THE COUNTY OF SANTA CLARA
REQUEST FOR PROPOSALS
REGIONAL RENEWABLE POWER PURCHASE AGREEMENT
(RFP # RRPPA-001-310)

Monday, March 29, 2010

RFP RESPONSES DUE:

STEP 1 – PRE-QUALIFICATION: 3:00 P.M. ON MAY 7, 2010
STEP 2 – FINAL SELECTION FOR RPG BUNDLES: 3:00 P.M. ON JUNE 29, 2010

RFP RETURN ADDRESS:

Siva P. Darbhamulla
Facilities and Fleet Department
2310 N. First Street, 2nd Floor, Suite 200
San Jose, CA 95131

CONTACT:

Siva P. Darbhamulla
Facilities and Fleet Department
Tel: 408-993-4600
Fax: 408-993-4695
E-mail: siva.darbhamulla@faf.sccgov.org
COUNTY OF SANTA CLARA
REQUEST FOR PROPOSAL
REGIONAL RENEWABLE POWER PURCHASE AGREEMENT
(RFP # RRPPA-001-310)

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Authored by: Caroline Judy, Siva P. Darbhamulla, & Ben Foster
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I. INTRODUCTION

A. Project Background

The Regional Renewable Power Purchase initiative was originally developed as a case study for the Association of Bay Area Governments and Joint Venture: Silicon Valley Network. Established in 1993, Joint Venture, a non-profit public-private partnership based in San Jose, California, provides analysis and action on issues affecting our region's economy and quality of life. The organization formed a Joint Venture’s Public Sector Climate Task Force (Task Force), a group consisting of members from every city and county plus several special districts in Silicon Valley, with an aim to develop effective, collaborative solutions for the reduction of greenhouse gas emissions from public agency operations and exchange knowledge about climate protection programs between the agencies. The Task Force has been working to facilitate the multi-jurisdictional effort in collaboration with the County of Santa Clara, who has taken the sole and lead responsibility for this RFP development and solicitation. The Task Force has been a major contributor to the County’s Regional Renewable Power Purchase initiative by working to encourage participation of member jurisdictions in the solicitation by providing a communication platform as well as educational resources regarding renewable energy, financing, and other topics related to the initiative. For more information about Joint Venture’s Renewable Energy Procurement project, please visit www.jointventure.org/renewableenergyprocurement.

B. Introduction to Request for Proposals (RFP)

The County of Santa Clara (the “County”), local governmental jurisdictions located within the Bay Area, and special districts located within the Bay Area acting as regional partners (individually, an “Agency”, and collectively, the “Agencies”) are requesting proposals from qualified firms (“Firm” or “Contractor” or “Proposer”) who can provide 3rd party privately-owned renewable power generating systems such as solar photovoltaic (“PV”), fuel cell, hybrid, wind turbine, etc., (“RPG Systems”) and sell the electricity output to the Agencies through power purchase agreements (the “RFP”). This solicitation is for the procurement and delivery of electric power to identified sites at competitive prices for a twenty year term and with conditions as specified in the form Power Purchase Agreement the “PPA” and lease agreement (the “Lease”) attached hereto and incorporated herein. This solicitation is a collaborative procurement among the County and Agencies.

The County is leading a regional procurement collaborative with the Agencies. The RPG Systems will be located on the respective Agencies’ properties, including County owned properties, and at other locations owned by the other Agencies. Each Agency has agreed to participate in the RFP solicitation and abide to the greatest extent possible to the terms and conditions as specified in the PPA and the Lease.

The Agencies will implement the RFP solicitation and award in multiple stages (“Task Orders” or “Stages”). This RFP process will be used to select firms to provide RPG Systems and sell the electricity output to the Agencies. The Agencies have invested considerable time in creating
marketable packages of RPG System bundles (“RPG Bundles”). Five categories of RPG system bundles are developed and described in a table herein.

The County and Agencies will use Task Order strategy as follows. Each Task Order (Stage) will consist of bundled packages of RPG Systems (“RPG Bundle”). Each Bundle will have various project sites (“Sites”) with similar RPG Systems grouped together. Upon selection of a successful firm using this RFP process, the County and Agencies wish to issue various contracts (PPAs) for each Site within each Bundle for each Stage. Limitations and conditions apply as to how a firm may complete the work under this RFP which is described Section IV.

The intent of this RFP is twofold with a two step process: first, to establish a list of pre-qualified Firms in Step 1 for the RPG Systems using a pass/fail criteria, who will become eligible to compete for following Task Orders solicitation for consideration to award PPAs by the Agencies; second, to utilize this list of qualified Firms in Step 2 to award PPAs for future RPG Systems that may be forth coming within two years from this RFP issuance.

Firms submitting responses to this RFP do so understanding that neither the County as lead agency nor any other Agency guarantees the award of any contracts or work. The County reserves the right, in its sole and absolute discretion, to abolish, refresh, or offer one year extension to pre-qualified Firms with the prior approval of the County of Santa Clara Board of Supervisors.

The Firms responding to this RFP must have identified and established relationships with financiers, installers, operators, maintenance, and verification firms (“Entities”). The County recognizes that some Firms may have integrated RPG System development, installation, and financing capacity. Each entity of the Firm, including, without limitation, RPG system developer, installer, operator, maintenance, verification, and financier – (the “Partners”) must meet Step 1 pass/fail qualification criteria individually and collectively to qualify for further consideration. Firms who do not meet the minimum qualifications will be disqualified from any further consideration. The criteria for the pass/fail test are described in Section V of this RFP.

The successful Firm securing a PPA for a specific Task Order will be required to finance, engineer, construct, own, operate, and maintain the RPG System to generate power. The Firm must also provide for real-time monitoring and verification of power generated at each site listed in each Task Order during commercial operation.

This RFP is issued by the Santa Clara County Facilities and Fleet Department. Copies of this RFP including supporting documents may be obtained from the BidSync web-site at http://www.bidsync.com/.
TABLE OF RPG SYSTEM BUNDLES

<table>
<thead>
<tr>
<th>RPG System Bundle Type</th>
<th>Description/Characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bundle 1 - Large systems</td>
<td>This bundle includes rooftop and ground mounted PV systems with a capacity to generate 650kW or more power at a single site.</td>
</tr>
<tr>
<td>Bundle 2 – Medium size systems</td>
<td>This bundle includes rooftop and ground mounted PV systems with a capacity to generate between 160 kW and 650kW at a single site.</td>
</tr>
<tr>
<td>Bundle 3 – Small size combined systems</td>
<td>This bundle includes rooftop and ground mounted PV systems with a capacity to generate upto 160 kW at a single site.</td>
</tr>
<tr>
<td>Bundle 4 – Small size rooftop only systems</td>
<td>This bundle includes exclusively rooftop mounted PV systems with a capacity to generate upto 220 kW at a single site.</td>
</tr>
<tr>
<td>Bundle 5 – Other systems</td>
<td>This bundle includes solar thermal PV, Fuel cell, and micro-wind turbine systems of various capacities yet to be determined based on the type of application.</td>
</tr>
</tbody>
</table>

C. Introduction and RPG System Sites

Goals

The County and other Agencies aim to promote clean technology or “green businesses”, spur innovation and jobs creation in the Bay Area region, and reduce budgetary uncertainty resulting from highly volatile electricity and natural gas prices. The Agencies are seeking ways of complying with AB 32 requirements and reducing GHG emissions from operations. The Agencies desire to increase the use of renewable energy at various government owned facilities.

The County and other Agencies are strongly committed to contributing to the growth of green industries; however, often lack the capital resources to install systems at public facilities. This may be the result of limited debt capacity and/or current longer than financially justifiable return on investment periods for renewable technologies. The County and other Agencies face considerable constraints on their annual capital budgets and have limited funds required for facility upgrades and routine maintenance, resulting in limited options for funding renewable energy generation projects.

Additionally, the County currently spends $29 million for utilities expenses, of which 65% is attributed to electricity expenses. Generating local power may offset some of these costs. Therefore,
the County and other Agencies are pursing 3rd party Power Purchase Agreements as a means to procure “green power” from renewable energy systems using this collaborative procurement process.

RPG System Sites

The Agencies are performing preliminary analyses of their respective facilities to evaluate and select potential RPG System sites. The County reviewed its property portfolio of over 70,000 acres and selected 18 sites as viable RPG System sites. These sites included facilities with existing loads and vacant properties with an estimated renewable power generation yield of 13 MW. Information about the County’s site selection may be found on the County web portal, Finance and Government Operations Committee September 10, 2009, agenda item #9 with the following link: http://www.sccgov.org/portal/site/scc/boardagenda?contentId=42a18cb02f183210VgnVCM10000048dc4a92____&agendaType=Committee%20Agenda. The other Agencies are completing similar site surveys, assessments, and selections for renewable power generation. A total of 29 jurisdictions and special districts located within the Bay Area expressed interest in participating in a solicitation such as this.

Considering the number of local agencies involved in the process, there is a large volume of sites for consideration in this RFP. The Agencies will not be able to coordinate individual site visits of each site. The Agencies may schedule visits of select representative sites. The Agencies utilized reputable engineering consultant firms to study and select sites for potential RPG System installation. Information on all of the sites identified will be made available to all interested Firms on-line on a secure FTP site. This site information is provided for reference use only. The intent is to provide a general understanding of the scope of the work, information in relation to viable RPG Systems, attract highly qualified firms with performance track record with similar work, and secure more favorable pricing and best value for the Agencies. However, the Agencies make no representations with respect to the sites, including their suitability. The Firms including its Partners take sole and full responsibility for conducting any necessary due diligence and assessing the sites and their conditions in developing its proposal. Such self assessment of the sites and its conditions shall be performed by the Firm and its Partners at their own cost. Agencies are not responsible to compensate for such work.

