

BUTTE COUNTY OFFICE OF EDUCATION

Request for Proposals 2022-23-RFP-B2W-20

ADMINISTRATION OF TRANSITIONAL EMPLOYMENT PROGRAM: "BACK 2 WORK"

CALTRANS DISTRICT 3



Issue Date: August 15, 2022

**Issued By: Butte County Office of Education
1859 Bird St
Oroville, CA 95965**

EVENT	DATE
RFP Published	August 15, 2022
Deadline for Questions from Proposers	August 24, 2022, 5:00 p.m.
Addenda and Responses to Proposers Published on BCOE Website	August 29, 2022
Deadline to Submit Proposals	September 2, 2022, 5:00 p.m.
Virtual Interviews	TBD
Letter of Intent to Award Contract	September 14, 2022
Contract Award	September 21, 2022

BUTTE COUNTY OFFICE OF EDUCATION

**RFP # 2022-23-RFP-B2W-20
REQUEST FOR PROPOSALS FOR ADMINISTRATION OF TRANSITIONAL
EMPLOYMENT PROGRAM - BACK 2 WORK PROGRAM
(CALTRANS DISTRICT 3 – PLACER & YOLO COUNTIES)**

NOTICE OF REQUEST FOR PROPOSALS

The Butte County Office of Education ("BCOE") is requesting proposals for the administration of a transitional employment program for the Caltrans Back 2 Work Program ("B2W") in CALTRANS DISTRICT 3 (PLACER & YOLO COUNTIES).

Proposals will be accepted from vendors to perform the requested services in CALTRANS DISTRICT 3. Each proposal must conform and be responsive to the requirements of this Request for Proposals ("RFP"), a copy of which is now at the following:

- BCOE website at: <https://www.bcoe.org/Divisions/Statewide--Local-Support-Services/Maintenance-Operations--Facilities/Request-for-Proposals--Bid-Information/index.html>

Responses to this RFP must be emailed to b2w@bcoe.org with the subject "2022 Back 2 Work CALTRANS DISTRICT 3 - [Proposer's Name]".

ALL SUBMITTALS ARE DUE NO LATER THAN September 2, 2022, BY 5:00 P.M. Late submittals will not be accepted or considered. Fax, post mailed, couriered or hand-delivered responses will not be accepted.

Submit all questions regarding this RFP in writing via email to: b2w@bcoe.org

Questions must be received by August 24, 2022, at 5:00 p.m. All answers, along with any addenda, will be posted on the BCOE website on August 29, 2022.

The BCOE reserves the right to reject any and all submittals. The BCOE makes no representation that participation in the RFP process will lead to an award of contract or any consideration whatsoever. In no event will the BCOE be responsible for the cost of preparing a response to this RFP. The BCOE also reserves the right to waive any informalities or irregularities in received submittals.

Thank you for your interest.

**REQUEST FOR PROPOSALS FOR ADMINISTRATION
OF TRANSITIONAL EMPLOYMENT PROGRAM
(CALTRANS DISTRICT 3 – PLACER & YOLO COUNTIES)**

A. INTRODUCTION

The Butte County Office of Education ("BCOE"), by releasing this Request for Proposals ("RFP"), welcomes parties interested in providing the services sought in this RFP ("Proposers") to respond to this RFP by submitting proposals with the information requested ("Proposals").

The BCOE is seeking Proposals for its Back 2 Work ("B2W") Program ("Program"), which is an innovative partnership between the BCOE and the California Department of Transportation ("Caltrans"). The Program primarily serves disadvantaged, underserved, and underrepresented populations, such as, but not limited to, those individuals who are justice-involved, unsheltered, veterans, transitional age youth, and long-term unemployed and provides temporary, paid, transitional employment to adults who have barriers to employment, causing them to be unemployed or underemployed. The focus of the Program is to assist participants in closing gaps in employment, overcoming employment barriers, and preparing their transition into the workforce. B2W Program participants will assist Caltrans with highway litter abatement and beautification projects. The Program currently operates in 37 counties throughout California.

