well-organized in its response to the defined objectives.
- Verify the proposal is complete and thoroughly responds to all Proposal Items.
- Formulate responses precisely and with detail; avoid vague, general, or open-ended responses. Explain how your response furthers the stated objectives and how you will be able to quantitatively demonstrate your success during the contract term if you are selected.
- Make sure the proposal demonstrates that your cost estimates are realistic and sustainable.
- If there are significant risks in your strategy, flag these and include plans to mitigate those risks, addressing any contingencies that may arise.
- If there are resources (introductions, coordination, or services, etc.) the County could provide that would maximize your success as a Proposer or lower the cost of the proposal, please contact the Contract Administrator via Vanguard.RFP@ventura.org.

Your written submission in this RFP process will be the primary basis on which the County will consider its selections; therefore, proposers should be as thorough and as detailed as possible when

responding to each Proposal Item. Proposers may not have the opportunity to add to or change their proposals after the proposal submission deadline.

3.3 Preliminary Schedule

This schedule indicates intended dates for the RFP review and response process. The County may adjust this schedule as needed. Adjustments to dates below will be posted to the RFP website.

Date	Event
10/5/2022	Release RFP
10/19/2022	Site tours
11/2/2022	Proposer Questions Due
11/18/2022	DEADLINE FOR RFP RESPONSES
12/16/2022	Recommended Operators Announced (Tentative)
1/10/2023	Board of Supervisors Review/Approval (Tentative)
2/17/2023	Execute Exclusive Negotiation Agreement (Tentative)

3.4 Questions and Technical Assistance

All questions must be submitted by email to Vanguard.RFP@ventura.org. To ensure a fair and consistent distribution of information, all questions will be answered in a Q&A document available to all potential bidders on the RFP website.

From the submission of proposals until a public recommendation of acceptance/rejection from the CEO, all County personnel involved in the project will be specifically directed against holding any meetings, conferences, or technical discussions with any respondent except as provided in the RFP.

3.5 Deadline for Submission of Proposals

Proposals must be electronically delivered by 11/18/2022 at 5:00 pm PDT on the submission deadline date ("Proposal Submission Deadline") to Vanguard.RFP@ventura.org.

Proposers shall complete and return all applicable documents. The County may, at its sole discretion, deem a proposer non-responsive, or request additional documents if the proposer fails to provide all required documentation. Submission of a proposal shall constitute acknowledgment and acceptance of all terms and conditions contained in the RFP.

Proposals submitted after the Proposal Submission Deadline shall be considered late and will not be reviewed. Timely submission of proposals is the sole responsibility of the Proposer. Proposers are encouraged to submit proposals well in advance of the proposal submission deadline.

4. Evaluation and Selection Process

4.1 Evaluation Criteria

A selection panel will review and score each complete and fully responsive proposal. Proposals shall be determined eligible for review and scoring based on the responsiveness and factuality or verifiability of the proposal documentation and information.

Proposals shall be evaluated based on the following categories and may include consideration of any or all of the listed factors at the County's sole discretion. The award of the Agreement, if made, will be made to the Proposer whose proposal best fulfills the requirements and serves the goals of this RFP, best serves the public interest and represents the best value for the public. *The lowest cost proposer may not be determined to be the best proposer when all evaluation factors have been considered.*

Evaluation Criteria	Maximum Points Possible
Qualifications and Experience	25
Preliminary Work Plan/Scope	35
Vision and Design	20
Proposed Budget	15
Thoroughness, logic and completeness of the Proposal	5
Maximum Points – Total	100

4.2 Proposal Review Process

Proposals received by the Proposal Submission Deadline as specified in this RFP will be evaluated as outlined below.

Threshold Review

Proposals will be reviewed to determine the completeness of required documentation and whether minimum eligibility requirements have been met.

Proposers that fail to submit or complete the required documentation and satisfactorily comply with the County's requirements may be eliminated from further consideration.

Proposal Evaluation

The selection panel will be designated to evaluate/score the proposals. All eligible proposals shall be reviewed, scored, and ranked on the criteria outlined above.

The County reserves the right to verify information contained in the proposal. If the information cannot be verified, and if the errors are not willful, the County reserves the right to reduce the rating points. Additionally, the CEO reserves the right to consult with other County departments during the evaluation process.

Upon completion of the evaluation, the CEO will make a recommendation to the Board of Supervisors on the Proposal that should be selected.

Proposers shall be notified in writing about the evaluation results.