The site information provided as a reference by the Agencies may include the following:

1. Map of the solar intensity of the parcel boundary for each site.
2. Preliminary information on operational, facility, geological, or environmental challenges of the site. The site may require further detailed assessment to determine the range of options for RPG Systems.
3. Preliminary information on:
   a) total generation potential,
   b) anticipated electrical and/or natural gas savings,
   c) potential CO2 reductions,
   d) maximum installation capacity,
   e) minimum installation capacity, and
   f) anticipated site specific challenges.
4. Preliminary electrical and structural analyses to provide:
   a) probable costs of upgrades (if any) necessary to electrical transfer switches and other infrastructure necessary for interconnection,
   b) preliminary evaluation of building rooftops’ structural systems for installation of typical solar panels and/or solar hot water systems, and
   c) preliminary evaluation to compare proposed RPG system output to current electrical loads at the site to match loads with probable RPG system size.

Implementation and RPG System Bundles

The County approached the bundling strategy with an effort to create opportunities for the solar industry of varied size, attracting solar financiers, and promoting regional market growth. The following provides the insight into this strategy:

- Smaller solar vendors often specialize in either carport or rooftop installations and are capable of taking on a limited number of sites at one time, normally limited to 220kW capacity systems.
- PPA financing models become challenging when the project size is very small.
- Economies of scale for projects occur when systems get to be larger than 1 MW in capacity generating potential cost savings for public agencies.
- Bundling will increase the size of the system while maintaining construction of the system practical.

Considering above factors, the types and sizes of bundles are created to be implemented with this PPA. Special attention is given to create Bundles 3 and 4, both small size systems yet split the application by the type of system in order to attract local small and specialized solar companies to compete. Large and medium system bundles promote competition among large to medium size companies creating the economy of scale possible for such applications. This approach provides for a balanced approach promoting all size vendors to participate and contribute to local economy.

Summary profiles of the RPG System bundles are included in Attachment A. The reason for such strategy is for the Agencies to seek creative and innovative solutions that deliver best value with rates demonstrably lower than forecasted PG&E pricing over 20 year life cycle of the installed RPG System. Price proposals for RPG System bundles shall be presented as fixed price rate (cents per kWh) with an annual escalator (in % per year) for each kWh delivered to and metered at the electrical interconnection point, both with and without environmental attributes (RECS). In pricing, the Firms should note that the Agencies own the environmental attributes of the system installed, not the Firm.

The (PPA) and Lease included as exhibits are templates that shall be used by all participating Agencies and Firms. The purpose is to have both Agencies and pre-qualified Firms use the template documents, without significant modifications, in order to reduce the overall transaction costs that may result from the negotiation of contracts. Firms must carefully review these documents for all requirements including technical specifications to develop a comprehensive proposal that meets the specifications set forth in the PPA and Lease.
Firms shall be responsible for securing California Solar Initiative (“CSI”) reservation requests and/or applications for solar incentives (the “Incentives”) for each RPG System site. Firms should factor in the costs associated with securing the Incentives in developing its proposals. The Agencies will neither submit nor secure these Incentives and will not be responsible for any payments associated with the Incentives. Firms should be aware that the County has submitted and paid for these Incentives for its RPG System sites. As such, the Firms must take this into account when developing proposed rates for the County RPG Systems. Similar conditions apply for those Agencies that have submitted or secured the Incentives for their respective sites.

D. General Introduction to the County of Santa Clara

The County’s population of approximately 1.8 million is the sixth largest in California, and the largest of the nine Bay Area counties. The County is home to many companies that are leading the nation in creating innovative methods of alternative energy generation and in developing financing mechanisms for affordable installation of “green energy” generating systems for both residential and commercial uses.

Although much of the County’s “green” efforts have focused on energy conservation the County has completed the following two alternative energy generation RPG Systems and is in process of completing a third system:

- A 25 kW Planar Solid Oxide Fuel Cell power generation system at the County Communications 911 headquarters.
- A 1.5 mega watt Photovoltaic Power System at two parking structures on the Valley Medical Center Campus.

The County is also known for collaborative public/private initiatives. A regional solicitation is one model which provides an opportunity to break down the barriers to adoption of alternative energy generation and move the region forward in municipal renewable energy usage.

E. Roles and Responsibilities

Host Site Agency (Owner of the sites)

- Nominate and approve RPG system sites.
- Review site-specific proposals, including technical description, qualifications, installation plans, and power prices.
  - Make final acceptance decision on proposed prices.
  - Agree to and make power payments per the terms of the PPA.
- Execute Site Lease Agreement(s).
- Execute Power Purchase Agreement(s).
- Review and approve tasks conducted by 3rd party relating to each RPG System’s due diligence, environmental, design and construction plans and implementation.
- Facilitate and support the installation of the renewable power generation system.
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Lead Agency - County of Santa Clara
- Prepare the RFP, Power Purchase Agreement and Lease Agreement templates.
- Manage the RFP solicitation
- Lead the RFP response review process and participate in proposal review panels.
- Assist Agencies with compilation and posting of site specific information.
- Provide program support and assistance.

Firms (3rd Party Renewable Energy Service Providers)
- Prepare and submit response to the RFP at its own cost.
- Determine technical and economic feasibility of RPG System sites (host facilities) prior to PPA award for RPG System.
- Execute power purchase agreement(s) substantially in the form of the PPA.
- Execute lease agreement(s) substantially in the form of the Lease.
- Finance, engineer, and construct the RPG system.
- Comply with all applicable California Building Codes and regulations, as well as any and all Agency requirements.
- Pay transaction costs as per the RFP and PPA.
- Install system metering and interconnection to utility grid.
- Own, maintain, operate, and monitor the RPG system.
- Bill host site for energy produced.

II. INSTRUCTIONS FOR RESPONDENTS

A. SEQUENCE OF EVENTS

<table>
<thead>
<tr>
<th>Event No.</th>
<th>Action</th>
<th>Tentative Scheduled Date</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>Issue RFP (RFP Date)</td>
<td>March 29, 2010</td>
</tr>
<tr>
<td>2.</td>
<td>Pre-Proposal Conference</td>
<td>RFP date + 11 business days</td>
</tr>
<tr>
<td>3.</td>
<td>Deadline To Submit Written Questions</td>
<td>RFP date + 15 business days</td>
</tr>
<tr>
<td>4.</td>
<td>Response to Written Questions/RFP Amendments (Addendum)</td>
<td>RFP date + 20 business days</td>
</tr>
<tr>
<td>5.</td>
<td>Submit Pre-Qualification Proposal Response</td>
<td>RFP date + 29 business days</td>
</tr>
<tr>
<td>6.</td>
<td>Pre-Qualification Process</td>
<td></td>
</tr>
<tr>
<td>a)</td>
<td>Pass/Fail Evaluation and Notification</td>
<td>Event #5 + 5 business days</td>
</tr>
<tr>
<td>b)</td>
<td>Protest Pass/Fail Evaluation</td>
<td>Event #5 + 10 business days</td>
</tr>
<tr>
<td>c)</td>
<td>Respond to Protest or Refer to Review Officer</td>
<td>Event #5 + 12 business days</td>
</tr>
<tr>
<td>d)</td>
<td>Resolution by Review Officer</td>
<td>Event #5 + 24 business days</td>
</tr>
<tr>
<td>e)</td>
<td>Final Pre-Qualified Firm(s) Selection</td>
<td>Event #5 + 27 business days</td>
</tr>
</tbody>
</table>

STEP 1 – PRE-QUALIFICATION

Author: Caroline Judy, Siva P. Darbhamulla, & Ben Foster
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STEP 2 - FINAL SELECTION

<table>
<thead>
<tr>
<th>Event</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.</td>
<td>Submit Proposals for RPG System Bundles</td>
</tr>
<tr>
<td>8.</td>
<td>Evaluation Panel scores proposals</td>
</tr>
<tr>
<td>9.</td>
<td>Evaluation Panel conducts Interviews (if desired)</td>
</tr>
<tr>
<td>10.</td>
<td>Select final Firm(s) for each RPG Bundle</td>
</tr>
<tr>
<td>11.</td>
<td>Notify Proposer</td>
</tr>
<tr>
<td>12.</td>
<td>File a Protest</td>
</tr>
<tr>
<td>13.</td>
<td>Respond to Protest or Refer to Review Officer</td>
</tr>
<tr>
<td>14.</td>
<td>Resolution by Review Officer</td>
</tr>
<tr>
<td>15.</td>
<td>Final Notification of Awards of PPAs for RPG Bundles</td>
</tr>
<tr>
<td>16.</td>
<td>Contract Award for Board/Council Approval</td>
</tr>
</tbody>
</table>

B. POINT OF CONTACT

Any inquiries or request regarding this procurement should be submitted to the Point of Contact in writing. Prime Proposer may contact ONLY the Point of Contact regarding this procurement. Other County employees do not have the authority to respond on behalf of the County.