The BCOE is a California public office of education, located in Northern California, and provides educational services for children, young adults, and adults. The BCOE has programs throughout Butte County, as well as several that expand throughout California. With more than 1,800 permanent full- and part-time employees, the BCOE provides cost-effective, centralized services, including migrant education, tutoring services, alternative and correctional education, outdoor science, career technical education, special education, child care services, and student programs.

B. SCOPE OF WORK

The BCOE is seeking one or more qualified organizations to administer the B2W Program in the counties comprising **Caltrans District 3** for a contract term beginning upon execution of the contract, anticipated in October 2022, and ending June 30, 2024 ("Contractor(s)").

The selected Contractor(s) would serve the Program's target population by recruiting participants for the B2W Program and assisting with closing gaps in employment, overcoming employment barriers, and preparing their transition into the workforce.

B2W crews work alongside Caltrans, assisting with highway litter abatement and beautification projects. Priority work to be performed includes litter and debris removal. When no litter and debris removal is needed, crews may also perform work including, but not limited to: weed and vegetation control, trimming or removing vegetation, restoring and replanting vegetation, minor storm damage repair activities, and other general maintenance as needed by Caltrans. Currently the following number of work crews are needed in the following counties within **Caltrans District 3**:

<u>Base City</u>	<u>County</u>	<u>Number of Work Crews</u>
Auburn	Placer	2
Woodland	Yolo	2

Proposals may be submitted for all work crews needed or for a portion of the needed crews specific to a county or location. As a result, multiple contracts may be awarded pursuant to this RFP. **Proposers must indicate whether they propose to provide all of the needed work crews in all counties or whether their Proposal is narrowed to a particular number of work crew(s) in a specific county or counties.**

Based on Program needs:

1. The number of work crews may increase or decrease, and contracts may be amended to reflect that need.
2. BCOE may phase the award of contracts for this RFP such that a portion of the counties and or work crews are awarded during an initial phase and remaining counties and or work crews are awarded during subsequent phases.
3. BCOE may issue a supplement to this RFP if further Proposers are desired for specific counties.

Each work crew shall consist of six to eight (6-8) members ("Participants") for each work day. The Contractor(s) will be responsible for recruiting Participants to ensure fully staffed work crews at all times. Any crew consisting of five (5) or fewer crew members will have the daily crew rate decreased by the State minimum wage per the number of missing crew member(s) to reflect the actual daily number of crew members. Contractor(s) will be responsible for supervision of Participants and Participants' time keeping and the issuing of paychecks. Each Participant shall be paid at least the state, and if applicable, city or county minimum wage.

Each work crew shall have one (1) supervisor provided by the Contractor(s). Contractor(s) shall supply each work crew with a fully functional van with a rotating amber light to transport Participants and a work trailer with a portable toilet that is in safe, operable, condition at all times. The supervisor shall be the driver of a van that transports Participants to work locations and manages all aspects of a work crew's performance. Caltrans will give daily pre-job technical instructions and safety information specific to the work location. Contractor(s) shall follow applicable safety guidelines within the Caltrans Safety Manual and any applicable regulation or standards issued by Cal/OSHA.

A work crew is expected to work an eight (8) hour day, five (5) days per week, Monday through Sunday, excluding state holidays. Typical work hours are Monday through Friday, between the hours of 6:30 a.m.-3:00 p.m., with a thirty (30) minute lunch break. Work hours may vary by location or are subject to change based on the needs of Caltrans.

It is highly recommended, but not required, that each Participant works an average of three (3) to four (4) days a week to allow them time during the week for other obligations and to ensure a successful transition into gainful employment within the community.

Additionally, the Contractor(s) are expected to form relationships within the communities of the host county/counties to provide additional support services needed for Participants and identify employment opportunities for the Participants upon their completion of the Program. Proposals may include additional funding, resources, and services that Proposers are able to provide to Participants and that complement or enhance the B2W Program goals and services to the target population. Collaborative partnerships among other organizations and public entities are encouraged in order to leverage additional funding, programs, resources, and services.

