



FY 2013-2016
Request
For
Qualifications

Three-Year Professional Services

For

County of Santa Barbara
Public Works Department

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Executive Summary

Overview

The County of Santa Barbara Public Works Department asks for Request for Qualifications. You will find (11) eleven major areas of services in which we may require your company's expertise. Public Works encourages companies with "business centers" that align with our service categories to apply for those categories.

Public Works does **NOT ENCOURAGE** teaming of prime consultants with sub-consultants. However, if a sub-consultant is proposed, you as the prime consultant will have to obtain pre-approval from the point of contact (POC) from that Service Group Category.

By submitting your Statement of Qualifications your company agrees not to solicit Public Works employees as potential employees. Doing so will be grounds for automatic rejection of your Statement of Qualifications. If the Department discovers your company violated this provision after the selection process has been completed and your company was awarded an agreement, that agreement could be terminated.

The Public Works Department has scheduled conference meetings to give companies that are planning to submit a Statement of Qualifications the opportunity to ask questions regarding this process. These meetings have been scheduled for:

South County – APRIL 23, 2013 FROM 1:00PM TO 3:00PM
Planning Commission Hearing Room – 123 E. Anapamu Street – 1st Floor
Santa Barbara, California

North County – APRIL 23, 2013 FROM 9:30AM TO 11:00AM
Public Work Service Center, 620 W. Foster Road
Santa Maria, California

SUBMISSION DEADLINE: MAY 31, 2013 – by 5:00PM

Statement of Qualifications packets are to be submitted to:

County of Santa Barbara
Public Works Department
123 East Anapamu Street
Santa Barbara CA 93101
Attn: Public Works Contract Coordinator

Label Envelope: "Three-year Professional Services, Statement of Qualifications"

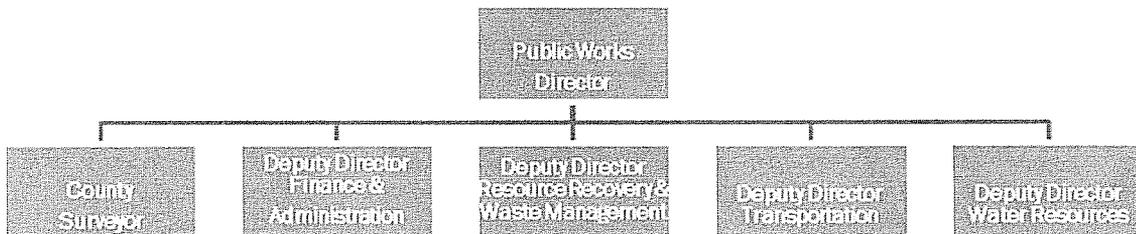
Public Works Department

Management

Along with the Public Works Director, five (5) executives manage the Public Works Department. This team is responsible for managing a \$140 million dollar annual budget, funded by several sources: property taxes, state sales taxes, gasoline taxes, benefit assessment fees, solid waste tipping fees, and development fees.

There are five (5) divisions with approximately 300 employees within the Public Works Department. The five (5) divisions are organized as shown below.

Public Works Organizational Chart



Contractor Coordination

All questions or inquiries regarding this document or the selection process are to be directed to:

Ms. Lynn Hogan, Team/Project Leader (805) 568-3128
Santa Barbara County Public Works Department
123 East Anapamu Street
Santa Barbara California 93101
Fax: (805) 568-3019
E-mail: shogan@cosbpw.net

Throughout this document Ms. Hogan will be referred as the Contract Coordinator.

Summary of Three-Year Services Program

Procurement of Consultant Services

Federal, State, and Local laws and regulations require that the Public Works Department contract via an open, publicly advertised, and fair process. This policy is intended to streamline the process, while assuring a fair, competitive contracting environment. Public Works will solicit once every three years to all interested companies desiring to work with the Department in order to reduce the cost and staff time for both the company and Public Works.

Disadvantaged Business Enterprise Program (DBE)

The County of Santa Barbara is a recipient of federal financial assistance from the U.S. Department of Transportation (DOT) and as such must comply with all elements of Title 49; Part 26 of the CFR entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." It is the policy of the County of Santa Barbara to ensure that DBE's as defined in Part 26, have an equal opportunity to receive and participate in DOT assisted contracts.

The Transportation Engineering Section Manager has been designated as the DBE Liaison Officer. In that capacity, the Engineering Section Manager is responsible for implementing all aspects of the Caltrans DBE Program and to comply with all the prescribed responsibilities detailed in the plan.

The Caltrans Local Assistance Procedure Manual (LAPM) Exhibits 10-I, 10-J, are required to be included in this RFQ, while Exhibit 10-01 will need to be filled out and submitted with the Statement of Qualifications (either with a Zero or 100-percent filled in to the DBE Goal based on the consultant's DBE status). Exhibit 10-02 submittal will be required at time of each proposal. Each of these Exhibits are attached to this document.

For additional assistance on the DBE, please contact Gena Valentine-Felix, Public Works – Transportation Departmental Assistant at (805) 568-3064.

Three Year Consultants (estimated aggregate agreements of less than \$100,000)

Maximum aggregate total of \$500,000 per vendor

The Department publishes a Master Request for Qualifications (MRFQ) for professional services. Every three years the MRFQ package is available to all existing consultants within the Public Works database and to any consultant who requests the MRFQ package. Only those meeting the minimum qualifications will be on the pre-qualified list.

Specialized Services

At times project requirements will dictate the need for a highly specialized service, or group of services which are not currently or usually available within Public Works or the Master Service Agreement (MSA) consultant list. In these cases, a focused RFQ would be drafted with the special requirements and issued to companies (in and outside of Santa Barbara County) for which specialized services are needed.

Sole Source Consulting

With exclusive licensing arrangements, patented products, State or Federal prerogatives, one consultant may provide the kind of expertise required for the project. Proposals can be obtained directly from these types of consultants with proper backup materials to support such a request. Such requests should have attached a summary review of existing resources stating that no such expertise is available within existing Departmental resources, or the pre-qualifying list.

Construction Support Services

This Policy covers construction support services, such as construction inspection, construction management, construction estimating, and similar services. It is important to keep in mind that this does not apply to the procurement of construction services as it relates to actual construction, since those services are covered within the California Public Contracts Code.

Emergency Consulting

The procedures for emergency consulting are the same as for routine consulting contracts, with the exception that no notice need be given. The Department can authorize work to begin absent a written contract and protracted negotiations; as long as a general price is agreed upon before the work begins. Written documents would follow.

Enrollment Period

This enrollment period covers October 2013 to September 2016. The next open enrollment will begin in April 2016. Companies sending a Letter of Interest before the open enrollment period will be entered into the database and will automatically receive the next Request for Qualifications.

Submittal Review Phases

General: All Statement of Qualifications (SOQ) received by the deadline will be reviewed in the following manner. **Please make sure you call the Contract Coordinator if you have any questions regarding these phases.**

First Phase

This phase will consist of checking for compliance with our format. If you have submitted **a SOQ that does not match the required format, it will not be reviewed.** The following items will be checked:

1. Proof of Liability Insurance. If a contract is awarded the company will be required to provide General Liability Insurance with an Endorsement naming the County of Santa Barbara Public Works Department as Additionally Insured, Workers Compensation Insurance, Automobile Liability Insurance, and Professional Liability Insurance if appropriate.
2. Insurance Limits and Ratings Meet Specifications
3. Valid Professional Licenses
4. Exhibit 10-01: Local Agency Consultant DBE Commitment

Second Phase

All submittals that comply with the required format will be placed into Service Groups based on the consultant's identification of which Service Groups they are applying. Each review group will consist of Public Works employees with expertise in the Service Groups identified within this MRFQ. Only the top six (6) companies from each Service Group Category will be selected, if selection is for a sub-category only three (3) companies will be selected.

Third Phase

The third phase will be to execute a purchasing contract with the selected companies.

Qualifications Process

Overview

Introduction: In January of 1990, the California Legislature passed Government Code Sections 4526-4529, the mini-Brooks Act. The mini-Brooks Act mandates the selection of professional service based on qualifications and professional competence.

Qualification Based Selection (QBS) is a very flexible method of selecting professional services for Public Works projects. It provides a means for Public Works to tailor its project requirements with your qualifications, giving Public Works the ability to ensure that the public receives the best available professional for the project while saving taxpayer's money through a fair and equitable selection process.