Siva P. Darbhamulla
Facilities and Fleet Department
County of Santa Clara
2310 N. 1st Street, Suite 200
San Jose, CA 95131
Phone: 408-993-4646
Email: siva.darbhamulla@faf.sccgov.org

C. DESCRIPTION OF EVENTS

1. ISSUE OF RFP
   This RFP is issued by the Facilities and Fleet Department. Copies of this RFP and supporting documents may be obtained from www.BidSync.com.

2. PRE-PROPOSAL CONFERENCE
   An optional pre-proposal conference will be held on April 13, 2010 at 9:00AM in the Training Center of County Center at Charcot facility, located at 2310 North First Street, Suite 201, San Jose, CA 95131-1040.

   Attendance at the conference is highly recommended but is not a prerequisite for submission of a proposal.
3. **DEADLINE TO SUBMIT ADDITIONAL WRITTEN QUESTIONS**

Any Party submitting a proposal (a “Proposer”) must submit all questions to the Point of Contact in written form (e-mail preferred). Proposers may submit written questions as to the intent or clarity of this RFP until 4:00 PM PST as indicated in Section II, Sequence of Events table. All responses to the written questions will be addressed in an addendum and posted on Bidsync website.

The County reserves the right to post addenda until two business days before the date of RFP submission.

4. **SUBMISSION OF PROPOSAL (RESPONSE TO RFP)**

**RESPONSES TO RFP FOR STEP 1 – PRE-QUALIFICATION MUST BE RECEIVED NO LATER THAN 3:00 PM PST ON MAY 7, 2010.**

Upon passing pre-qualification test, **RESPONSES TO RFP FOR STEP 2 – DETAILED PROPOSAL FOR RPG SYSTEM BUNDLES MUST BE RECEIVED NO LATER THAN 3:00 PM PST ON JUNE 29, 2010.**

Proposals are to be delivered to the address listed below in person or via courier or mail. All received proposals will be time stamped.

All deliveries via mail or express carrier should be addressed as follows:

**ATTN: Siva P. Darbhamulla**
**Facilities and Fleet Department**
**County of Santa Clara**
**2310 N. 1st Street, Suite 200**
**San Jose, CA  95131**

Late responses to RFP will not be accepted and will be returned unopened to the Firm submitting the response. Please return one CD copy and one hard copy of the response in a sealed envelope labeled and clearly marked, **REGIONAL RENEWABLE ENERGY PPA RFP (RFP #RRPPA-001-310).**

A Proposer may revise its response submittal meeting the proposal deadline as set herein. Such revised submittal must be delivered as a complete replacement response clearly stating in a cover letter. The County personnel will not be responsible to merge, collate, or assemble proposal materials.

Proposers will be allowed to withdraw its proposals at any time prior to the deadline for receipt of proposals. The proposer must submit a written withdrawal request signed by the proposer’s duly authorized representative addressed to the Point of Contact.

5. **CONTRACT COMMENCEMENT DATE**

The anticipated date of award for RPG System bundle(s) is **listed in the sequence of events in Section II.**
6. INCURRING COST

The Proposer(s) and its Partners understand that they are fully responsible for all costs associated with the conduct of any studies and designs in preparation and submission of the responses to the RFP Step 1 and Step 2 processes. Neither your organization nor any of your representatives shall have any claims whatsoever against the Agencies or any of its respective officials, agents, or employees arising out of or relating to this RFP or these procedures.

Neither the County, nor any Agency, is obligated to award any contracts or work resulting from this RFP.

7. GUARANTEE OF PROPOSAL

Responses to this RFP, including proposal prices will be considered firm and irrevocable for one-hundred and eighty (180) days after the due date for receipt of proposals.

8. BASIS FOR PROPOSAL

Agencies have prepared site survey information to assist PROPOSER(S) in making their proposals. Proposer(s) may use the information contained within this RFP, site survey data, and best practice experience as the basis for preparation of proposals.

9. FORM OF PROPOSAL

No oral, telephone, or facsimile proposals will be accepted.

10. LATE RESPONSES

All proposals submitted in response to this RFP must be delivered in person or received via courier or mail no later than the RFP due date and time. The time and date stamp will be the basis of determining receipt of proposal. NO LATE PROPOSALS WILL BE ACCEPTED.

11. NO PUBLIC PROPOSAL OPENING

There will be no public opening for this RFP.

12. CALIFORNIA PUBLIC RECORDS ACT (CPRA)

All proposals become the property of the County, which is a public agency subject to the disclosure requirements of the Public Records Act (PRA, CA Government Code section 6250 and following). If proprietary information is contained in or attached to the written proposal, and proposer claims that it falls within one or more PRA exemptions, the proposal must clearly identify and mark the “proprietary” or “confidential” information. In the event of a PRA request for such information, the County will ask proposer to provide a legal basis for exempting it under the PRA. If the proposer provides an adequate legal basis to keep the information confidential, the County will request the proposer agree in writing to defend and indemnify the County in any litigation that may result from denial of a PRA request. Unless proposerresponds timely and agrees to do so, the County will disclose the information under the PRA.
13. CONFIDENTIALITY
All data and information gathered by the proposer and its agents in this RFP process, including reports, recommendations, specifications and data, shall be treated by the proposer and its agents as confidential. The proposer and its agents shall not disclose or communicate this information to a third party or use it in advertising, publicity, propaganda, or in another job or jobs, unless written consent is obtained from the County. Generally, each proposal and all documentation, including financial information, submitted by a proposer to the County is confidential until contract is awarded, when such documents become public record under state and local law, unless exempted under the PRA.

14. ELECTRONIC MAIL ADDRESS
The normal means of the communication regarding this procurement will be conducted by electronic mail (e-mail). Potential proposers agree to provide the Point of Contact with a valid e-mail address to receive this correspondence.

15. USE OF ELECTRONIC VERSION OF THE RFP
This RFP is being made available by electronic means. If accepted by such means, the proposer acknowledges and accepts full responsibility to insure that no changes are made to the RFP. In the event of conflict between a version of the RFP in the Proposer’s possession and the version published by the Facilities and Fleet Department (FAF) the version published by the FAF must govern.

16. COUNTY RIGHTS
The County reserves the right to do the following at any time:
   a. Reject any or all proposal(s), without indicating any reason for such rejection.
   b. Waive or correct any minor or inadvertent defect, irregularity or technical error in a proposal of the RFP process, or as part of any subsequent contract negotiation.
   c. Request that proposer supplement or modify all or certain aspects of their proposals or other documents or materials submitted.
   d. Terminate the RFP, and at its option, issue a new RFP.
   e. Procure any equipment or services specified in this RFP by other means.
   f. Modify the selection process, the specifications or requirements for materials or services, or the contents or format of the proposals.
   g. Extend a deadline specified in this RFP, including deadlines for accepting proposals.
   h. Negotiate with any or none of the proposers.
   i. Modify in the final agreement any terms and/or conditions described in this RFP.
   j. Terminate failed negotiations with a proposer without liability, and negotiate with other proposers.
   k. Disqualify any proposer on the basis of a real or apparent conflict of interest, or evidence of collusion that is disclosed by the proposal or other data available to the County.
   l. Eliminate, reject or disqualify a proposal of any proposer who is not a responsible proposer or fails to submit a responsive offer as determined solely by the county.
   m. To accept all or a portion of a proposer’s proposal.
   n. Independently verify any and all claims made by proposers.
17. PROTEST PROCEDURE

The Facilities and Fleet Department will notify all proposers by electronic means to inform them of their status (selected or not selected). Proposers whose qualifications/proposals were not selected (“Protesters”) may file a written protest no later than 5 days after being notified. Any protests received after this time will not be considered.

a. Filing a Protest

The protest of an award must be in writing. The following must be written on the cover of the protest: “Protest Relating to RFP Number #RRPPA-001-310”. The written protest must be emailed, faxed and/or mailed to the Point of Contact.

b. Contents of Protest

The written protest must contain the following information: (1) the name, street address, electronic mail address, and telephone and facsimile number of the Protester; (2) signature of the Protester or its representative; (3) grounds for the protest; (4) copies of any relevant documents; (5) the form of relief requested; and (6) the method by which the Protester would like to receive the Reviewing Officer’s written protest decision. The written protest must clearly state the grounds for the protest. Protests should be concise and logically arranged.

c. Grounds for Protest

Protests shall be based only on one or more of the following grounds:

1. The Proposer believes the County failed to follow the procedures and adhere to requirements set forth in this RFP and any addenda thereto.

2. The Proposer believes there was misconduct or impropriety by County officials or evaluation team members.

3. The Proposer believes there was abuse of process or abuse of discretion by County officials or evaluation team members.

d. Protest Resolution Process

1. Informal Review by Department

The Director of the Department, or designee, will review a protest received timely and will attempt to resolve it expeditiously. If the Department is not able to resolve the protest, then the Director or designee will forward the protest to an official from another department who has been designated as the Independent Reviewing Officer (IRO) for the RFP.
2. Formal Review by Independent Reviewing Officer

The Director or designee will forward the protest to the IRO within 2 business days of not being able to resolve this matter. The IRO will be provided with all documents submitted by the Proposer related to the RFP. The Department may also forward additional documents if it believes they may be relevant to the review of the protest.

The IRO will conduct an independent review of the protest to determine whether the grounds for the protest have merit. The IRO has the authority to request any additional information from the protesting Proposer or the Department to clarify or confirm information submitted in a timely-written protest to assist with the IRO’s review of the protest.