4.3 Appeal Process

For an appeal to be considered, the appeal must be made in writing, signed by the Responder's authorized representative, and submitted via e-mail to Vanguard.RFP@ventura.org with the subject line "Vanguard RFP Appeal." The CEO reserves the right to refuse to hear appeals that do not follow the required procedures listed below.

The following conditions apply to appeals:

Appeals of award must be received by the CEO, no later than five (5) calendar days after the proposers are notified in writing about the evaluation results. All appeals must include the following information:

- The name, address, and telephone number of the party appealing the decision.
- The signature of the authorized representative of the appealing party.
- The title of the RFP that is being appealed.
- A detailed statement of the legal and/or factual grounds for the protest.
- The form of relief requested.

Proposers cannot appeal numerical score determinations. All appeals will be referred to the County Executive Officer or her designee, who will make a final determination on the issue and render a decision. This decision will be final.

5. Submission Terms

1. Addendum(a)

The County reserves the right to issue addenda to this RFP, which may include additional requirements which a proposal must meet to be considered responsive. All addenda will be posted on the RFP website.

2. In Writing

All proposals must be submitted in writing via electronic delivery. The County may, in its sole discretion, deem a proposal non-responsive if the proposer fails to provide all required documentation and such proposer may be eliminated from further consideration in the evaluation process.

3. Best Offer

The proposal shall include the Proposer's best terms and conditions and all terms and conditions the Proposer requires to be in the Agreement. Submission of the proposal shall constitute a firm and fixed offer to the County that will remain open and valid for a minimum of six (6) months from the submission deadline.

4. Authorized Signatures

Proposals must be signed by a duly authorized officer eligible to sign contract documents and authorized to bind the proposer to all commitments made in the proposal. A non-officer individual, with authority to bind the Proposer to a contract, is sufficient to sign all applicable documents for this RFP. Consortiums, joint ventures, or teams submitting proposals will not be considered responsive unless it is established that all contractual responsibility rests solely with one Proposer or one legal entity. The proposal must identify the responsible entity.

5. Information Requested and Not Furnished

The information requested and the manner of submission are essential to permit prompt evaluation of all proposals. Accordingly, the County reserves the right to declare as non-responsive and reject any proposals in which information is requested and is not furnished or when a direct or complete answer is not provided.

6. Proposal Clarification

The County reserves the right to request at any phase of the evaluation process that Proposers clarify information provided in their respective proposals, including assumptions used in such proposals. All clarifications must be coordinated in writing with, authorized by, and made by the Contract Administrator. Clarifications must be submitted in writing by the requested deadline. Otherwise, the proposal will be deemed non-responsive or evaluated without the benefit of the clarification requested.

If the County determines that all proposers failed to submit requested information or adequately respond to the same RFP question or request for data, the County may, at its sole discretion, issue an RFP addendum(a) and provide all proposers with an opportunity to respond to the RFP question. Responses to RFP addendum(a) questions must be submitted in writing by the stated deadline; otherwise, the proposal will be deemed non-responsive or evaluated without the benefit of the clarification requested.

7. Interpretation and Clarifications of RFP Requirements

The County will consider prospective recommendations or suggestions regarding any requirements before the question/answer deadline. All recommendations or suggestions must be in writing and submitted to the Contract Administrator. The County reserves the right to change or amend all requirements of the RFP.

8. Proposal Submission Deadline

Timely submission of proposals is the sole responsibility of the Proposer. The County reserves the right to determine the timeliness of all submissions. The proposals must be received by the Contract Administrator in the published manner and by the published submission deadline included with this RFP.

9. Cost of RFP

All costs of proposal preparation shall be borne by the Proposer. The County shall not, in any event, be liable for any pre-contractual expenses incurred by Proposers in the preparation and/or submission of the proposals. Proposals shall not include any such expenses as part of the proposed budget.

10. Withdrawal of Proposals

Proposers may withdraw a submitted proposal in writing at any time before the specified due date and time. A written request, signed by an authorized representative of the Proposer, must be submitted to the Contract Administrator. After withdrawing a previously submitted proposal, the Proposer may submit another proposal at any time up to the Proposal Submission Deadline.

11. Best Value Selection

Selection will be based on the scoring of the selection panel. Selection is based on the best value and is not restricted to the lowest offer or bid.

12. Rejection of Proposals

The County reserves the right, in its sole discretion, to reject any or all proposals; to waive any minor informality or non-material irregularities in proposals received; to reject any unapproved alternate or incomplete proposal(s); and reserves the right to reject the proposal of any proposer who has previously failed to perform competently in any prior business relationship with the County. The rejection of any or all proposals shall not render the County liable for costs or damages.