By submitting a Statement of Qualifications, your company agrees to the review process outlined herein and the decisions resulting from this review process. Making a submission in no way ensures your company will work on Public Works projects. All documents made part of your submission will become the property of Santa Barbara County and may be posted on the Public Works Department's website, unless you deem otherwise. All decisions of the review committees are final.

Basic Scope of Work: The services anticipated in this MRFQ are general in nature and not project specific. With the operational diversity of Public Works, there are many different regulations and requirements to fulfill. Each company is expected to fully understand and implement the various requirements of each discipline with minimal assistance from Public Works. The request for project proposals will be specific in nature and ongoing during the three-year period after this qualification process.

Similar Project Types: The selected company must have demonstrated the ability to provide quality professional services on-time and within project budgets, with minimal supervision. Duties would be those consistent with the project types conceived within the Service Categories. Those tasks might encompass any combination of the following: project planning, cost control, project scheduling, administration, processing projects through all required reviews, obtaining required approvals and permits, all phases of design, preparation of plans, specifications and estimates, coordination with other agencies County or otherwise, construction contract award, management, inspection, and the coordination of sub consultants.

Employment of County Staff: When your firm is invited to execute a MSA, you will be prohibited from making an offer of employment to any person who was involved in the selection process. If an offer is made to those currently on staff with Public Works, outside the selection committee, you must first obtain written approval from the Director of Public Works. Failure to obtain such written approval, prior to executing the employment agreement, may cause your MSA to be terminated.

Previous County Employees: If you are a previous County employee you must have been separated from County employment for at least one-year prior to applying for a MSA.

Pre-Qualifications

General: The purpose of pre-qualifying service providers is that it saves time and money; to help in this effort, the County has adopted a Three-Year Professional Services Policy. In order for the County to determine if your company qualifies, you must complete and return your Statement of Qualifications in the format and timeframe desired. If you have any questions, please call the Contract Coordinator.

Requirements

Please complete and submit the following:

Check if completed Requirement

1. Provide 1 hard copy and 1 digital PDF file of your Statement of Qualifications to the Contract Coordinator.

2. Identify which Service Group Categories your company will be seeking to apply for. You may apply to as many categories as desired. Your company **MUST** be the prime consultant in each of the categories.

3. Identify your travel time from your offices to both of the Public Works two locations:

 1) 123 East Anapamu Street, Santa Barbara, CA. and
 2) 620 West Foster Road, Santa Maria, CA.

 0-2 Hours, 2-4 Hours, 4-6 Hours, 6 Hours plus.

4. List of current and past projects similar to those anticipated by this Request for Qualifications. Your client list must include: project name, owner(s), name and telephone number, your primary contact person, contract amount and whether the contract was completed on-time and within budget. Indicate on this list, those projects for which your firm held the main contract.

5. Identify your Program Manager (prime contact) and other key staff. Include your "internet" or "e-mail" address if applicable. Identify key staff your company plans to use in each service group category. Your key staff could be the same for each service group, as long as they hold valid qualifications in those disciplines. Identify where Manager (prime contact) and key staff offices are located and the response time to reach our offices from their primary office. Refer above to requirement 3 when determining response

time to/from Public Works two locations.

6. Provide a copy of your QA/QC plan with examples of how it works and past performance.
7. Complete a Statement of Insurance Coverage certifying that the required insurance coverage will be obtained by your company and that this coverage is required prior to signing the Master Service Agreement (MSA). **If you fail to provide this statement, you will not make it past the first round.**
8. Indicate that you understand the quality expectation of Public Works. Indicate any cost saving strategies that have worked for you and other public agency clients that could work for Public Works.

Proposals for Individual Projects: The requirements for Proposal Submission will vary depending on the Service Group Category. The individual project Request for Proposals will provide for clearer guidelines on this issue. These focused RFP's will be issued at project time.

Disqualification

General: It is not the goal of the Public Works Department to disqualify any company. However, in order to manage this program, we need to set minimum requirements, and it is in successful completion of those requirements that your company becomes “pre-qualified”.

In the event that your company is disqualified at any stage of this process, you will receive a detailed review of why your Statement of Qualifications was rejected. We do this in an effort to help you in future submittals and would appreciate your feedback as well.

If your submittal was rejected, this will not prohibit you from resubmitting at the next open enrollment. Your company will automatically receive notice of the next open enrollment period. Feel free to contact the Contract Coordinator if you have any questions or need assistance.

Submittal Review Report: If for some reason your Statement of Qualifications is returned to you, we will provide a Submittal Review Report, which will help you understand why your submittal was returned.

This is an important step in helping each of us better serve our clients. In addition, we would like to know your thoughts on the Three-Year Professional Services Selection Program and where we might improve our service.

Any comments are welcome, and may be sent to Anna Brown, Administration Office Professional (805-568-3000) at the same address your Statement of Qualifications was mailed to.

Submittal Format Requirements

General: Your SOQ is required to follow the format described herein or it will be rejected. Any document that does not comply with the format will not be reviewed. The Contract Coordinator will review the general section while the technical evaluator's review Service Group Category Submittals.

Required Format:

- I. **Executive Summary**
 - A. Company's history

- II. **Executive & Project Management**
 - A. Executive Management
 - B. Project Management
 - C. Accounting
 - D. Experience with other agencies
 - E. Insurance certificates or statement of certifying you will provide proper coverage at the time the contract is awarded if your company is selected.
 - F. Conflicts of Interests, if any, with other clients or County staff.
 - G. Company QA/QC plan

- III. **Key Staff**
 - A. Organizational chart showing the executive that your team will be accountable, what work they will perform, and a summary of each person with their qualifications and the primary office that they will work out of.

- IV. **Similar Projects**
 - A. Size, Scope, and Contacts

- V. **Service Groups**
 - A. Indicate the service group(s) in tabbed sections.
 - B. Indicate any special knowledge or requirements the service group may ask for.
 - C. Summary of each person with qualifications, if different from general key staff.
 - D. Organization chart showing how your team will work and what executive they are accountable to.

- VI. General Technical Approach to Projects
 - A. Be general at this stage, but convey enough information so we can feel confident that you understand the area of service and what it requires.
- VII. Quality Control Plan
 - Include a discussion of your process for ensuring the quality of the product delivered to the County.

Master Services Agreement

Overview

The Master Services Agreement (MSA) will allow for individual project Addendum. The top ranked and qualifying companies will be invited to execute an MSA with a maximum dollar cap of \$100,000 per project. As projects come on-line, and require use of external resources, a three-year consultant will be selected and requested to submit a focused project proposal. At this point the project specific Addendum can be written and executed and the project is underway: saving time and money for both the County and private sector consultant.

If a project comes up that is over the \$100,000 max cap, all firms who submitted RFP's will be pre-qualified for Board Contracts.

Agreement Structure

General: The form of the Master Service Agreement echoes many service contracts. The basic provisions cover who is responsible for the various work products, compensation arrangement for authorizing extra work not included in original scope, terms of the agreement, conflicts of interest, ownership of data, record keeping and audits, insurance, etc., are all included within the MSA.

Unique Provisions: We have built-in several provisions in response to our internal review, public review and comments on our practices by others, which you will be required to agree with in order to qualify. They are as follows:

Key Staff Changes: You are required to provide us who will be your representative during the term of the agreement and is vested with the ability to make changes in the agreement and assist the Contract Coordinator as needed.

Professional Liability Insurance: The County of Santa Barbara, Department of General Services-Risk Management has an existing policy regarding professional liability insurance coverage. The following chart has been approved by the Santa Barbara County Board of Supervisors and General Services-Risk Management and should be used to determine coverage for both your company and any subcontractors you use.

Work that does not lead directly to construction may be exempted on a case-by-case basis.

Minimum Coverage	Project Limits (construction value)
\$250,000	\$0 to \$500,000
\$500,000	\$500,000 to \$1,000,000
\$1,000,000	\$1,000,000 and up

Companies that are selected under the MSA will be required to submit their Professional Liability Insurance three weeks after receiving their notification letter or your company will forfeit their contract under the MSA.