The Reviewing Officer will issue a written decision on a timely written protest within 12 business days from the formal protest receipt date. The IRO reserves the right to extend this response time. The IRO will render final resolution in writing and send it by e-mail (if provided by the Proposer) or by mail. If the Protester failed to specify in its written protest the method by which the Protester would like to receive the Reviewing Officer’s written protest decision, the Reviewing Officer will send his written decision to the Protester by mail. **THE DECISION OF THE IRO SHALL BE FINAL.**

3. Remedies

If the IRO finds merit in the protest and sustains it in whole or in part, it will have the sole discretion to determine an appropriate remedy in accordance with established guidelines. In determining the appropriate remedy, the IRO may consider the degree of prejudice to other parties or to the integrity of the competitive procurement system, the good faith of the parties, the extent of performance, the cost to the Department, the urgency of the procurement, and the impact of the recommendation(s) on the Department's mission.

III. RESPONSE FORMAT AND ORGANIZATION

A. NUMBER OF RESPONSES

Proposer(s) may submit responses to the RFP for multiple RPG System bundles. In such case, the Proposer(s) must submit a separate and independent response for each RPG System bundle.

B. NUMBER OF COPIES

Proposers must provide one (1) electronic copy on CD containing full response to the RFP and one (1) original hard copy of the proposal. The response submitted on CD and the hardcopy must be identical documents and fully signed by the authorized representative of the Firm. During Part 2 response, the Proposer must submit the Cost Proposal (CD copy and hardcopy documents) in a separate cover, clearly marked “Cost Proposal” to the location specified on or before the closing date and time for receipt of the proposals. All originals must be stamped “originals” and contain
original signatures on the necessary forms. Original Binders must contain all of the required signatures from the Proposer.

C. PROPOSAL FORMAT

All proposals shall be typewritten on standard 8 ½ x 11 paper (larger paper is permissible for charts, spreadsheets, etc.) and a hard copy shall be placed within a binder with tabs delineating each section. Hard copies should utilize both sides of the paper where practical. In addition, to the hard copy format proposals, a CD containing all required documents must be provided with documents in PDF and Excel formats as appropriate.

D. PRE-QUALIFICATION RESPONSES

As part of the Pre-Qualification response, Proposer must complete and include response to the questionnaire in Attachment B. Responses shall be in no smaller than 12-size font.

E. PROPOSAL ORGANIZATION

The proposal must be organized and indexed in the following format and must contain, at a minimum, all listed items in the sequence indicated:

**STEP 1**
- Tab 1 – Letter of Transmittal
- Tab 2 – Executive Summary
- Tab 3 – Pre-Qualification Questionnaire Part I and Part II (Attachment B)

**STEP 2**
- Tab 1 – Letter of Transmittal
- Tab 2 – Table of Contents
- Tab 3 – Executive Summary
- Tab 4 – System Description, Product Description, and Warrantees
- Tab 5 – Implementation Plan and RPG System Management (Narrative)
- Tab 6 – RPG System Work Plan (Narrative)
- Tab 7 – Indemnity and Insurance Requirements (See Attachment C)
- Tab 8 – Non-Collusion Declarations (See Attachment J)
- Tab 9 – Response to County Terms and Conditions (See Attachment C)
- Tab 10 – Proposer’s Additional Terms and Conditions (Narrative)
- Tab 11 – Financial Stability/Proposer’s Financial Information
- Tab 12 – Cost Proposal Form (Attachment C)
- Tab 13 – Production Estimate Form (Attachment D)
- Tab 14 – Levelized Cost Estimate
- Tab 15 – Contracting Principles (Attachment H)
F. PROPOSAL PREPARATION INSTRUCTIONS

Within each section of their proposal, Proposers should address the items in the order in which they appear in this RFP. All forms provided in the RFP shall be thoroughly completed and included in the appropriate section of the proposal.

The proposal summary may be included by the Proposers to provide the Evaluation Committee with an overview of the technical and business features of the proposal; however, this material will not be used in the evaluation process unless specifically referenced from other portions of the Proposer’s proposal.

IV. REQUIREMENTS AND PROPOSER SUBMITTALS

This section contains requirements and relevant information proposers should use for the preparation of their proposals. Proposers should thoroughly respond to each requirement. There are two phases to the proposal submittals;

- Step 1 - Pre-Qualification Phase. Proposers submit the Pre-Qualification Questionnaire and supporting information.
- Step 2 – Detailed Proposal Submittal Phase. Proposers submit additional information as described below.

A. Step 1 - Pre-Qualification

Proposers should submit all documents as described in Attachment B.

B. Step 2 – Detailed Proposal Submittal for RPG System Bundle(s)

Proposers should submit all documents as described within Sections III and IV.

1. LETTER OF TRANSMITTAL

Each proposal received must include a letter of transmittal. The letter of transmittal MUST:

a. Identify the submitting Agencies;
b. Identify the name, title, telephone and fax numbers, and email address of the person authorized by the Agencies to contractually obligate the Agencies;
c. Identify the name, title, telephone and fax numbers and email address of the person authorized to negotiate the contract on behalf of the Agencies;
d. Identify the name, title, telephone and fax numbers and email address of the person authorized to be contracted for clarification;
e. Be signed by the person authorized to contractually obligate the Agencies;
f. Acknowledge receipt of any and all addenda to this RFP; and identify all sections of the proposal that the Proposer claims contain “proprietary” or “confidential” information.
2. PROPOSER’S CORPORATE INFORMATION

The Proposer shall include an executive summary which will provide the Evaluation Committee with an overview of the significant business features of the proposal. In addition the Proposer is required to identify the entire RPG System team including: 1) the RPG System developer, 2) renewable power equipment vendor and installer, 3) financier, 4) operations, maintenance and verification vendor.

3. PROPOSER EXPERIENCE/INFORMATION

The Proposer shall include in their proposal a statement of relevant experience. The Proposer should thoroughly describe, in the form of a narrative, its experience and success as well as the experience and success of subcontractors, if applicable. Specific criteria will be considered when reviewing proposals regarding the Proposer’s skills and experience base. The Proposer must demonstrate the ability to:

a) The Proposer must demonstrate a minimum of two years experience with developing, installing and managing renewable energy RPG System installations or PPA RPG Systems.
b) The Proposer and Partners assigned RPG System teams must demonstrate prior experience in the development of renewable energy RPG Systems.
c) The Proposer’s assigned RPG System manager must have demonstrated experience as a RPG System Manager for at least 5 years on RPG Systems of similar scope and responsibility as the Agencies RPG Systems.
d) The Proposer’s equipment installer and vendor’s RPG System design team must identify members with qualifications and licensing to conduct public works RPG Systems.
e) The Proposer must demonstrate financing arrangements and evidence that should RPG System award be made that financing will be promptly available and not pose a delay to the RPG System.

In addition, Proposers are required to provide the following information in response to the Proposer Experience Questionnaire:

a) Proposers shall provide the RPG System team companies names, business addresses, including headquarters and all local offices and telephone numbers.
b) Proposers shall provide a description of the Proposer’s RPG System Team organization, including names of principals, number of employees, client base, areas of specialization and expertise, and any other information that will assist the Evaluation Committee in formulating an opinion about the stability and strength of the team.
c) Proposers shall provide the name of the jurisdiction in which the Prime Proposer and Partners are organized and the date of such organization.
d) Proposers shall provide a description of their experience working with governmental agencies for the development of renewable power RPG Systems.
e) Provide a complete disclosure if Prime Proposer, Partners, subsidiaries, parent, other corporate affiliates, or subcontractors have defaulted in its performance on a contract
during the past five years which has led the other party to terminate the contract. Identify the public agencies, firms, and others involved and describe circumstances.

f) Provide a list of any lawsuits filed against the Prime Proposer, Partners, subsidiaries, parent, other corporate affiliates, or subcontractor in the past five years and the outcome of those lawsuits. Identify the Agencies involved and circumstances. Also describe any civil or criminal litigation or investigation pending.

g) The proposal shall include three client references of past clients for whom similar services were provided, and that involved at least one of the primary consultants listed in the proposal as assigned to this RPG System. Please provide the following information:

i. Name of the contact person, and title;
ii. Name of the company or governmental entity;
iii. Address of the contact person;
iv. Telephone number of contact person;
v. Email address of the contact person;
vi. A description of the services provided, dates the services were provided, and the names of proposer’s consultant involved in the RPG System.

4. FINANCIAL STABILITY/PROPOSER FINANCIAL INFORMATION

i) Provide evidence of Proposer and Partners financial ability to build, own and operate the RPG System. If possible, please include three years of financial statements. The following information should be included:
(1) Liquidity, including cash on hand and/or ways to finance short term cash flow requirements (lines of credit, etc.).
(2) Provide the basis for your ability to meet ongoing construction, operating and debt commitments (i.e. annual “free cash flow”).
(3) Are there any current, pending or anticipated lawsuits (or other issues) that would preclude you from building, owning or operating the RPG System? If so, describe how you would mitigate these issues in connection with any RPG System provided as a result of this RFP.

ii) Provide a list of current financial partners, including their financing history, type of funding (tax equity or construction funding), capital assets and liabilities, and any current or pending lawsuits.

iii) Provide a statement of financial position in accordance with either of the following options:
(1) Attach a copy of your firm's latest reviewed or audited financial statement with accompanying notes and supplemental information. Note: A financial statement that is not either reviewed or audited is not acceptable. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required financial statement.
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(2) Attach a certified statement from a bonding firm authorized to do business in the state of California. The certification shall be submitted in original form and must indicate the maximum bonding coverage the surety will issue on the applicant’s behalf for a single contract, and shall also specify the total bonding that the surety will issue for all of the Proposer’s work including uncompleted contracts.

iv) Provide a plan of financing for the RPG System bundles upon which your firm is proposing on.

v) Provide a statement of the commitment for financing for the RPG System bundles upon which your firm is proposing on.

vi) Proposer shall demonstrate sufficient insurance as defined in Attachment C and F for the magnitude of the work included in the Proposer and Partners proposal of RPG System Bundles.

vii) At anytime during the entire selection process, the Point of Contact may request and the Proposer shall supply any additional financial information requested to support the evaluation process.