The final scope of work will be incorporated into the BCOE's form of agreement ("Agreement") once the BCOE has selected a Proposer. The Agreement is a part of this RFP as Attachment "A" (available on BCOE website). The Contractor(s) will be responsible for carrying out duties and responsibilities in strict conformance with the terms and conditions of the Agreement between BCOE and Caltrans.

C. AVAILABILITY & ALLOCATION OF FUNDING

The amount of funding differs each calendar and/or fiscal year and may vary based on the applicable local minimum wage rates. The BCOE will only allocate funds to the Contractor(s) for each work crew per the number of days the crew worked. Contractor will submit invoices to BCOE in arrears, on a monthly basis, only for the work performed. The funding amounts below constitute the maximum funding available as a daily flat rate per work crew, and the maximum number of work days, for the corresponding time periods.

<u>Time Period</u>	<u>Maximum Daily Rate Per Work Crew</u>	<u>Maximum Number of Work Days</u>
October 2022 – December 2022	\$2,150.00	61 days
January 2023 – December 2023	\$2,250.00	252 days
January 2024 – June 2024	\$2,350.00	125 days

Caltrans funds the B2W Program, and availability of funding is contingent upon an effective agreement between Caltrans and BCOE. A contract will not be awarded pursuant to this RFP until funding is available from Caltrans.

D. RFP SCHEDULE

The BCOE reserves the right to extend the dates on the schedule with updates provided on the BCOE website.

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Contract Award	September 21, 2022

E. QUESTIONS

Submit all questions regarding this RFP, in writing, via email to: b2w@bcoe.org. Questions must be received by August 24, 2022, 5:00 p.m. All answers, along with any addenda, will be posted on the BCOE website on August 29, 2022.

F. REQUIREMENTS FOR PROPOSAL SUBMISSION & FORMAT

Any Proposal failing to meet the submission deadline, procedures, and format requirements set forth in this section shall be rejected and shall not be considered by the BCOE evaluation committee. Requirements for the submission and formatting of Proposals are as follows:

1. Proposals must be emailed to b2w@bcoe.org with the subject "2022 Back 2 Work CALTRANS DISTRICT 3 - [PROPOSER'S NAME]" no later than September 2, 2022, 5:00 pm. Late submittals will not be accepted or considered by the evaluation committee.
2. The Proposer shall submit its Proposal as one (1) electronic copy in write-protected PDF format. The BCOE may reproduce additional copies as required. A single, PDF document containing all required components of the Proposal must be sent under one email. Separate attachments or multiple emails with pieces of the Proposal shall be rejected.
3. Proposals emailed to any address other than the email address listed above shall not be considered. The BCOE will not accept any Proposals submitted by fax, hand-delivery, postal mail, or couriered delivery.
4. A Proposer may modify their Proposal after its submission by: (1) providing written notice to BCOE of the Proposal's withdrawal (via email to b2w@bcoe.org), and (2) resubmission of a Proposal no later than the submission deadline. Modified Proposals will not be considered if offered in any other manner or submitted after the deadline.

5. Within two (2) business days after receiving a Proposal, BCOE will acknowledge receipt of the Proposal via email to the Proposer. If a Proposer does not receive an email acknowledgment, Proposer should email b2w@bcoe.org to confirm receipt.
6. Once a Proposal is submitted, it may not be withdrawn for a period of ninety (90) days following the submission deadline, except as otherwise may be provided in the California Public Contract Code section 5101.
7. Proposals must comply with the following format requirements.
 - a. Proposals and attachments must be in 8-1/2 x 11-inch letter-size format, with 1-inch margins on all sides.
 - b. All text, including charts and tables, must be double spaced.
 - c. Standard 12-point font must be used.
 - d. Proposals narratives must not exceed six (6) pages, and must be numbered consecutively.
 - e. Budget narrative must not exceed four (4) pages, and must be numbered consecutively.
 - f. All pages of the Proposal must have the following headers:
 - i. "[Name of the Proposer/RFP Number]" in the top left corner
 - ii. "Page 1 of [Total number of pages]" in the top right corner

G. REQUIREMENTS FOR PROPOSAL CONTENTS

This section describes the required contents of Proposals. Proposals must contain all of the elements described below, presented in the order listed. Only the requested elements will be evaluated. Please do not submit additional attachments as they will not be considered. Proposals failing to adhere to the following content requirements shall be rejected.