Service Group Categories (SGC)

Overview

The Public Works Department through its operating divisions, produces a wide variety of work, manages a wide variety of programs, projects, and planning efforts. Work requests are derived from many sources: the public, other divisions, other county departments and non-county agencies. Some projects are generated out of a maintenance need while others are new improvements.

The following Service Group Categories (SGC) should serve as a general guide. Reply to as many SGC's as your company can qualify to provide. Each service group category has a point of contact that you may contact for any questions on the service group you are planning to submit your RFQ to. The point of contact (POC) staff name and phone have been listed.

SGC.1: Roadway & Structures Engineering
Subcategory 1.1: Hydraulics
Subcategory 1.2: Pavement
Subcategory 1.3: Quality Control/Quality Assurance
POC: Ron Bensel – 568-3311

SGC.2: Transportation Planning & Traffic Engineering
POC: Gary Smart -805-568-3308

SGC.3: Water Resources Engineering
POC: Matt Naftaly – 805-568-3442

SGC.4: Flood Control Engineering
POC: Jon Frye – 805-568-3444

SGC.5: Water Quality Planning and Engineering

POC: Joy Hufschmid – 805-568-3373

SGC.6: Resource Recovery and Waste Management Engineering
Subcategory 6.1 - Solid Waste Facilities Design and Permitting Support
Subcategory 6.2 - Landfill Gas System Design and Management
Subcategory 6.3 - Small Project Engineering Support

POC: Imelda Cragin – 805-882-3613

SGC.7: Construction Services
Subcategory 7.1 – Materials & Lab Testing

POC: Bill Tracy – 805-681-5694

SGC.8: Hazardous Material Assessment

POC: Mark Zuber – 805-882-3619

SGC.9: Environmental Services-Biological Field Surveys
Subcategory 9.1 - Environmental Document Preparation
Subcategory 9.2 - Biological Services

POC: Charles Elbert – 805-568-3123

SGC.10: Surveying and Real Property Services
Subcategory 10.1 – Aerial Surveying
Subcategory 10.2 – Real Property Services

POC: Aleksandar Jevremovic - 805-568-3020

SGC.11: Geotechnical Engineering

POC: Bill Tracy – 805-681-5694

Three-Year Service Program Categories

SGC.1: Roadway & Structures Engineering

General

1. Project Coordination, your company will assist Public Works as required to fulfill requirements set forth by appropriate authorities and funding agencies having an interest in the project.
2. Your company shall abide by all applicable guidelines regarding funding (i.e., auditing requirements and payroll affidavits).
3. Generate meeting minutes, schedules, and budgets with updates as required throughout the project.

Typical Tasks

Road Engineering: Typical road engineering tasks encompass a wide range of activities and multiple specialties. Road Engineering could be any combination of the following:

roadway design, structures design, drainage systems design, utility identification and relocation, independent checks of roadway design and quantities, project budgeting, and finally project scheduling. Your company's technical and administrative approach should be consistent with appropriate County, State, and Federal standards.

Structures Engineering: Your Company may be involved in the development of projects with various types of structures including but not limited to bridges, drainage features, and earth retaining structures. Your company must be familiar and demonstrate experience in current County, State, and Federal standards and guidelines and when to apply each. Your company may also be asked to perform an independent check of structure plans developed by Santa Barbara County staff. An independent design check must consist of at least complete calculations with computer analysis to assure proposed layout, details, structure capacity, and constructability all conform to current County, State and Federal design standards as well as recommendations in foundation reports, project reports, environmental documents, and other relevant design standards.

Subcategory 1.1 - Hydraulics

Your company is required to have knowledge and skill in performing hydraulic, hydrologic, or sediment transport analyses and modeling for the design and maintenance of bridges, culverts, and roadways. Work might involve preparation of the following documents or reports in accordance with the Caltrans Local Assistance Procedures Manual: Bridge Design Hydraulic Study, Bridge Location Hydraulic Study, Floodplain Evaluation Report Summary, Location Hydraulic Study Form, Preliminary Hydrologic/Hydraulic Review Summary, and related studies. Typical references for this work would include FHWA Hydraulic Engineering Circular 18, Circular 20, Circular 23, and California Bank and Shore Protection Rock Slope Protection Design.

Subcategory 1.2 - Pavement

Your company must have the knowledge and experience to perform roadway asphalt pavement structural section evaluation, and provide design recommendations for proper application of surface treatment and for surface rehabilitation methods. These methods may include fog seal, microsurfacing, scrub seal, or asphalt concrete overlay and material testing. Consultant is to submit written reports and recommendations to Public Works staff.

Subcategory 1.3 – Quality Control/Quality Assurance

Your company must have knowledge and experience performing quality control/quality assurance reviews that conform to the Caltrans ready to list guide procedures. This process may include plan, specification, and estimate (PS&E) comparisons to ensure the PS&E package is biddable and buildable. Consultant is to submit written reports documenting comments and responses to comments. Further coordination may be required on a project by project basis; emphasis will be placed on the current Caltrans standard plans and specifications.

SGC.2: Transportation Planning & Traffic Engineering

General

Your company should indicate that you hold the experience required to provide services in this area, that your company understands County, State, and Federal requirements in traffic modeling. Indicate your company's experience in transportation planning using the Caltrans and County design manuals, as well as other related references.

We anticipate our project load to vary with degree and intensity. These projects could be a result of a proposed development project under permit review by the County of Santa Barbara, Planning and Development Department. In many cases, our project load is generated through Public Works projects requiring traffic-engineering services. In these cases, we have staff available to handle the work, but there are times where our internal resources peak and staff is not available requiring the services of your company. When external services are required to meet project specific deadlines, you will receive a focused project RFP. The focus project RFP will outline all the requirements of the project.

You will be required to coordinate your work with other agencies. Please indicate in your Statement of Qualifications your experience with examples of that experience. Such other agencies could be, Santa Barbara County Associations of Governments (SBCAG), Planning & Development, State, and local governments in the following areas:

Transportation Planning:

Your Company will assist the Public Works-Transportation Division in the following areas:

Community Traffic Models: Recommend an appropriate transportation simulation model to produce ten to twenty year forecast reflective of specific land use designations and their effect on the existing and proposed transportation system of the focus project planning area. Be responsible for coordinating with SBCAG to identify external trip making characteristics, including external-external trips, external-internal trips and internal-external trips relevant to the planning area under study.

Develop a Traffic Analysis Zone system that effectively simulates traffic loading from various land uses onto the network in the planning area under study. You will be responsible to meet with SBCAG early in the process to insure compliance with their requirements.

Prepare an appropriate roadway network for the planning area under study as outlined in the focus project RFP. The network should be appropriately classified and the same classification scheme should be used for all study areas within the county. Upon successful data assembly, develop trip generation rates by trip type. The model should then be calibrated within reasonable parameters. The results and documentation of the model calibration shall be presented to the Public Works-Transportation Division for approval.

Model Application: The model will be used to determine the effectiveness of the study area's transportation system. The model will be used to generate or update the planning area's Transportation Improvement Plan.

Evaluate various roadway configurations in the study area to determine which would be the most effective in terms of accommodating large-scale development (either residential or commercial). The evaluation should include conclusions and recommendations.

Conduct detailed analysis of future roadway extensions; determine the regional effect of at-grade intersections, a full access diamond interchange and other traffic handling solutions. This analysis should include recommendations and conclusions.

Traffic Engineering

Traffic Control Design: Your Company will need to demonstrate qualifications in any of the following areas:

- Traffic Signal Planning and Design
- Bike Lane Planning and Design
- Intersection/Interchange Planning, Signal & Pavement Marking
- Pedestrian Movement Planning
- Traffic Movement/Volume Planning, Analysis and Recommendations
- Traffic Control Planning and Design
- Roadway Alignment Analysis, Planning and Design
- Peer Review of Traffic Studies and Designs

Signage & Pavement Delineation Plans: Demonstrate how your company understands the Caltrans Traffic and Highway Capacity Manuals, as they relate to the signage and delineation of the roadway.

SGC.3: Water Resources Engineering

Your company may be requested to provide a variety of Water Resource Services including but not limited to:

1. Preparation of hydrologic reports/investigations and identify issues.
2. Recommendation of water supply options
3. Will be required to interpret and summarize, and/or study hydrologic and hydro-geologic data
4. Provide technical support as directed by the Department
5. Technical, field, and professional support on issues pertaining to water quality and water conservation

SGC.4 Flood Control Engineering

The selected consultant(s) may be requested to provide a variety of Water Resources Engineering Services including but not limited to any engineering services related to drainage and flood control, and as directed by the Department.