5. PAST PERFORMANCE, IMPLEMENTATION PLAN, AND RPG SYSTEM MANAGEMENT

This section will describe the proposed implementation plan and RPG System management team for both the Design/Build and Operations phase of the RPG System.

a) RPG SYSTEM MANAGEMENT TEAM FOR THE PROPOSED RPG SYSTEM

Proposer shall include a staffing work-plan for the RPG System and an explanation of how it will support the RPG System requirements and logically lead to the required deliverables. The description shall include the organization of the RPG System team, including sub-consultants and the description of the services to be performed by the sub-consultant and a description and representation of accountability and lines of authority of the Proposer’s team.

Proposers shall include a list of proposed RPG System staff and key personnel.

Proposers shall identify RPG System team members with state qualifications and licenses.

Proposers shall provide resumes, experience narratives to include strength of each team member, and at least one reference for each key personnel who will be assigned to the RPG System, role to be played in connection with the proposal; relevant strengths and certifications associated with developing and providing similar products and services if awarded the contract.

Proposers shall describe how the relationship between the County and Proposer will be managed from an account perspective.

b) SYSTEM DESCRIPTION, PRODUCT DESCRIPTION, AND WARRANTEES

Provide system description and product description of the bundle proposed. Also provide warrantee details for the system and product proposed.

Authored by: Caroline Judy, Siva P. Darbhamulla, & Ben Foster
c) RPG SYSTEM IMPLEMENTATION AND OPERATIONS PLAN

i. Describe your implementation plan and RPG System management methodology for all RPG System life cycle phases. Define the approach needed to provide services to the County for this RPG System. Proposer shall include an implementation plan the Proposer intends to employ for the RPG System and an explanation of how it will support the RPG System requirements and logically lead to the required deliverables.

ii. Proposer shall describe the RPG System management methodology and provide benchmarks or comparisons from similar services provided to other government entities. Proposers shall describe how the relationship between the County and Proposer will be managed from an account and technical support perspective.

iii. Proposers shall identify the point of contact for the design/build and operations and maintenance phases, and the point of contact for all billing/account inquiries.

iv. Proposers shall include the steps that will be undertaken to identify and resolve any issues during the contract period. Proposers shall explicitly address conflict resolution and problem escalation processes and identify the individuals assigned to this function within the RPG System team.

v. Proposers shall include a RPG System schedule prepared using Microsoft RPG System or similar tool, and include (1) the Start Date, (2) when key activities will occur, (3) when critical milestones will be reached, (4) when deliverables will be complete and (5) dates for check-ins with the County’s RPG System Leader (to be done on a bi-weekly basis). The Proposer’s RPG System timetable should be clear and easy-to-read. Supplement your RPG system schedule with an explanation of how different elements of your schedule are interrelated, possible challenges to meeting your envisioned dates and your firm’s overall ability to perform the work as scheduled.

6. COST PROPOSAL FOR RPG SYSTEM BUNDLE(S) [STAGE(S) or TASK ORDER(S)]

Proposers shall understand that submitted price proposals must include the scope of work and all deliverables as defined in the Power Purchase Agreement, Site Lease, required regulatory and permitting documents, and design standards as specified. All costs not explicitly defined in cost proposal must be specified and noted on the Cost Proposal Form. Proposers must make all assumptions regarding escalation rates, inflation rates, discount rates, etc. clear and transparent.

Proposers shall complete all the pages of the Cost Proposal Form – Attachment D. The proposed costs shall directly relate to the RPG System Work Plan and deliverables.

Authored by: Caroline Judy, Siva P. Darbhamulla, & Ben Foster
a) COST PROPOSAL PROCESS

This RPG System has multiple bundles representing different site requirements and technologies. Proposers shall submit cost proposals for each and complete RPG System Bundle. Proposer is not required to compete for all RPG System Bundles. However, Proposer must submit response for entire RPG System Bundle and all sites listed within that RPG System Bundle.

Proposer must not split the RPG System Bundle(s) to develop select sites only within a Bundle. That means, the Proposer shall propose for the full RPG System Bundle(s) inclusive of all sites within that bundle. For example, the Proposer will not be allowed to select few sites in one bundle such as large rooftop and mix it with few more sites in another bundle such small rooftop bundle.

Proposer will submit **two sets of completed cost proposals** using the Cost Proposal Form for each bundle in the following manner:

i. Cost Proposal for Entire and Complete RPG System Bundle – for example if the task order is for medium carports and there are 5 sites listed in the bundle, a cost proposal would be submitted with aggregate discount pricing for all the sites combined.

ii. Cost Proposal for each site within the RPG System Bundle – for example if the task order is for medium carports and there are 5 sites listed in the bundle, a cost proposal would be submitted for each of the five sites within that bundle.

Proposals shall be submitted in a separate and sealed envelope. The Cost Proposal forms must include the following costs;

i. Price must be expressed as Buyers price per kW/Hr, by year for the duration of the PPA, with any initial buyout options included at expected Fair Market Value. See Tabs 1, 2, and 3 on the Cost Proposal Forms.

ii. All cost proposals should anticipate California Solar Initiative rebates at Step 6. (Or equivalent Emerging Renewable Program Incentives).

iii. All cost information must be accompanied by a narrative that describes assumptions and calculation methodologies. Assumptions must clearly define escalation rates, discount factors, inflation rates.

7. OTHER SUBMITTALS

a) INSURANCE REQUIREMENTS

Proposers shall provide certificate(s) of insurance or insurance declaration page(s) with its proposals showing its ability to meet County insurance requirements in accordance with the provisions listed in the RFP (See Attachments C and F). Proposers must provide a letter from an insurance agent or other appropriate insuring authority documenting their willingness and ability to endorse County and all Agencies and its staff as additional insured based on the jurisdiction of the each site in the bundle.
b) NON-COLLUSION DECLARATION

Proposers shall complete and submit with their proposal the Non-Collusion Declaration with their proposals. See Attachment E – Non-Collusion Declaration.

c) CONTRACTING PRINCIPLES DECLARATION

As a condition of awarding a new contract, any agency or company contracting to deliver services for the County shall comply with the contracting principals as defined Appendix-F and must complete and submit with proposal.

d) SECURITY CLEARANCE

As a condition of awarding PPA, the Proposer and Partners must secure temporary security clearance to all of its personnel entering the County’s security sites such as Elmwood Correctional Facility, Probation Facility, etc. County’s respective departments (Department of Corrections or Probation Department) will issue such security clearances to personnel visiting or working in the facility. Proposer’s and Partner’s personnel entering the facility for work will be required to undergo and pass a security clearance, including fingerprinting and a criminal background check that will be performed by the host facility Department. For one time visits, a temporary visiting security clearance may be obtained by submitting a request three days prior to entering any facility. All personnel that will perform work within the facility to complete the work per this PPA program must obtain a long-term security clearance. Consistent with the entry policies, upon arrival at the facility, the Proposer and Partners personnel must surrender his or her valid, current, government issued photo ID to the correctional officer in exchange for a visitor pass until departure from the facility. During work, the facility may also require an escort to be present at all time for performance of work. See Attachment G – Temporary Security Clearance.

e) RESPONSE TO PPA TERMS AND CONDITIONS

Should a Proposer object to any of the County’s terms and conditions, as contained in Attachment C, it must submit in writing its reasons for the objection. The Proposer must also provide alternate conditions for County’s consideration. The County may or may not accept the alternate conditions proposed by the Proposer. General references to the Proposer’s terms and conditions or attempts at complete substitutions are not acceptable to the County. Proposers must provide a brief discussion of the purpose and impact, if any, of each proposed change condition and remedy.

f) PROPOSER’S ADDITIONAL PPA TERMS AND CONDITIONS

The Proposer must submit with their proposal additional terms and conditions, if any, that it may want the County to consider during the selection process. County does not commit to accepting any of the additional terms and conditions from the Proposer. County will consider such conditions in the evaluation of the Proposer selection. County may offer to negotiate some terms that it may seem fit to do so. Proposers must provide specific discussions about the additional terms and conditions, if any, and clearly describe its purpose and impact on the contract.
V. STEP 1 PRE-QUALIFICATION AND STEP 2 – DETAILED PROPOSAL EVALUATION FACTORS

A. OVERVIEW OF THE PROPOSAL EVALUATION PROCESS

The evaluation of proposals will be performed in multiple steps. During the first step staff will review pass/fail qualification questions, and seek clarification if necessary. Those firms that meet the qualification requirements will then be afforded the opportunity to submit detailed proposals which will be forwarded to an evaluation committee. This two step qualification process and the use of questionnaires will facilitate rapid qualification and ensure that prime Proposers do not expend time submitting proposals for task orders for which they are not qualified.

B. STEP 1 – PRE-QUALIFICATION EVALUATION CRITERIA AND QUESTIONNAIRE

Proposer must submit responses to Pre-Qualifications Questionnaires (Attachment B) and statements for review by County. Pre-Qualification will be judged on a pass/fail criteria of various qualities listed herein.