Electronic templates are available on the BCOE website at:

<https://www.bcoe.org/Divisions/Statewide--Local-Support-Services/Maintenance-Operations--Facilities/Request-for-Proposals--Bid-Information/index.html>

1. COVER SHEET

Complete the "Contact Page" attached to this RFP as "Attachment B" (available on BCOE website). Attachment "B" must be signed by an authorized officer of the Proposer to obligate the organization to perform the commitments contained in the Proposal. If Proposer is a joint venture, duplicate the signature block and have a principal or officer also sign on behalf of each party to the joint venture.

2. LETTER OF AGREEMENT

- a. Include one (1) of the following statements certifying that your organization is able to comply with the contract requirements:

"[INSERT PROPOSER'S NAME] received a copy of the BCOE's form of Agreement ("Agreement") attached as Attachment "A" to the RFP. [INSERT

PROPOSER'S NAME] has reviewed the terms contained in the Agreement, including the indemnification and liability insurance provisions. If given the opportunity to contract with the BCOE, [INSERT PROPOSER'S NAME] has no objections to the use of the Agreement."

OR

"[INSERT PROPOSER'S NAME] received a copy of the BCOE's form of Agreement ("Agreement") attached as Attachment "A" to the RFP. [INSERT PROPOSER'S NAME] has reviewed the terms contained in the Agreement, including the indemnification and liability insurance provisions. If given the opportunity to contract with the BCOE, [INSERT PROPOSER'S NAME] has objections to the use of the Agreement, listed as follows: [IDENTIFY ALL OBJECTIONS]."

- b. Proposer shall certify that no official or employee of the BCOE, nor any business entity in which an official of the BCOE has an interest, has been employed or retained to solicit or assist in the procuring of the resulting contract(s), nor that any such person will be employed in the performance of any/all contract(s) without immediate divulgence of this fact to the BCOE.
- c. Proposer shall certify that no official or employee of the Proposer has ever been found in violation of a professional ethics or licensing code.
- d. Proposer shall sign and add the following language: "By virtue of submission of this proposal, [INSERT PROPOSER'S NAME] declares that all information provided is true and correct."

3. BUSINESS INFORMATION

- a. Company name, address, telephone number, fax number, website address.
- b. Name and email address of primary contact.
- c. Clearly identify the name(s) and title(s) of the individual(s) who is/are authorized to speak on behalf of the Proposer if selected for an interview.
- d. Federal Tax I.D. Number.
- e. License or registration number.
- f. Type of organization (i.e. corporation, partnership, etc.). If a joint venture, describe the division of responsibilities between participating companies, offices (location) that would be the primary participants, and percentage interest of each organization.
- g. A brief description and history of the organization, including number of years the organization has been in business, and date organization was established under its current name (and former name(s), if applicable).
- h. Number of employees by category (example: licensed professionals, technical support).
- i. Location of office where the majority of services will be centralized.

4. PROPOSAL NARRATIVE/ STATEMENT OF QUALIFICATIONS

- a. **Organization** (Maximum of 2 pages)