Watershed Studies: General watershed studies including various hydrologic and hydraulic computations using generally accepted engineering methods (including HEC-HMC, HEC-RAS, SBUH, and other Flood Control District Programs) to determine the predicted flow, capacity of existing and proposed hydraulic structures and watercourses, evaluate improvements as directed (Master Drainage Plans), and determine deficiencies of a system given the capacity desired by the Department.

FEMA-Level Studies: As necessary to accompany the Flood Control District's capital improvement projects.

Flood Control and Drainage Engineering: General engineering for flood control and drainage work including preparation of construction drawings in AUTOCAD[®]™ (or a Flood Control District approved alternative) and specifications for various drainage and flood control improvements (including storm drains, channels, basins, etc.), construction contract specifications, fish passage studies, cost estimates for various project alternatives, evaluation of various alternatives for flood control maintenance activities, cost-benefit analysis for various flood control capital Improvements or maintenance activities, and review of development plans for adequacy and conformance with Flood Control Standards.

Design and Construction Inspection: Engineering design and construction inspection of capital improvement projects and emergency projects resulting from a flood, fire, or other disaster requiring timely response to safeguard the public.

SGC.5: Water Quality Planning and Engineering

The selected consultant(s) may be required to provide a variety of water quality planning and engineering services as directed by the Department. Selected firms need to demonstrate an understanding of water quality regulations pertinent to Santa Barbara County, in particular the Clean Water Act and National Pollutant Discharge Elimination System (NPDES) Municipal General Permit for storm water discharges. Typical tasks associated with this category include:

- Engineering studies and modeling related to hydromodification and post construction regulations.
- Preparation of regulatory-required documents, such as Total Maximum Daily Load (TMDL) implementation plans.
- Technical review and comment on proposed water quality regulations.
- Planning/development review assistance to ensure NPDES permit compliance.

- Review and comment on stormwater submittals for land development projects.
- Best Management Practice design and implementation.
- Watershed planning.
- Water quality monitoring planning and implementation.
- Technical assistance as required on issues pertaining to water quality and storm water management.

SGC.6: Resource Recovery and Waste Management Engineering

General: Your Company will be required to be knowledgeable in all areas of engineering associated with Resource Recovery and Waste Management facilities which includes active and closed landfills, transfer stations, recycling facilities and waste water treatment plants.

In addition, your company should be able to provide assistance with the environmental review of Resource Recovery and Waste Management projects. Engineering projects could include, and are not limited to any or the following:

- Civil Engineering
- Geotechnical Engineering;
- Structural Engineering;
- Drainage;
- Construction Services;
- Hydrogeology;
- Environmental, and
- The design of Resource Recovery and Waste Management facilities.

Resource Recovery and Waste Management Engineering Subcategories

Interested companies should specifically state your qualifications and expertise for any or all of the three Subcategories listed as follows:

Subcategory 6.1 - Solid Waste Facilities Design and Permitting Support

Typical tasks associated with landfills, transfer stations, and recycling facilities projects may include any of the following:

1. Preparation of regulatory-required documents, such as Joint Technical Documents, Report of Site Information, preliminary or final closure and post closure maintenance plans.
2. Preparation of engineering drawings for landfill expansions, landfill closures,

transfer stations and for recycling facilities.

3. Coordination with regulatory agencies (e.g. RWQCB, CIWMB, LEA, APCD).
4. Review and comment on correspondence received from RWQCB, CIWMB, LEA & APCD.
5. Review and comment on landfill, transfer station and recycling facility projects prepared by Public Works Department Staff.
6. Provide independent review and comment on projects prepared for the Public Works Department by Consulting Companies.
7. Provide hydro-geological services for the location, design and construction of groundwater monitoring, production, injection and/or dewatering wells.
8. Provide Engineering support for the sighting of new solid waste facilities (e.g. landfill, transfer station, recycling facility, etc.).

Subcategory 6.2 - Landfill Gas System Design and Management

Typical tasks associated with Landfill Gas Design and Management projects may include any of the following:

1. Development of landfill gas system design concepts for active, new and/or closed landfills.
2. Preparation of engineering drawings for landfill gas collection systems, landfill gas cogeneration equipment and/or landfill gas destruction equipment.
3. Assist with troubleshooting landfill gas collection, cogeneration and destruction device issues that may develop.
4. Provide guidance on landfill gas sampling, landfill gas migration and landfill gas system maintenance.
5. Coordination with Regulatory Agencies regarding landfill gas permitting issues (e.g. APCD, LEA, CIWMB, RWQCB)
6. Review and comment on correspondence received from Regulatory Agencies such as the APCD, LEA, CIWMB, RWQCB on landfill gas issues.
7. Review and comment on landfill gas projects prepared by Public Works Department staff.
8. Provide independent review and comment on projects prepared for the Public Works Department by consulting companies with landfill gas expertise.

Subcategory 6.3 - Small Project Engineering Support

Typical tasks associated with Small Project Engineering Support may include any of the following:

1. Provide engineering design and plans for various maintenance and repair projects (e.g. roadway improvements, landfill winter road, drainage improvements).
2. Provide contract administration for various maintenance and repair projects.

3. Prepare engineering deliverables such as grading plans, structural evaluation, and hydraulic calculations.
4. Provide engineering computer drafting assistance (e.g. AutoCAD).
5. Coordinate with Regulatory Agencies for approval of plans, submission of calculations and compliance with regulatory requirements.
6. Prepare plans and specifications for construction bid packages.
7. Provide contract inspection for various maintenance and repair projects.
8. Review and comment on maintenance and repair projects prepared by Public Works Department staff.

Geotechnical Engineering: Typical tasks associated with geotechnical engineering are found within SGC.11: Geotechnical Engineering.

Environmental Services: Tasks associated with environmental services are found within SGC.9: Environmental Services.

Construction Services: Typical tasks associated with construction services are found within SGC.7: Construction Services.

SGC.7: Construction Services

General: The effort of construction will require the orchestrated movement of many people. Design engineering, construction plans and specifications, and well planned construction sequence are needed during the construction phase.

It is important to continue the flow of work in an organized thorough fashion. Public Works projects require the processing of many paper trails; contracts, payment invoices, reports, meeting minutes, change orders, etc.

The following areas of administrative support for construction activities, indicates the types of service that are needed within Public Works. Please provide your company's qualifications as it relates to the following.

Construction Management: Construction management varies depending upon project scope and schedule. The function of construction manager entails the accurate management of activities on the project site at any given time. The project Construction Manager (CM) works closely with Public Works to insure the project is executed as planned.

The Records that are kept by the CM become part of the permanent record of Public Works. If the project is a large one or the funding source requires it, the CM will be full time on the project site. In other cases, a portion of time will be spent on-site, with

typical tasks as follows:

1. Manage & monitor work progress and schedule.
2. Manage & monitor record and report contract compliance.
3. Manage & monitor record and report daily activities, such as equipment used, personnel on site, work being done, weather conditions, etc.
4. Manage & monitor record and report construction related safety issues and violations.
5. Manage & monitor record and report construction delays, their cause and remedies.
6. Coordinate efforts with Contract Administration.

Construction Administration: Construction Administration is a complex set of tasks requiring a high level of skill and attention by your company. Because most projects move very quickly once under construction; your company must not only observe progress in the field but also be responsive to the continuing flow of inquiries, submittals, and request for changes and payments that characterize daily construction activity.

Our projects, of any size or complexity can involve a great deal of paperwork, many meetings, and frequent travel to the project site. In some cases this travel may also include trips to places where construction products are being processed, stored, fabricated or manufactured for the project.

Your company will be responsible to manage any of the following tasks:

1. Assist in the Bid & Award Phase to insure continuity during construction.
2. Arrange pre-construction meetings.
3. Coordination of contractors.
4. Insure compliance with applicable laws.
5. Receive, review, route and manage contractor submittals.
6. Review, understand and implement Agency Policy affecting the project.
7. Provide construction field observation and materials testing and certification.
8. Assist with project mobilization efforts as needed.
9. Review, comment and process payment requests.
6. Other assignments as required by specific project requirements.
7. Prepare and issue project Change Orders.
8. Analyze, process and resolve Contract Claims.
9. Review Plans and specifications for constructability

Construction Estimating: Project cost estimating is a key task in the overall project delivery process. Accurate, timely and detailed cost estimates help provide needed funding information to those who decide whether a project is initiated or not. Your company needs to demonstrate to Public Works that you hold the needed skills to

provide estimating services. Many of our projects are funded from State or Federal sources. Indicate that your company has worked with these types of funding sources and provide examples where possible.