PASS/FAIL QUALIFICATION CRITERIA

<table>
<thead>
<tr>
<th>QUALIFICATION AREA</th>
<th>PASS</th>
<th>FAIL</th>
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<tbody>
<tr>
<td>Experience Of Firm In Installing And Operating Solar Photovoltaic Systems</td>
<td>Within the past three years from the issue date of this RFP, the RPG System Developers or at least one of the Partners must have installed and operated at least ( _3 ) RPG Systems of one or more types, with at least ( _1 ) MW output total, and be currently in commercial operations under its management.</td>
<td>The firm has not provided the required evidence of experience or the experience is not consistent with the requirement.</td>
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<tr>
<th>Recent PPA Experience</th>
<th>Within the past three years from the issue date of this RFP, the Prime Proposer, or at least one of the Partners must have entered into a Power Purchase Agreement for an RPG System which is currently in operation.</th>
<th>The firm has not provided the required evidence of experience or the experience is not consistent with the requirement.</th>
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<tbody>
<tr>
<td>California Solar Initiative Rebate Program Or Emerging Renewable Program Experience</td>
<td>Within the past three years from the issue date of this RFP, the Prime Proposer, or at least one of the Partners must have direct experience submitting an application for, and coordinating the California Solar Initiative or Emerging Renewable rebate programs.</td>
<td>The firm has not provided the required evidence of experience or the experience is not consistent with the requirement.</td>
</tr>
<tr>
<td>Ability To Finance RPG Systems</td>
<td>Within the past three years from the issue date of this RFP Prime Proposer or at least one of the Partners must have at least $6 million in placed financings in the last three (3) years for RPG System installations in California.</td>
<td>The firm has not provided the required evidence of experience or the experience is not consistent with the requirement.</td>
</tr>
<tr>
<td>Ability To Install, Operate, Maintain And Verify Equipment.</td>
<td>Within the past two years from the issue date of the RFP the Prime Proposer or at least one of the Partners must have demonstrated successful track record of installing, operating and maintaining, and monitoring the specified PV systems.</td>
<td>The firm has not provided the required evidence of experience or the experience is not consistent with the requirement.</td>
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</table>

Qualifications statements will be evaluated based on the information submitted plus any other additional analyses developed by the County. The County further reserves the right to require interviews. The interviews, if required, will be for the purpose of assisting the County in determining whether or not the firm meets the qualification criteria outlined herein.

Upon final determination that a Firm did not meet the Pre-Qualifications requirements will be notified electronically by the County. The notice will indicate, in general terms, the basis of determination of disqualification.

C. STEP 2 – DETAILED PROPOSAL RESPONSE EVALUATION FOR RPG SYSTEM BUNDLE(S) [STAGE or TASK ORDER]

Proposer responses to Task Order requirements will be provided to an evaluation committee appointed by the Director, Facilities and Fleet Department. The evaluation committee may find
it necessary and request for proposal clarification information from the Proposer. Discussions **MUST NOT be** initiated by Proposer(s).

The Evaluation Committee will submit its written recommendation of short list Firms for further consideration in the RFP process. The County may reserve the right to hold further negotiations for best value achievement, if required, in order to finalize Power Purchase Agreement and Lease Agreement.

The Task Order Proposal Evaluation Criteria listed below will be utilized in the evaluation of the Proposer’s written responses. The proposal should give clear, concise information in sufficient detail to allow for detailed evaluation based on the following criteria. A proposal must be acceptable in all areas of criteria and provide best value to the County for a contract to be awarded.

The Evaluation Committee will determine responsiveness and best value quality of the proposal based on the criteria set in this RFP as listed in Section IV. Factors determining the best value include are described below.

The County will compare submitted cost proposal and production estimate data using a model derived from Lawrence Berkeley Laboratories. The County will assume the following for “demonstrating savings” when comparing responses:

1. PG&E rate escalation factors of 4.5 %
2. O&M inflation factor 3%
3. Current utility cost data per site as illustrated on the FTP site. (See Attachment A)

**a) Evaluation Scoring (Total 100 points)**

<table>
<thead>
<tr>
<th>Evaluation Criteria Breakdown</th>
<th>Scoring</th>
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<tbody>
<tr>
<td>Proposer Strengths &amp; Qualifications (15)</td>
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<td></td>
<td>5</td>
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<tr>
<td>Team management qualifications and strengths for all partners; company background; strength of lead entity for the overall proposal</td>
<td></td>
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<td></td>
<td>6</td>
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<tr>
<td>Financial stability as judged from independently audited financial statements or Dun and Bradstreet report per RFP submittal requirements</td>
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<td></td>
<td>4</td>
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<tr>
<td>Past performance references per RFP submittal requirements</td>
<td></td>
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<tr>
<td>(+) 5 Compliance with local preference criteria per RFP</td>
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<tr>
<td>Proposer Experience and RPG System Team (15)</td>
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<td>--------------------------------------------</td>
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<td>5</td>
<td>Strength of key staff on the RPG System team including their professional history. Include a description of roles, how organizations work together, and an organization chart</td>
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<tr>
<td>5</td>
<td>Experience with the identified bundle type, references provided will be verified</td>
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<td>2</td>
<td>Experience with government RPG Systems, including references to specific skills or knowledge needed per RFP submittal requirements</td>
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<td>3</td>
<td>Experience overall on managing multiple RPG Systems simultaneously</td>
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<tr>
<td>(-) 3</td>
<td>Presence of OSHA violations or other safety incidents</td>
</tr>
<tr>
<td>(-) 3</td>
<td>Presence of default incidents</td>
</tr>
<tr>
<td>(-) 3</td>
<td>Presence of lawsuits</td>
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<tr>
<th>RPG System Technical Aspects (25)</th>
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<tbody>
<tr>
<td>8</td>
<td>Total energy production and presentation of data</td>
</tr>
<tr>
<td>2</td>
<td>Completeness of proposal, succinct and clear presentation</td>
</tr>
<tr>
<td>3</td>
<td>Technical description of photovoltaic systems</td>
</tr>
<tr>
<td>2</td>
<td>Module supply, availability, reputation and quality, verified externally</td>
</tr>
<tr>
<td>2</td>
<td>Inverter supply, availability, reputation and quality, verified externally</td>
</tr>
<tr>
<td>3</td>
<td>Warranty periods for modules and inverter</td>
</tr>
<tr>
<td>3</td>
<td>RPG System schedule and time table per RFP submittal requirements</td>
</tr>
<tr>
<td>2</td>
<td>Monitoring plan</td>
</tr>
</tbody>
</table>
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<table>
<thead>
<tr>
<th>RPG System Costs (45)</th>
<th>30</th>
<th>Nominal levelized cost of energy, including escalation factor (lowest price: 30, avg price: 15, others placed according to linear scale based on these two benchmarks)</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>10</td>
<td>Proof of funding for RPG System per RFP submittal requirements</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>Cost proposal completeness with transparent &amp; logical calculations and methodology</td>
</tr>
</tbody>
</table>

b) LOCAL PREFERENCE CRITERIA

Proposers satisfying the following requirements of local preference will receive local preference points.

In the procurement of goods or services in which best value is the determining basis for award of the contract, five percent (5%) of the total points awardable will be added to the Local Business score. In order to be considered for local preference, bidder must complete Attachment I – Declaration of Local Business and submit with bid response.

County staff will present to the Board of Supervisors contract for approval with a transmittal clearly stating Proposer’s Local Business condition and describe if the local preference policy was a decisive factor in the award of that PPA.

c) SELECTION OF PROPOSERS (SHORT LIST)

The Evaluation Committee will develop a short list of potential Proposers and provide an interim report of recommended firms to receive The Task Order requested Proposals to the Director of Facilities and Fleet. Proposers who are short listed may be invited an interview by the Director of Facilities and Fleet for final selection and further negotiations to develop PPAs.

Firms not short listed for further consideration in the selection process will be notified by the electronically.

If at any time during the evaluation process oral interviews are considered necessary either by the Evaluation Panel or the Director of Facilities and Fleet Department, adequate preparation time will be provided to the Proposer to prepare for presentation. All presentations will be held in the County of Santa Clara.

d) FINAL NEGOTIATIONS AND BEST AND FINAL OFFER

The selected Proposers whose proposal is represents best value to the Agencies will be invited to enter into negotiations. Confidential discussions with one or more finalist Proposers may be conducted. Best and Final Offer request may be issued at the conclusion of task order.
negotiations. The Evaluation Committee shall review the best and final responses and make an award recommendation to the County of Santa Clara Director of Facilities and Fleet and to each participating local government jurisdiction’s with sites listed in the Task Order.

e) CONTRACT AWARD

Power Purchase Agreements contract(s) will be executed by the jurisdiction having authority over the specific RPG System site in the bundle. For example if the RPG System site is a site owned by the County of Santa Clara, then the County Board of Supervisors will award the contract. Similarly, if the site belongs, say to the City of Cupertino then the Cupertino City Council would approve the final PPA for that site.

Individual jurisdictions are considering using the template PPA documents developed by the County of Santa Clara in an effort to reduce transaction costs for all Agencies and Proposers, alike. However, each jurisdiction may make minor modifications to the PPA template suit its local requirements for final approval by authorities.
Detailed information regarding sites may be downloaded from the FTP site located at:

http://ww.sccfaf.org/pparfp
Password: Ppa!view
ATTACHMENT B
STEP 1- PRE-QUALIFICATION QUESTIONNAIRE PART I and II

Proposers must complete all sections of the Pre-Qualification Questionnaire.