- i. Provide a detailed description of the organization and why the organization is qualified to provide the services described in this RFP and the Agreement.
 - ii. Provide a detailed description of the organization's experience and success with working with the target populations. Include the length of time that the organization has been providing these services.
 - iii. List any public entities that the organization has provided similar services to over the past five (5) years. Include brief detail about services provided by Proposer to each agency. Provide them in chronological order and limit to the most recent five (5) public entities.
- b. **Personnel** (Maximum of 2 pages)
 - i. Describe the experience and qualifications of all key personnel who will be providing services under the awarded contract. Provide credentials and experience working with the target populations and providing services similar to those requested in this RFP and the Agreement.
 - ii. Provide an organizational chart of all personnel proposed to work under the awarded contract. Key staff members must be included. (Not counted toward maximum page count.)
 - iii. Provide resumes and/or job descriptions for all key personnel. A resume is required for the Project Manager position. (Not counted toward maximum page count.)
- c. **Delivery of Services** (Maximum of 2 pages)
 - i. Indicate whether the Proposal seeks to provide all of the needed work crews in all counties specified in this RFP's Scope of Work or whether the Proposal is narrowed to particular location(s) and/or number of work crew(s).
 - ii. Describe the organization's capacity to provide the requested services in the selected county/counties, pursuant to the needs and requirements expressed in this RFP, and flexibility in relocating work sites upon request.
 - iii. Provide a detailed description of the timeframe that the organization will commence and conclude services in the selected county/counties. (Dates provided will be integrated as a material term and condition of the executed contract.)
 - iv. Indicate whether the organization already possesses the equipment required in this RFP. Otherwise, provide a detailed description on the organization's ability to procure the equipment in accordance with the Agreement, including timeline with steps necessary to procure the equipment, and anticipated delays or limitations.
 - v. Provide target benchmarks for each fiscal year of providing these services for each county the Proposal includes. Must include, but not be limited to, number of Participants expected to be served and number of Participants expected to transition into employment for each fiscal year.
 - vi. Describe the organization's proposed approach and methods in delivering the services requested in this RFP, such as recruiting Participants, assisting Participants with overcoming employment

barriers, and assisting Participants with transitioning back into the workforce.

5. **LINE-ITEM BUDGET & NARRATIVE** (Maximum of 4 pages)

- a. Provide a detailed budget narrative of revenue and expenses for each fiscal year that includes the B2W Program needs and the requirements of this RFP and the Agreement. Proposal must affirmatively state that the Proposer has the financial capacity to receive payment from BCOE in arrears.
- b. Provide a detailed line-item budget for each fiscal year. (Not counted toward page total.)
- c. The proposed contract amount for delivering the needed services to BCOE ("Bid"). The Bid must be based on a daily rate per work crew for each fiscal year and must be clearly indicated in the budget narrative and line-item budget.
- d. The most recent, audited financial statement to ensure that the Proposer has the financial ability to administer the contract.
- e. Detail how the organization will leverage additional funds (other than the proposed BCOE funding), resources, or services, to be provided by Proposer or through collaborative partnerships with other organizations, in order to complement or enhance the services available to B2W Participants.

6. **REFERENCES**

Provide a list of three (3) clients of the organization, within the last two (2) years, and for whom similar services were provided, to serve as references for the organization.

7. **LETTERS OF SUPPORT** (If applicable)

Provide signed Letters of Support from public entities and/or other organizations that will be providing additional funds, resources, or services, to complement or enhance the services to B2W Participants and as detailed in the Proposal.

8. **LITIGATION HISTORY**

Provide a comprehensive five (5)-year summary of the organization's litigation, arbitration and settlement history with previous clients. State the issues in the litigation, the status of the litigation, names of parties, and outcome. A Proposal failing to provide the requested information, and responses that assert attorney-client privilege and fail to provide the information requested, will be considered non-responsive, rejected, and will not be considered by the evaluation committee.

9. **NON-COLLUSION DECLARATION** (Template available on BCOE website)

H. EVALUATION AND SCORING PROCESS

Proposals will be subject to the evaluation and scoring process as described in this section. The BCOE realizes that Proposers may differ considerably in their professional expertise as well as the Proposals in their concept, design, structure, work plans, approaches, methods, and materials. The BCOE retains the sole discretion to determine issues of compliance with this RFP's instructions, in accordance with the evaluation and scoring process described below, and to determine whether a Proposer is responsive, responsible, and qualified.