13. RFP Withdrawal, Cancellation, Other Options

The County reserves the right to withdraw or cancel the RFP at any time if it deems such action necessary. If such action is taken, the County may re-issue the RFP. The County also reserves the right to select more than one respondent to this RFP. Furthermore, the County may exercise its right not to select any proposer from this RFP, if it determines that there was no responsive proposer.

If an inadequate number of proposals are received or the proposals received are deemed non-responsive, not qualified, or not cost-effective, the County may, at its sole discretion, reissue the RFP or select an operator via a sole-source contract.

The County reserves the right to verify all information in the proposal. If the information cannot be confirmed, the County reserves the right to reduce the rating points awarded. The County reserves the right to require a pre-award interview.

6. General Terms and Conditions

1. Definition of Terms

The following terms used in the RFP documents shall be construed as follows:

1. “County” shall mean the County of Ventura.
2. “Department” shall be considered synonymous with the County Executive Office.
3. “Agreement” shall be considered synonymous with the term “Contract.”
4. “Contractor” shall mean the individual, partnership, corporation or other entity to which an agreement is awarded, and shall be synonymous with the terms “vendor”, “consultant”, “proposer”, or “respondent.”

2. Property of County / Proprietary Material

The final selection of the operator(s) under this RFP is subject to approval by the Board of Supervisors.

All correspondence with County, including responses to this RFP, are public records under the California Public Records Act, Government Code section 6250 et seq. (“CPRA”) to the extent they are retained by County.

The County will not disclose any part of any proposal before it completes negotiations of the Agreement, on the ground that the public interest in nondisclosure clearly outweighs the public interest in such disclosure. If a Proposer believes there are portions of their proposal exempt from disclosure under the CPRA on other grounds the Proposer should mark them as such. If the Proposer submits trade secret information, the Proposer must plainly mark the information as “Trade Secret” or “Proprietary”.

If a request under the CPRA is made for records including the information marked “Trade Secret” or “Proprietary”, the County will either not disclose such information or provide Proposer who submitted the information reasonable notice and opportunity to seek protection from disclosure prior to disclosing it.

3. Amendments, Modifications, and Change Orders

Any amendments, adjustments, alterations, additions, deletions, or modifications in the terms and conditions of the resultant Agreement must be made by written amendment or change order approved by the Contracting Authority, the Contractor, and County Counsel. If the Contractor

performs any modification without a written amendment/change order, the County will neither pay for nor be obligated to accept said modification.

4. Prime Contractor

The proposer(s) awarded the contract must be the prime Contractor performing the primary functions of the contract. If any portion of the contract is to be subcontracted, it must be clearly outlined in the proposal document as to what part(s) are to be subcontracted, the reasons for subcontracting and a listing of subcontractors. The County reserves the right to reject any proposal wherein use of subcontractors significantly affects the ability of the Proposer to function as the prime Contractor on the awarded contract. The prime Contractor will at all times be responsible for the acts and errors or omissions of its Subcontractors or joint participants and persons directly or indirectly employed by them.

5. Subcontractors/Joint Ventures

Acceptance or rejection of a Proposer's request to use subcontractors is at the sole discretion of the County. With the written approval of the County, the contractor may enter into subcontracts and joint participation agreements with others for the performance of portions of the resultant agreement.

The provisions of the resultant agreement shall apply to all subcontractors in the same manner as to the Contractor. In particular, the County will not pay, even indirectly, the fees and expenses of subcontractors that do not conform to the limitations and documentation requirements of the resultant agreement.

6. Copies of Subcontractor Agreements

Upon written request from the County, the Contractor shall supply the County with all subcontractor agreements.

7. Replacement of Contractor's Staff

The County reserves the right to have the Contractor replace any contract personnel with equally or better-qualified staff upon providing written notice to the Contractor. Also, the County reserves the right to approve in advance any changes in project personnel or levels of commitment by the Contractor to the project.

8. Contractor's Address

The address given in the proposal response will be considered the legal address of the Contractor and will be changed only by written notice to the County. The Contractor will supply an address to which certified mail can be delivered. The delivery of any communication to the Contractor personally, or to such address, or the depositing in the United States Mail, registered or certified with postage prepaid, addressed to the Contractor at such address, will constitute a legal service thereof. Also, telephone numbers and e-mail addresses (if applicable) must be provided.