Construction Inspection: The Construction Inspector will be required to be a registered Civil Engineer in the State of California. Your company must demonstrate experience with Caltrans, County, California State Department of Fish & Game and other related inspection procedures and guidelines. Projects requiring inspection during construction would consist of any of the following:

1. Technical inspection of roadway construction.
2. Technical inspection of creek maintenance activities.
3. Geotechnical sampling and reporting.
4. Materials testing, sampling, reporting and certification.

Subcategory SGC.7.1: Materials & Lab Testing

Provide Materials and Lab testing in support of construction of Public Works projects.

The following is a list of desired pre-requisites for a Materials and Lab Testing firm:

1. A Caltrans Certified Lab is preferred, with Caltrans Certified lab technicians per the County of Santa Barbara Quality Control Plan (QAP) approved by Caltrans (available on request).
2. Copies of certifications of the Lab and all Certifications of the Lab Technicians should be submitted with the MSA Proposal.
3. Calibration of Equipment is required per the Quality Assurance Program (available on request). Provide Calibration certificates with your MSA proposal on all equipment.
4. Firms staffed with a combination of civil engineers and geologists that provide a wide array of technical knowledge and experience on Public Works type projects.
5. Ability to perform welding inspection. The Department occasionally utilizes ICC Certified welders to connect metal parts. Successful firms should have access to certified welding inspectors with experience on Public Works type projects.

Labs are qualified based on several factors, including:

- 1) Caltrans Certification for materials testing by examination of both personnel and equipment occurs annually. The firm's equipment is checked in their lab by Caltrans certified personnel and their lab technicians are given samples to analyze. The results of the testing are compared to a known standard.
- 2) Firms that reside within the County may be given priority to minimize travel time.
- 3) The firms are staffed by a mixture of civil engineers and geologists that provide a wide array of technical knowledge and experience in public works projects.

SGC.8: Hazardous Wastes Assessment

General: The timely, accurate and effective identification of materials known to be of a hazardous nature is important to ascertain during the beginning stages of any project. Professional services to provide this kind of expertise are needed by the county

Your company will need to demonstrate qualifications in the area of assessment, planning and design as it relates to the identification and removal of hazardous wastes. Upon completion of a specific assessment document, makes it possible for Public Works to issue a Request for Proposals focused on its remediation.

It is important for your company to demonstrate your understanding of all relevant laws, codes, guidelines and requirements of governing agencies having jurisdiction over the hazardous wastes. Other agencies within the County of Santa Barbara have jurisdiction over the activities related to removal of hazardous wastes.

It will be the responsibility of your company to find, obtain, understand and implement the requirements of these agencies.

Environmental Site Assessment: As part of any engineering improvement project, hazardous wastes may be encountered. It is impossible at this point to determine the complexity, degree of involvement, type of work or effort required to effectively plan for the remediation of these wastes.

The scope and nature of this type of work will be defined at the time projects are assigned, with sufficient detail for your company to adequately respond.

Types of assessment/planning efforts could involve any of the following tasks:

1. Above Ground Investigations.
2. Subsurface Investigations.
3. Site Assessment Plans.
4. Site Remediation and Subsequent Reporting.
5. Feasibility Study Reports/Technical work plans
6. Remediation Action Plans.
7. Agency Review Processing, Permitting And Notifications.
8. Meeting Attendance, Meeting Reports.
9. Project Estimating, Budgeting, Contract Administration.
10. Project Scheduling.
11. Site Specific Health and Safety Plans.

Typical event encounters would be underground tanks, ACM's, spills in the road right-of-way, discovery due to excavations, and similar situations.

Environmental Remediation: At times our projects require environmental remediation prior to when an improvement project starts. Your companies will needs to demonstrate expertise is the following areas:

1. Groundwater investigations soil gas investigation and modeling.
2. RCRA Facility Investigations.
3. Risk Assessment.
4. Remedial Design, Feasibility Studies & Technology Screening.
5. Containment Design.
6. Field QA/QC.
7. CERCLA RI/FS/RD
8. Waste Minimization.
9. Permit Application Processing.
10. Compliance Audits.
11. Similar tasks not defined here.
12. Apply for and receiving site closer, no further action letters (NFA).

SGC.9: Environmental Services

General: A qualitative description of tasks included in the scope of work for environmental review and technical support services for the Public Works Department is provided below. It would be impossible at this juncture to accurately estimate the level of environmental and technical support services anticipated over the proposed term of this request. For this reason, your Statement of Qualifications should indicate in a general nature your company's qualifications to provide such services.

This Request for Qualifications, solicits consultants with expertise in two environmental subcategories. Interested companies should identify your qualifications and expertise for either or both the categories.

Subcategory SGC.9.1: Environmental Document Preparation and Permitting

Typical tasks for their subcategory would include preparation of environmental documents, preparation of technical studies for environmental issue areas, and preparation of application packages to other regulatory and permitting agencies as discussed below.

1. CEQA Expertise

Describe your company's experience with specific applications of CEQA. Indicate documents your company has prepared for similar projects within Santa Barbara County. This summary should include the following: 1) a brief description of the projects, 2) type of CEQA document prepared.

4. NEPA Expertise

Describe your company's experience with specific applications of NEPA. Indicate documents your company has prepared for similar projects within Santa Barbara County. This summary should include the following: 1) a brief description of the projects, 2) type of NEPA document prepared.

The types of CEQA and NEPA documents you may be asked to prepare include:

Initial Study/Environmental Assessments: Unless a project is determined to be exempt for CEQA/NEPA review, we will prepare an initial study at the time of project launch as required by County, state and Federal guidelines.

The initial Study will identify potentially significant, adverse impacts of a proposed project. Discuss ways to mitigate the significant impacts identified, identify applicable County policies and determine the type of subsequent environmental review required, whether that be an Environmental Impact Report (EIR) or Negative Declaration. The Department will determine whether County staff or an MSA consultant will prepare the initial study.

Negative Declarations/FONSI: If the project requires a Negative Declaration /FONSI, and it is determined that an MSA consultant will do the work, a focused Request for Proposals will be issued. This focused proposal, will detail the scope of work, including costs and time estimates. The Initial Study will be the one document the consultant is to use to provide a responsive proposal

Environmental Impact Reports/Statements: If the project requires an Environmental Impact Report (EIR), and it is determined that an MSA consultant will do the work, a focused Request for Proposals will be issued. This focused proposal, will detail the scope of work, including costs and time estimates. The Initial study will be one document the consultant is to use to provide a responsive proposal.

5. Issue Area Analysis

If we determine that the environmental document is to be prepared with County staff, we will determine if your company could help with technical support in issue area analysis. Issue area expertise to be provided by you, under an MSA could include, but not be limited to the following:

1. Geology
2. Hydrology
3. Biology
4. Historical/Cultural Resources
5. Air Quality
6. Traffic Agriculture/Land Use
7. Aesthetics
8. Noise
9. Systems Safety/Risk Assessment.

If your company holds other areas of expertise, please indicate those as well. If we do the work without staff as indicted above, and we need your company's expertise on issue analysis, we will send you a focused RFP, with our Initial Study for your review in preparation on your proposal. If selected, you will prepare technical issue area analysis as identified in the focused proposal and Notice to Proceed. You will further be required to prepare this analysis to satisfy the requirements of county Thresholds Guidelines and CEQA, including any legislative changes. It will be your responsibility to obtain, maintain and otherwise make yourself aware of the CEQA changes and requirements. We will not be held responsible for your failure to do so.

6. Permitting

If the project requires permits from other agencies you may be asked to assist in the preparation of application packages and acquisition of permits from the agencies listed below. Please describe you experience working with these agencies.

State Fish & Wildlife Expertise: Describe your company's experience acquiring streambed alteration agreements from the State of California Department of Fish & Wildlife. Provide examples of your coordination in the form of permit applications, letters or related documents that give us an idea of your qualifications to acquire permits in this area.