PART I: PRIME PROPOSER CONTACT INFORMATION

Name of Firm (Prime): _____________________________________________________________
(As it appears on business license) Check one: □ Corporation □ Partnership □ Sole Proprietor

Contact Person: ________________________________________________________________

Address: _____________________________________________________________________

Phone: _________________________________       Fax: _________________________________

Email Address: ________________________________________________________________

If firm is a sole proprietor or partnership:

Owner(s) of Company: __________________________________________________________

Registered Managing Employee/Name and License Number: ___________________________

Tax ID Number: _______________________________________________________________

General Tax Exemption Number: _________________________________________________

Dun and Bradstreet Number (if applicable):__________________________________________

I, the undersigned, certify and declare that I have read all the answers to this pre-qualification questionnaire and know their contents. The matters stated in the questionnaire answers are true of my own knowledge and belief, except as to those matters stated on information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the State of California, that the foregoing is correct.

Dated:   ________________________

Signature: _____________________________________________________________________

Print Name: ___________________________________________________________________

Title: _________________________________________________________________________

Authored by:  Caroline Judy & Siva P. Darbhamulla
ATTACHMENT B
STEP 1 - PRE-QUALIFICATION QUESTIONNAIRE PART I and II

Prime Proposer shall complete all questions below and shall provide background information, if necessary, for each response. Questions are pass/fail. Criteria for passing each question is listed in RFP Section II.

1. Provide the name of your firm: ____________________________________________________

2. Provide the primary and secondary point of contact for this RPG System.
   NAME: ______________________ TELEPHONE: __________________ EMAIL: _____________
   NAME: ______________________ TELEPHONE: __________________ EMAIL: _____________
   ADDRESS: ___________________________________________________________________

3. Will your firm provide a single point of contact for all phases of the RPG System (design, construction, financing, operations, maintenance/service, rebates, REC certifications, etc)? □ Yes □ No

4. Provide the name of the firm and responsible managing employee and primary point of contact for the installation entity (sub-contractor) for your RPG System Team.
   VENDOR NAME: ___________________________________________________________
   NAME: ______________________ TELEPHONE: __________________ EMAIL: _____________
   ADDRESS: ___________________________________________________________________

5. Has PRIME PROPOSER worked with this installation entity in the past? □ Yes □ No.

6. List all license numbers, classifications, license holders’ name, and expiration dates of the California Contractor licenses (CSLB) held by installation entity:
   ___________________________________________________________________________
   ___________________________________________________________________________
   ___________________________________________________________________________

7. Has any CSLB license held by installation entity or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five years? □ Yes □ No. If “yes,” please explain on a separate signed sheet.

8. Has your firm or any entity on your RPG System Team ever been denied performance or payment bonds by a surety company because of the surety’s determination that your firm has failed to perform adequately on a renewable power RPG System? □ Yes □ No.

9. Provide the name of the firm and primary point of contact for the operations and maintenance and verification entity (sub-contractor) for your RPG System Team.
   VENDOR NAME: ___________________________________________________________
   NAME: ______________________ TELEPHONE: __________________ EMAIL: _____________
   ADDRESS: __________________________________________________________________
ATTACHMENT B
STEP 1-PRE-QUALIFICATION QUESTIONNAIRE PART I and II

10. Has PRIME PROPOSER worked with this operations and maintenance and verification entity in the past? □ Yes □ No.

11. List all license numbers, classifications, license holders’ name, and expiration dates of the California Contractor licenses held by operations and maintenance and verification entity:
___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________

12. Has any CSLB license held by operations, maintenance and verification entity or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five years? □ Yes □ No. If “yes,” please explain on a separate signed sheet.

13. Provide the name of the firm and primary point of contact for the financier for your RPG System Team.
VENDOR NAME: ___________________________________________________________
NAME: ______________________ TELEPHONE: __________________ EMAIL: _____________
ADDRESS: __________________________________________________________________

14. Has PRIME PROPOSER worked with this financier in the past? □ Yes □ No

15. Does PRIME PROPOSER or financier have current or pending litigation with a public agency as a result of RPG System delay or loss of funding? □ Yes □ No. If yes, please explain:____________________________________________________________________
___________________________________________________________________________

16. Within the past three years from the issue date of this RFP, has the PRIME PROPOSER or at least one of the PARTNERS installed and operated at least three (3) renewable power generation systems with at least one (1) MW output in aggregate and are those RPG Systems still in commercial operations under your management? □ Yes □ No

17. Within the past three years from the issue date of this RFP; has the PRIME PROPOSER or at least one of the PARTNERS entered into a Power Purchase Agreement for a renewable power generation RPG System? □ Yes □ No

18. Within the past three years from the issue date of this RFP, has the PRIME PROPOSER or at least one of the PARTNERS submitted an application for and coordinated receipt of California Solar Initiative or Emerging Renewable Program incentives and rebates? □ Yes □ No

19. Within the past three years from the issue date of this RFP; has the PRIME PROPOSER or at least one of the PARTNERS have placed at least $6,000,000 in financings for renewable power generation system installations in the state of California? □ Yes □ No

Authored by: Caroline Judy, Siva P. Darbhamulla, & Ben Foster
ATTACHMENT B
STEP 1 - PRE-QUALIFICATION QUESTIONNAIRE PART I and II

20. Within the past two years from the issue date of this RFP, has the Proposer or at least one of the PARTNERS demonstrated a successful track record of installing, operating and maintaining, and monitoring and verifying the specified renewable power generation systems described in questions #7 through #10? □ Yes □ No

21. List three (3) existing sites within California where prime Proposer has installed alternative power generation equipment. (Provide addresses and contact information):

___________________________________________________________________________

___________________________________________________________________________

___________________________________________________________________________

___________________________________________________________________________

___________________________________________________________________________

___________________________________________________________________________
ATTACHMENT D
STEP 2 - COST PROPOSAL FORM

Proposer shall complete all pages of the Cost Proposal Form. The proposal costs shall directly relate to the RPG System Work Plan and deliverables. All costs not explicitly defined in the cost proposal must be specified. If not these costs will be responsibility of the prime Proposer and Partners. Excel worksheet available on FTP site.

SEE ATTACHMENT C, EXHIBIT 6 FOR THE FORM
ATTACHMENT E
PRODUCTION ESTIMATE FORM

PROPOSER (SELLER) shall complete all pages of the Production Estimate Form. The proposal costs shall directly relate to the RPG System Work Plan and deliverables. All costs not explicitly defined in the cost proposal must be specified. If not these costs will be responsibility of the prime Proposer and Partners. Excel worksheet available on FTP site.

SEE ATTACHMENT C, EXHIBIT 8 FOR THE FORM
PROPOSER (SELLER) must DECLARE AND MEET County Insurance requirements as described in Attachment C during full term of the contract.
ATTACHMENT G
TEMPORARY SECURITY CLEARANCES

Firms’ personnel attending the Pre-Proposal Conference and field visits of the sites must obtain temporary security clearances to enter some of the secure and sensitive sites. Security clearance request forms must be filed with the County contact person three business days prior to the Pre-Proposal Conference.

Firms’ personnel shall contact County Contact to obtain security clearance forms that needs to be completed and returned. Considering various agencies are involved, more than one clearance form may be required to be completed and returned for processing temporary clearance to enter sites.

For entry to secure sites such as the Department of Correction facilities, Probation facilities, Water Treatment facilities, etc. both during the site visits for proposal development and performance of work under PPAs upon execution of PPAs for the full duration of the contract, the Seller must obtain and maintain security clearance from the host Agency.
ATTACHMENT H
CONTRACTING PRINCIPLES
Contracting Principles
October 1997

WHEREAS the County of Santa Clara purchases contract services;

WHEREAS the County of Santa Clara purchases these services in the interests of meeting the needs of its residents and such services are integral to the County’s mission to serve the public;

WHEREAS the County of Santa Clara is concerned over the increased costs of providing health care to the uninsured through the services of the Santa Clara Valley Health and Hospital System;

WHEREAS the County of Santa Clara is committed to the provision of quality services, whether provided directly by the County or by contract agencies;

WHEREAS the County of Santa Clara is committed to insuring that services are provided by responsible contract agencies;

WHEREAS the County of Santa Clara seeks to maximize direct resident/client services while minimizing indirect service costs and seeks to promote fiscal responsibility;

WHEREAS the County of Santa Clara has an interest in encouraging, to the extent possible, an environment in which labor and employment disputes do not disrupt the continuous delivery of purchased services;

WHEREAS the County of Santa Clara has a strong and ongoing interest in providing continuous services to the consumers of those services;

WHEREAS the County of Santa Clara needs to know the level of pay and benefits provided by County contractors in order to intelligently consider their impact;

WHEREAS this consideration should take place in the County’s open and public discussion of contract awards;

NOW, THEREFORE, be it resolved that effective June 1, 1998, as a condition of the renewal of any contract or the letting of any new contract any agency or company contracting to deliver services for the County shall comply with the following contracting principles;
ATTACHMENT H
CONTRACTING PRINCIPLES

I. Contracting Principles

D. All Type I and Type II contracts, as hereinafter defined, shall include a contract provision specifying that the contractor shall comply with all applicable federal, state and local rules, regulations and laws.