Evaluation Process

Proposals will be evaluated in the following manner:

1. All Proposals shall first be reviewed to determine which meet the submission and format requirements specified in this RFP. Proposals not meeting the submission and format requirements shall not be reviewed, evaluated or scored by the BCOE evaluation committee.
2. All Proposals meeting the submission and format requirements will be submitted to the BCOE evaluation committee, which will evaluate and score the Proposals using the evaluation criteria and scoring methods specified in this RFP.
3. The BCOE evaluation committee may choose to ask Proposers clarifying questions regarding their Proposals, in writing, and include the additional information gathered in their evaluation.
4. The BCOE evaluation committee may request a Proposer submit additional information based on their Proposal and pertinent to the review process.
5. The BCOE evaluation committee may investigate Proposers, beyond contacting the references provided in the Proposals. The BCOE evaluation committee may gather and consider information from available third-party sources, in addition to any documents or information submitted in the Proposal.
6. The BCOE evaluation committee may choose to interview the most qualified Proposers.

Evaluation Criteria

The following table contains the evaluation criteria and maximum points available for each.

PROFESSIONAL EXPERIENCE & QUALIFICATIONS	Points Available	Points Awarded
<ul style="list-style-type: none">• Experience providing similar services and services to the target population• Organizational and key personnel qualifications• Experience administering government contracts• Professional references from clients receiving similar services	200	
ABILITY TO PROVIDE SERVICES	Points Available	Points Awarded
<ul style="list-style-type: none">• Ability to deliver requested services in the counties• Ability to deliver requested services listed in Scope of Work• Ability to relocate work sites upon request• Ability to readily provide or procure necessary equipment• Timeframe for providing services• Target benchmarks• Financial capacity to receive payments in arrears	200	
APPROACH & METHODS	Points Available	Points Awarded
Strength, efficiency or creativity of approach to and methods in: <ul style="list-style-type: none">• Delivering the services requested in this RFP• Recruiting Participants• Assisting Participants overcome employment barriers• Assisting Participants transition back into the workforce	150	
SUPPLEMENTAL SERVICES, RESOURCES & PARTNERSHIPS	Points Available	Points Awarded
<ul style="list-style-type: none">• Ability to provide additional funding, resources, and/or supplemental services that complement the B2W Program goals and enhance support to Participants• Collaborative partnerships with other community organizations or public entities in the county to leverage additional funding, resources, and/or supplemental services	150	
PROPOSED CONTRACT PRICE (BID)	Points Available	Points Awarded
<ul style="list-style-type: none">• Proposed price of delivering the services as indicated in the narrative and line-item budget	150	
TOTAL POINTS		
	Maximum Points 850	SCORE <hr/>

Scoring Methodology

The Evaluation Criteria specifies the total number of points available for each requirement. Using the scoring methodology contained in the table below, the BCOE evaluation team will determine the percentage of points to be awarded to each requirement, and multiply that percentage by the total number of points available for that requirement to determine the score. Numbers will be rounded up or down to a full digit (e.g., 4.5 will be rounded up to 5, and 4.4 will be rounded down to 4). The selected Proposer will have had obtained the highest score by the BCOE evaluation committee.

% Points Awarded	Interpretation	General Basis for Point Assignment
0-25%	Inadequate	Proposal fails to address the requirement(s) being scored or Proposer does not describe any experience related to the requirement(s) or services sought. The omission(s), flaw(s), or defect(s), are significant and unacceptable.
26-50%	Adequate	Proposal is adequate to meet BCOE's needs, requirements, or expectations. Any omission(s), flaw(s), or defect(s), are inconsequential and acceptable.
51-75%	Good	Proposal fully meets BCOE's needs, requirements or expectations and imparts a high degree of confidence in the Proposer and the Proposal. The Proposer has most of the needed equipment readily available and/or may procure the equipment within a reasonable time without anticipated delay. The Bid is an acceptable contract price amount and appears reasonable as compared to all other Bids received.
76-100%	Excellent	All requirements are addressed and imparts the highest degree of confidence in the Proposer and the Proposal. The response exceeds the requirements in providing a superior experience, a creative approach or method, or an exceptional business Proposal. The Proposer has the needed equipment readily available. The Bid is an acceptable contract amount and appears reasonable as compared to all other Bids received. Proposer leverages additional funding, resources, and services from community organizations to complement and enhance the proposed services to B2W Participants.