Regional Water Quality Control Board Expertise: Describe your company's experience helping agencies comply with state storm water pollution regulations and acquiring 401 Water Quality Certifications. Provide examples of your coordination in the form of permit applications, letters or related documents that give us an idea of your qualifications to acquire permits in this area.

U.S. Fish and Wildlife Service Expertise: Describe your company's experience with the U.S. Fish and Wildlife Service. Provide examples of your coordination in the form of biological assessments, Habitat conservation plans, letters or related documents that give us an idea of your qualifications to acquire permits in this area

U.S. Army Corps of Engineers: Describe your company's experience obtaining Army Corps nationwide, regional, and/or individual permits. Provide examples of your coordination in the form of permit applications, letters or related documents that give us an idea of your qualifications in this area.

Other Regulatory Agencies: Please describe your company's experience working with and obtaining permits from the California Coastal Commission, Santa Barbara County Planning and Development, Santa Barbara Air Pollution Control District, and NOAA Fisheries.

5. Sub Consultants

If you plan to use sub consultants(s) provide the required information and indicate what section(s) of the work they will perform and how the county insurance requirements will be handled.

6. Resource Recovery and Waste Management Facilities

The County operates Tajiguas landfill, several transfer stations, a wastewater treatment plant and maintains several closed landfills. The county may require assistance with the preparation of environmental documents for these types of facilities. Companies wishing to be eligible to prepare documents for these types of facilities must submit a sample Environmental Impact Report (EIR) for a landfill-permitting project (only submit one copy).

Subcategory 9.2: Biological Services

Typical tasks associated with this subcategory include:

1. Field surveys for biological resources (flora and fauna);
2. Biological assessments;
3. Mitigation plan development and implementation;
4. Mitigation monitoring;
5. Wetlands delineations using Army Corps of Engineers and USFWS methodologies;
6. Endangered and threatened species surveys, mitigation plan development and monitoring, and Section 7 and 10 consultations.

Please describe your company's experiences undertaking these biological tasks and specifically identify staff qualified to complete tasks 5 and 6.

SGC.10: Surveying and Real Property

Surveying is the science of determining the dimensions and shape (or three-dimensional characteristics) of the earth's surface by means of measuring lines and angles, and applying the principles of mathematics. Field surveying locates, establishes, or retraces property lines, performs geodetic or cadastral surveying and determines information shown on any map or document prepared in connection with the above activities. Field surveying can involve staking out the lines and grades needed for construction of improvements for Public Works or other County Departments. Office surveying activities include review of subdivision maps, records of surveys, corner records and certificates of compliance for compliance with state law and local ordinances.

Public Works has a complete Survey Division. When project delivery requirements exceed the Surveyor Division's ability to respond, your company will be asked to help. The work requested could involve any of the following tasks:

Land Surveying: Land surveys or *boundary surveys* are the function of locating the property boundaries or right of way of project sites. In addition to on-site fieldwork, historical research may be required to establish ownership, title and easement restrictions as well as other constraints placed on the real property. This type of work may also be referred to as *property surveys*, *boundary surveys*, or *cadastral surveys*.

Topographical Surveying: This type of surveying entails locating objects and measuring the relief, three-dimensional variations of the earth's surface and/or other topographical features. Detailed information is obtained pertaining to the elevations as well as to the

locations of man-made features or improvements and natural features. Topographical maps are prepared to document the survey. This type of survey is also referred to as a *preliminary survey*.

Route Surveying: Route surveying involves the determination of the relief and locations of natural and artificial objects along a proposed route for an improvement. Additionally, this may include the staking of the proposed improvements including clearing, rough grade, and finish grade stakes (See construction staking below).

Control Surveying: Control surveys, are those made to establish the horizontal and vertical positions of various points. The points are selected so that they form a net over the project site under consideration so as to provide a convenient method to tie planned improvement placement to these points. Methods used will involve the use of GPS, CORS sites, and differing datum's (NAD27, NAD83, NGVD29, or NAVD88).

Construction Surveying: Construction surveying provides the basis for proper placement of improvements. This type of surveying is needed at all stages of the construction process in an effort to insure that the final product meets all the design requirements for placement, elevation and alignment. Hydrographic Surveying pertains to bodies of water, streams, and/or marshes. Shorelines are charted, shapes of area beneath the water's surface are determined and other related information needed relative to navigation, flood control, and water resource management is obtained.

Subdivision Map Checking: Primarily centered on office activities, this area includes subdivision map review, review of lot line adjustments or voluntary mergers, and review of certificates of compliance for compliance with State Law and local ordinances.

Subcategory 10.1: Aerial Surveying

Aerial Surveying: Aerial surveying is used in conjunction with limited land surveying efforts. Products that may be required include digital Roth-photography, compilation of contours or physical features, digital terrain models, and various photographic products (Oblique's, etc.). This area also includes newer technologies such as the use of airborne GPS, LIDAR, and reflective or absorption technology (radar, infrared, etc.). Firms selected from this group will be specialized in that their primary business must be to provide aerial surveying services and products.

Subcategory 10.2: Real Property Services

Real Property Services: The County Surveyor's Office provides real property services to each of the three operational Divisions within Public Works. These services include negotiating all aspects of acquiring and disposing of County property interests. Interests could include easements, fee property, temporary entry permits, licenses or leases.

Real Property Appraisal: This section includes any functions performed by a licensed appraiser including condemnation proceedings (MAI certification or appropriate experience is required for higher level activities). The selected firms must be able to complete appraisals in accordance with the procedures and criteria contained in the Uniform Appraisal Standards for Federal Land Acquisitions.

SGC.11: Geotechnical Engineering

General: Design of civil engineering projects often requires evaluation of subsurface conditions, investigation of possible geologic hazards, and development of recommendations for foundation designs, material requirements, and material qualities.

The evaluation of geotechnical properties typically involve the review of existing information, field exploration, recommendations for laboratory analytical testing of materials, geologic and geotechnical evaluation, geotechnical recommendation and preparation of geotechnical reports. These items will be utilized for the design and construction of roadways, foundations and other structures

Companies selected to take part in the MSA program must be ready to provide any of the following services or complete tasks as requested by the Project Engineer. This list is not intended to be exhaustive, but rather should be a guide to the tasks that would typically be asked of a consultant selected under this group subcategory for Geotechnical Engineering.

Subsurface Exploration and Investigation

1. Reconnaissance Investigations
2. Soil Borings and Sampling
3. Geophysical Explorations
4. Groundwater Investigations
5. Rock Coring and Classification
6. Core Penetration
7. Records and Document Review
8. Materials Testing

Soil Classification and Laboratory Testing

1. Classifications of soil and rock by the Unified Soil Classification System
2. Evaluation of Soil Properties, including Shear Strength, Angle of Internal Friction, Expansion Potential, Compressibility, and Corrosion Potential

The Department of Public Works is involved in the design and construction of a multitude of structures necessitating foundation design and geotechnical engineering including roads, bridges, retaining structures, drainage facilities, and other infrastructure items. As such, we will be seeking a collection of consultants that will be able to supply experience in a wide assortment of design applications. The following list of tasks should be considered a general guide to the experience we will be looking for collectively

from the consultants selected. Highlighting the areas that you have the greatest experience and knowledge about as a company and with current staff will be helpful in evaluating for this MSA selection process.

Typical Tasks:

1. Project Planning
2. Geologic Mapping
3. Geotechnical and Geophysical Exploration
4. Classification and Description of Physical Properties of Materials
5. Rock Mechanics
6. Foundation Type Selection
7. Settlement Estimation
8. Embedment Length and size of Foundation Elements
9. Lateral Load Capacity
10. Earthwork Requirements
11. Slope Stability Analysis
12. Design Criteria for Static and Dynamic Loading
13. Seismic Design and Earthquake Analysis
14. Geologic Hazard Evaluation
15. Soil Improvement
16. Groundwater Control
17. Surface Water and Drainage Control
18. Preparation of Material Reports, per Caltrans California Test 130
19. Preparation of Foundation Reports prepared per County, State and Federal guidelines and requirements and stamped & signed by a Geotechnical Engineer licensed in the State of California.