E. In order to assure fiscal responsibility, strength and compliance with these principles all Type I and Type II contracts shall include a contract provision specifying that the contractor shall maintain financial records, that would be adequate to show that County funds were used for purposes consistent with the terms of the service contract.

F. All Type II contractors shall provide specific information in addition to that which is required of a responsible bidder. The information will be delineated in the contractor selection process document but shall, at a minimum, include the following information pertaining to the actual provision of services and/or expenditures charged to the contract:

4. Information regarding the wage level, pay range and benefits for positions and job classifications.

The wage and benefit information for executive, managerial and supervisory positions may be presented as one aggregate figure. For example: “Executive, Managerial and Supervisory wage and benefits costs for this contract are (or in the case of a new program the RPG System level) $X for each year of the contract.” However, in no instance would an individual be identified by employee name.

The wage level, pay range and benefit costs for all other positions and job classifications that will be providing actual services and/or expenditures charged to the contract should specify actual distribution (or in the case of a new program the RPG System level) of wage rates within each pay range by the specific salary level. However, in no instance would an individual salary be identified by employee name. In the case of single position job classes the information may be aggregated with similar job classes.

For example: “In Job Classification A there are five positions with a pay range of $X to $Y. With two employees paid at $X, two employees paid at $Y and one paid at $Z midpoint between $X and $Y.”

If medical insurance is provided a summary of coverage for each plan must be submitted (or in the case of a new program the RPG System level). In addition, the County may also request the entire plan document.

The summary must include the total premium cost, the amount of the premium paid by the employer and employee, and any co-payments or other employee costs.

If medical insurance is not provided, the County Agency/Department presenting the contract for approval shall calculate and disclose the costs of providing medical insurance to the employees of the contractor. Costs shall be determined by the County Executive based on a standard cost provided by the Santa Clara Valley Health and Hospital System.
ATTACHMENT H
CONTRACTING PRINCIPLES

5. Length of Service

The length of continuous employment with the contractor by job classification (information shall not include employee names).

In addition, the contractor may submit information detailing the relevant prior experience of employees within each job classification (information shall not include employee names).

3. The annual rate of staff turnover.

4. The number of hours of training for each position in subject matters directly related to providing services to County residents/clients.

5. The number of legal complaints issued by an enforcement agency for alleged violations of applicable federal, state or local rules, regulations or laws and the number of citations, court findings or administrative findings for violations of applicable federal, state or local rules, regulations or laws. The information must include the date, enforcement agency, the rule, law or regulation involved and any additional information the contractor may wish to submit.

6. Copies of any collective bargaining agreements or summary of personnel policies covering the employees providing services to the County.

D. All Type II contracts shall include a contract provision specifying that in order to determine compliance to these principles as well as the contract, the contractor shall be required to provide the County or its agents, except where prohibited by federal or state laws, regulations or rules, reasonable access, through representatives of the contractor, to facilities, records and employees that are used in conjunction with the provision of contract services.

E. During the term of any contract all Type II contractors shall provide to the County copies of any financial audits that have been completed. The contractor shall use County funds for County services and shall not use County funds for general employer costs that do not support or otherwise directly relate to the scope of contracted services. Consistent with the financial provisions of the contracts, this shall not preclude the realization of profits or savings.

F. During the term of any contract all Type II contractors shall advise the County Department/Agency responsible for monitoring the contract of the issuance of any legal complaint by an enforcement agency, or of any enforcement proceedings by any Federal, State or Local agency for alleged violations of federal, state or local rules, regulations or laws. In addition, the specific contract may include additional provisions regarding notice to the County of specific client/patient service issue complaints.

G. During the term of any contract all Type II contractors shall advise the County of the issuance of citations, court findings or administrative findings for violations of applicable federal, state or local rules, regulations or laws.

Violations of this policy may be considered material breaches of any Type I or Type II contract, and may, at the option of the county, constitute grounds for the termination or non-renewal of any such contract, according to its terms. The contractor shall be
ATTACHMENT H
CONTRACTING PRINCIPLES

provided reasonable notice of any intended termination or non-renewal and the opportunity to respond and discuss the County’s intended action.

VI. Definitions

A. For purpose of this Resolution renewal of any contract shall not include modifications or amendments that do not extend the original length of the contract.

B. For purposes of this Resolution services shall not include the rental, purchase, sale, lease, lease back or lease purchase of goods. Nor shall the rental, purchase, sale, lease, lease back or lease purchase of any facility or property be included.

C. For purposes of this resolution Type 1 Service contracts shall include any of the following in which the county purchases services from:

1. Sole Source
2. Construction or other work required by law to be contracted out.
3. Individuals and contractors that employ less than twenty-five (25) employees.
4. Contract which provides for immediate needs necessary to preserve public health, safety or peace and any other emergency work which cannot be handled because staff and equipment have been allocated and the work must be done post-haste.
5. Contract necessary to provide immediate emergency repair of facilities or equipment in order to preserve or provide continuous public, inmate, patient or client services or for the safety and health of the public or employees.
6. Contract with other public agencies.
7. Contract of One Hundred Thousand Dollars ($100,000) or less (excluding contractors where the aggregate of multiple contracts for the same or similar services with the same contractor exceeds $100,000), except where a labor contract contains a specific provision that requires notice to the County labor organization, then the labor contract provision and threshold dollar amount shall be applied.
8. Contract with Professionals (such as legal, financial, engineering, architectural, management consulting services, and physician and medical consulting services) where the primary services contracted for will be provided by those professionals.
9. Contract requires work to be performed with specialized equipment (such as trucks, cranes and other similar large equipment) including those contracts when the contractor provides an operator for the equipment.
10. Contract for facility or equipment maintenance except such facility or equipment maintenance provided by County employees at the time of adoption of this resolution (i.e., FY 1998).
11. Contract is for maintenance services incidental to the purchase (or lease etc.) Of goods or equipment.
12. Contracts to provide employee benefits pursuant to provisions of County labor contracts.
ATTACHMENT H
CONTRACTING PRINCIPLES

D. For purposes of this Resolution Type II Service Contracts include all service contracts in which the County purchases services not covered under Definitions I.B. and I.C. of this Resolution.

VII. Implementation

A. The County Executive shall direct the preparation and dissemination of any administrative guidelines and directives to County Departments/Agencies as are necessary to implement this Resolution as of June 1, 1998. These directives shall include a requirement that each County Department or Agency advise current service contractors of the implementation of this Resolution prior to June 1, 1998.

B. The County Counsel shall develop and disseminate standardized contract provisions that implement this Resolution.

C. This Resolution and its requirements shall be a part of, and shall be added to, the previously adopted Board policy on Bidding and Contracting.

D. The implementation and actual experience under terms of this resolution shall be reviewed by the Board Finance Committee and then the full Board beginning one year after adoption of this resolution. The Board shall affirmatively seek out and consider the input of contractors operating under these contracting principles. In addition, the County Executive shall provide quarterly reports to the Finance Committee.
ATTACHMENT H
CONTRACTING PRINCIPLES
DECLARATION OF CONTRACTOR

(To be completed by all Type I and Type II contractors)

☐ This is a Type I service contract under the Board of Supervisor’s Resolution of Contracting Principles.

If this box is checked, please complete the following:

Type I Category: __________________________________________________________

______________________________________________________________

Explanation: _______________________________________________________

______________________________________________________________

☐ This is a Type II contract under the Board of Supervisor’s Resolution on Contracting Principles.

The contractor currently has other County contracts for the same or similar services:

☐ Yes ☐ No

If Yes is checked, please list and describe contracts, types and dollar amounts.

______________________________________________________________

______________________________________________________________

______________________________________________________________

I am authorized to complete this form on behalf of ____________________________

____________________________________ [Name of contracting entity]. I have used due diligence in obtaining this information, and this information contained herein is complete and accurate.

Contractor Signature: _____________________________________________

Name: _____________________________________________________________

Title: _____________________________________________________________

Date: _____________________________________________________________

Authored by: Caroline Judy, Siva P. Darbhamulla, & Ben Foster
Firms claiming local preference must submit a certified letter on company’s letter head the Local Business Declaration.

For purposes of this RFP, local business is as defined in County of Santa Clara Board Policy Manual, Section 5.3.13, except that the geographical boundary is extended to include geographical areas covering all Agencies participating in this RFP.
ATTACHMENT J
NON-COLLUSION DECLARATION

NONCOLLUSION AFFIDAVIT

In accordance with County requirements, _____________________________________________
(Proposer’s full name)

being first duly sworn, deposes and says that he or she is _______________________________________
(Proposer’s title)

of ___________________________________________________________________________________
(Firm’s name)

the party making the foregoing Proposal that the Proposal is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the Proposal is genuine and not collusive or sham; that the Proposer has not directly or indirectly induced or solicited any other Proposer to put in a false or sham Proposal, and has not directly or indirectly colluded, conspired connived, or agreed with any Proposer or anyone else to put in a sham Proposal, or that anyone shall refrain from bidding; that the Proposer has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the Proposal of the Proposer or any other Proposer, or to fix any overhead, profit, or cost element of the Proposal, or of that of any other Proposer, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed Contract; that all statements contained in the Proposal are true; and further, that the Proposer has not, directly or indirectly, submitted his or her Proposal or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham Proposal.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

SIGNATURE BLOCK (Signature Block must be completed in ink & changes must be initialed.)

Proposer ’s Signature: ___________________________________________ Date: __________

Proposer ’s Name & Title (Print): __________________________________________