I. LIMITATIONS AND RIGHT TO REJECT

The BCOE reserves the right to reject any or all Proposals. The BCOE reserves the right to negotiate and/or contract with any entity responding to this RFP, in the order starting with the highest to the lowest scored Proposal, for all or any portion of the scope described herein, to reject any Proposal as non-responsive, and/or not to contract with any Proposer for the services described herein. The awarding of the contract(s), if at all, is within the sole discretion of the BCOE. The BCOE makes no representation that participation in the RFP process will lead to any award of contract(s) or any consideration whatsoever. The BCOE shall in no event be responsible for the cost of preparing any Proposal in response to this RFP, including any supporting materials.

The Proposals, and any other supporting materials submitted to the BCOE in response to or as a result of this RFP, will not be returned and will become the property of the BCOE unless portions of the material are conspicuously labelled as "PROPRIETARY" at the time of submittal, and are specifically requested to be returned. Vague designations and/or blanket statements regarding entire pages or documents are insufficient and will not bind the BCOE to protect the designated matter from disclosure. Furthermore, the BCOE will have no liability to the Proposer or any other party as a result of any public disclosure of any Proposal.

J. FULL OPPORTUNITY

No Proposer will be discriminated against on the basis of race, color, ancestry, national origin, religious creed, physical disability, medical condition, marital status, sexual orientation, gender, or age in any consideration leading to the award of the contract.

K. RESTRICTIONS ON LOBBYING AND CONTACTS

From the period beginning on the date of the issuance of this RFP and ending on the date of the award of the contract, no person or entity submitting a response to this RFP, nor any officer, employee, representative, agent, or consultant representing such a person or entity, shall contact any member of the BCOE's Governing Board, Superintendent, evaluation committee members to discuss this RFP, the evaluation and scoring process, or the award of the contract. Any such contact shall be grounds for the disqualification of the Proposer.

L. EXAMINATION OF RFP DOCUMENTS

Proposers shall thoroughly examine and be familiar with this entire RFP and its attachments. The failure or omission of any Proposer to receive or examine any contract documents, form, instrument, addendum, or other document shall in no way relieve any Proposer from obligations with respect to its Proposal or the awarded contract.

Each Proposer, by submitting a Proposal, represents that Proposer has read and understands the RFP requirements, the Agreement, and any and all related attachments and information. If awarded a contract and after executing the Agreement, no consideration will be given to any claim of misunderstanding of the documents.

M. CONTRACT REQUIREMENTS

The successful Proposer to whom a contract is awarded shall execute and submit the following documents by 5:00 p.m. of the seventh (7th) day following the date of the Letter of Intent to Award Contract. The award of contract is conditioned on completion and timely submission of these documents to BCOE:

1. Insurance certificates and endorsements with minimum requirements as set forth in the Agreement.
2. Workers' Compensation Certification (available on BCOE website).
3. Drug-Free Workplace Certification (available on BCOE website).
4. Tobacco-Free Environment Certification (available on BCOE website). In order to create a healthy environment for students and employees, the BCOE has prohibited the use of tobacco or cannabis products on BCOE sites. All BCOE consultants, contractors and vendors shall inform their employees and contractors of the BCOE's objective of providing a smoke free environment. (Education Code section 48901.)

In addition to the above contract documents, Proposer must submit any proposed revisions to the BCOE form agreement or indicate in its response that no revisions are requested.

N. PROTESTS

Any protests must be in writing, clearly indicating the basis of the protest, and submitted no later than seven (7) calendar days following the date of the Proposer's Non-Selection Letter. Grounds for protests are limited to claims that the BCOE failed to follow the procedures as specified in subdivision (c) of Public Contract Code section 10344.

There is no basis for protest if: (1) protestant was not a proposer; (2) protestant does not allege that it was highest-scored proposer; (3) protestant is not in a position to make a supportable assertion that it was the highest-scored proposer; (4) protest was not timely submitted; (5) the protest is not based on the procedures specified in subdivision (c) of Public Contract Code section 10344; or (6) the BCOE rejects all proposals.

WE THANK YOU FOR YOUR INTEREST.