EXHIBIT 10-I NOTICE TO PROPOSERS DBE INFORMATION

The Agency has established a DBE goal for this Agreement of 0.0 %

1. TERMS AS USED IN THIS DOCUMENT

- The term “Disadvantaged Business Enterprise” or “DBE” means a for-profit small business concern owned and controlled by a socially and economically disadvantaged person(s) as defined in Title 49, Part 26.5, Code of Federal Regulations (CFR).
- The term “Agreement” also means “Contract.”
- Agency also means the local entity entering into this contract with the Contractor or Consultant.
- The term “Small Business” or “SB” is as defined in 49 CFR 26.65.

2. AUTHORITY AND RESPONSIBILITY

- A. DBEs and other small businesses are strongly encouraged to participate in the performance of Agreements financed in whole or in part with federal funds (See 49 CFR 26, “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs”). The Contractor should ensure that DBEs and other small businesses have the opportunity to participate in the performance of the work that is the subject of this solicitation and should take all necessary and reasonable steps for this assurance. The proposer shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.
- B. Proposers are encouraged to use services offered by financial institutions owned and controlled by DBEs.

3. SUBMISSION OF DBE INFORMATION

If there is a DBE goal on the contract, a “Local Agency Proposer DBE Commitment (Consultant Contract)” (Exhibit 10-O1) form shall be included in the Request for Proposal. In order for a proposer to be considered responsible and responsive, the proposer must make good faith efforts to meet the goal established for the contract. If the goal is not met, the proposer must document adequate good faith efforts. All DBE participation will be counted towards the contract goal, and all DBE participation shall be collected and reported.

A “Local Agency Proposer DBE Information (Consultant Contract)” (Exhibit 10-O2) form shall be included with the Request for Proposal. The purpose of the form is to collect data required under 49 CFR 26. This form collects all DBE participation. Even if no DBE participation will be reported, the successful proposer must execute and return the form.

4. DBE PARTICIPATION GENERAL INFORMATION

It is the proposer’s responsibility to be fully informed regarding the requirements of 49 CFR, Part 26, and the Department’s DBE program developed pursuant to the regulations. Particular attention is directed to the following:

- A. A DBE must be a small business firm defined pursuant to 13 CFR 121 and be certified through the California Unified Certification Program (CUCP).
- B. A certified DBE may participate as a prime contractor, subcontractor, joint venture partner, as a vendor of material or supplies, or as a trucking company.
- C. A DBE proposer not proposing as a joint venture with a non-DBE, will be required to document one or a combination of the following:
 1. The proposer is a DBE and will meet the goal by performing work with its own forces.
 2. The proposer will meet the goal through work performed by DBE subcontractors, suppliers or trucking companies.
 3. The proposer, prior to proposing, made adequate good faith efforts to meet the goal.
- D. A DBE joint venture partner must be responsible for specific contract items of work or clearly defined portions thereof. Responsibility means actually performing, managing, and supervising the work with its own forces. The DBE joint venture partner must share in the capital contribution, control, management, risks and profits of the joint venture commensurate with its ownership interest.
- E. A DBE must perform a commercially useful function pursuant to 49 CFR 26.55, that is, a DBE firm must be responsible for the execution of a distinct element of the work and must carry out its responsibility by actually performing, managing and supervising the work.
- F. The proposer shall list only one subcontractor for each portion of work as defined in their proposal and all DBE subcontractors should be listed in the bid/cost proposal list of subcontractors.
- G. A prime contractor who is a certified DBE is eligible to claim all of the work in the Agreement toward the DBE participation except that portion of the work to be performed by non-DBE subcontractors.

5. RESOURCES

- A. The CUCP database includes the certified DBEs from all certifying agencies participating in the CUCP. If you believe a firm is certified that cannot be located on the database, please contact the Caltrans Office of Certification toll free number 1-866-810-6346 for assistance.
- B. Access the CUCP database from the Department of Transportation, Civil Rights, Business Enterprise Program web site at: <http://www.dot.ca.gov/hq/bep/>.
- Click on the link in the left menu titled *Disadvantaged Business Enterprise*
 - Click on *Search for a DBE Firm* link
 - Click on *Access to the DBE Query Form* located on the first line in the center of the page
 - Searches can be performed by one or more criteria
 - Follow instructions on the screen
- C. How to Obtain a List of Certified DBEs without Internet Access:

DBE Directory - If you do not have Internet access, Caltrans also publishes a directory of certified DBE firms extracted from the online database. A copy of the directory of certified DBEs may be ordered from the Caltrans Publications Unit at (916) 263-0822, 1900 Royal Oaks Drive, Sacramento, CA 95815-3800.

6. MATERIALS OR SUPPLIES PURCHASED FROM DBES COUNT TOWARDS THE DBE GOAL UNDER THE FOLLOWING CONDITIONS:

- A. If the materials or supplies are obtained from a DBE manufacturer, count 100 percent of the cost of the materials or supplies. A DBE manufacturer is a firm that operates or maintains a factory, or establishment that produces on the premises the materials, supplies, articles, or equipment required under the Agreement and of the general character described by the specifications.
- B. If the materials or supplies purchased from a DBE regular dealer, count 60 percent of the cost of the materials or supplies. A DBE regular dealer is a firm that owns, operates or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the Agreement are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. To be a DBE regular dealer, the firm must be an established, regular business that engages, as its principal business and under its own name, in the purchase and sale or lease of the products in question. A person may be a DBE regular dealer in such bulk items as petroleum products, steel, cement, gravel, stone or asphalt without owning, operating or maintaining a place of business provided in this section.

- C. If the person both owns and operates distribution equipment for the products, any supplementing of regular dealers' own distribution equipment shall be, by a long-term lease agreement and not an ad hoc or Agreement-by-Agreement basis. Packagers, brokers, manufacturers' representatives, or other persons who arrange or expedite transactions are not DBE regular dealers within the meaning of this section.
- D. Materials or supplies purchased from a DBE, which is neither a manufacturer nor a regular dealer, will be limited to the entire amount of fees or commissions charged for assistance in the procurement of the materials and supplies, or fees or transportation charges for the delivery of materials or supplies required on the job site, provided the fees are reasonable and not excessive as compared with fees charged for similar services.

7. FOR DBE TRUCKING COMPANIES: CREDIT FOR DBES WILL COUNT TOWARDS THE DBE GOAL UNDER THE FOLLOWING CONDITIONS:

- A. The DBE must be responsible for the management and supervision of the entire trucking operation for which it is responsible on a particular Agreement, and there cannot be a contrived arrangement for the purpose of meeting the DBE goal.
- B. The DBE must itself own and operate at least one fully licensed, insured, and operational truck used on the Agreement.
- C. The DBE receives credit for the total value of the transportation services it provides on the Agreement using trucks it owns, insures, and operates using drivers it employs.
- D. The DBE may lease trucks from another DBE firm including an owner-operator who is certified as a DBE. A DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the Agreement.
- E. The DBE may also lease trucks from a non-DBE firm, including an owner-operator. A DBE who leases trucks from a non-DBE is entitled to credit only for the fee or commission it receives as a result of the lease arrangement. A DBE does not receive credit for the total value of the transportation services provided by the lessee, since these services are not provided by the DBE.
- F. For the purposes of this Section D, a lease must indicate that the DBE has exclusive use and control over the truck. This does not preclude the leased truck from working for others during the term of the lease with the consent of the DBE, as long as the lease gives the DBE absolute priority for use of the leased truck. Leased trucks must display the name and identification number of the DBE.

EXHIBIT 10-J STANDARD AGREEMENT FOR SUBCONTRACTOR/DBE PARTICIPATION**1. Subcontractors**

- A. Nothing contained in this Agreement or otherwise, shall create any contractual relation between the Agency and any subcontractors, and no subcontract shall relieve the Contractor of his/her responsibilities and obligations hereunder. The Contractor agrees to be as fully responsible to the Agency for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Contractor. The Contractor's obligation to pay its subcontractors is an independent obligation from the Agency's obligation to make payments to the Contractor.
- B. Any subcontract in excess of \$25,000, entered into as a result of this Agreement, shall contain all the provisions stipulated in this Agreement to be applicable to subcontractors.
- C. Contractor shall pay its subcontractors within ten (10) calendar days from receipt of each payment made to the Contractor by the Agency.
- D. Any substitution of subcontractors must be approved in writing by the Agency's Contract Manager in advance of assigning work to a substitute subcontractor.

2. Disadvantaged Business Enterprise (DBE) Participation

- A. This Agreement is subject to 49 CFR, Part 26 entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." Proposers who obtain DBE participation on this contract will assist Caltrans in meeting its federally mandated statewide overall DBE goal.
- B. If the contract has a DBE goal, the Consultant must meet the DBE goal by committing DBE participation or document a good faith effort to meet the goal. If a DBE subconsultant is unable to perform, the Consultant must make a good faith effort to replace him/her with another DBE subconsultant, if the goal is not otherwise met.
- C. DBEs and other small businesses, as defined in 49 CFR, Part 26 are encouraged to participate in the performance of agreements financed in whole or in part with federal funds. The Consultant or subconsultant shall not discriminate on the basis of race, color, national origin, or sex in the performance of this Agreement. The Consultant shall carry out applicable requirements of 49 CFR, Part 26 in the award and administration of US DOT- assisted agreements. Failure by the Consultant to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy as the local agency deems appropriate.
- D. Any subcontract entered into as a result of this Agreement shall contain all of the provisions of this section.

3. Performance of DBE Consultant and other DBE Subconsultants/Suppliers

- A. A DBE performs a commercially useful function when it is responsible for execution of the work of the Agreement and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. To perform a commercially useful function, the DBE must also be responsible with respect to materials and supplies used on the Agreement, for negotiating price, determining quality and quantity, ordering the material, and installing (where applicable) and paying for the material itself. To determine whether a DBE is performing a commercially useful function, evaluate the amount of work subcontracted, industry practices; whether the amount the firm is to be paid under the Agreement is commensurate with the work it is actually performing; and other relevant factors.
- B. A DBE does not perform a commercially useful function if its role is limited to that of an extra participant in a transaction, Agreement, or project through which funds are passed in order to obtain the appearance of DBE participation. In determining whether a DBE is such an extra participant, examine similar transactions, particularly those in which DBEs do not participate.
- C. If a DBE does not perform or exercise responsibility for at least 30 percent of the total cost of its Agreement with its own work force, or the DBE subcontracts a greater portion of the work of the Agreement than would be expected on the basis of normal industry practice for the type of work involved, it will be presumed that it is not performing a commercially useful function.

4. Prompt Payment of Funds Withheld to Subcontractors

- A. The Agency shall hold retainage from the prime consultant and shall make prompt and regular incremental acceptances of portions, as determined by the Agency, of the contract work, and pay retainage to the prime contractor based on these acceptances. The prime consultant, or subconsultant, shall return all monies withheld in retention from a subconsultant within 30 days after receiving payment for work satisfactorily completed and accepted including incremental acceptances of portions of the contract work by the agency. Federal law (49 CFR26.29) requires that any delay or postponement of payment over 30 days may take place only for good cause and with the agency's prior written approval. Any violation of this provision shall subject the violating prime consultant or subconsultant to the penalties, sanctions and other remedies specified in Section 7108.5 of the Business and Professions Code. These requirements shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the prime consultant or subconsultant in the event of a dispute involving late payment or nonpayment by the prime contractor, deficient subconsultant performance, or noncompliance by a subcontractor. This provision applies to both DBE and non-DBE prime consultant and subconsultants.
- B. Any subcontract entered into as a result of this Agreement shall contain all of the provisions of this section.

5. DBE Records

- A. The Consultant shall maintain records of materials purchased and/or supplied from all subcontracts entered into with certified DBEs. The records shall show the name and business address of each DBE or vendor and the total dollar amount actually paid each DBE or vendor, regardless of tier. The records shall show the date of payment and the total dollar figure paid to all firms. DBE prime consultants shall also show the date of work performed by their own forces along with the corresponding dollar value of the work.
- B. Upon completion of the Agreement, a summary of these records shall be prepared and submitted on the form entitled, "Final Report-Utilization of Disadvantaged Business Enterprise (DBE), First-Tier Subcontractors," CEM-2402F (Exhibit 17-F, Chapter 17, of the LAPM), certified correct by the Consultant or the Consultant's authorized representative and shall be furnished to the Contract Manager with the final invoice. Failure to provide the summary of DBE payments with the final invoice will result in 25% of the dollar value of the invoice being withheld from payment until the form is submitted. The

amount will be returned to the Consultant when a satisfactory "Final Report-Utilization of Disadvantaged Business Enterprises (DBE), First-Tier Subcontractors" is submitted to the Contract Manager.

6. DBE Certification and Decertification Status

If a DBE subconsultant is decertified during the life of the Agreement, the decertified subconsultant shall notify the Consultant in writing with the date of decertification. If a subconsultant becomes a certified DBE during the life of the Agreement, the subconsultant shall notify the Consultant in writing with the date of certification. Any changes should be reported to the Agency's Contract Manager within 30 days.

EXHIBIT 10-01: LOCAL AGENCY CONSULTANT DBE COMMITMENT

(Inclusive of all DBEs at time of proposal)

NOTE: Please refer to instructions on the reverse side of this form.

Consultant to Complete this Section			
1. Local Agency Name: _____			
2. Project Location: _____			
3. Project Description: _____			
4. Consultant Name: _____			
5. Contract DBE Goal %: _____			
DBE Commitment Information			
6. Description of Services to be Provided	7. DBE Firm Contact Information	8. DBE Cert. Number	9. DBE %
Local Agency to Complete this Section		10. Total % Claimed	_____ %
16. Local Agency Contract Number: _____		11. Preparer's Signature _____	
17. Federal-aid Project Number: _____			
18. Proposed Contract Execution Date: _____		12. Preparer's Name (Print) _____	
Local Agency certifies that all DBE certifications are valid and the information on this form is complete and accurate:		13. Preparer's Title _____	
19. Local Agency Representative Name (Print) _____		14. Date _____	
20. Local Agency Representative Signature _____	21. Date _____	15. (Area Code) Tel. No. _____	
22. Local Agency Representative Title _____		23. (Area Code) Tel. No. _____	

Distribution: (1) Original – Submit with Award Package
(2) Copy – Local Agency files

INSTRUCTIONS - LOCAL AGENCY CONSULTANT DBE COMMITMENT

Consultant Section

The Consultant shall:

1. **Local Agency Name** – Enter the name of the local or regional agency that is funding the contract.
2. **Project Location** - Enter the project location as it appears on the project advertisement.
3. **Project Description** - Enter the project description as it appears on the project advertisement (Bridge Rehab, Seismic Rehab, Overlay, Widening, etc)..
4. **Consultant Name** - Enter the consultant's firm name.
5. **Contract DBE Goal %** - Enter the contract DBE goal percentage, as it was reported on the Exhibit 10-I form. See LAPM Chapter 10.
6. **Description of Services to be Provided** - Enter item of work description of services to be provided. Indicate all work to be performed by DBEs including work performed by the prime consultant's own forces, if the prime is a DBE. If 100% of the item is not to be performed or furnished by the DBE, describe the exact portion to be performed or furnished by the DBE. See LAPM Chapter 9 to determine how to count the participation of DBE firms.
7. **DBE Firm Contact Information** - Enter the name and telephone number of all DBE subcontracted consultants. Also, enter the prime consultant's name and telephone number, if the prime is a DBE.
8. **DBE Cert. Number** - Enter the DBEs Certification Identification Number. All DBEs must be certified on the date bids are opened. (DBE subcontracted consultants should notify the prime consultant in writing with the date of the decertification if their status should change during the course of the contract.)
9. **DBE %** - Percent participation of work to be performed or service provided by a DBE. Include the prime consultant if the prime is a DBE. See LAPM Chapter 9 for how to count full/partial participation.
10. **Total % Claimed** – Enter the total participation claimed. If the Total % Claimed is less than item "6. Contract DBE Goal", a Good Faith Effort (GFE) is required.
11. **Preparer's Signature** – The person completing this section of the form for the consultant's firm must sign their name.
12. **Preparer's Name (Print)** – Clearly enter the name of the person signing this section of the form for the consultant.
13. **Preparer's Title** - Enter the position/title of the person signing this section of the form for the consultant.
14. **Date** - Enter the date this section of the form is signed by the preparer.
15. **(Area Code) Tel. No.** - Enter the area code and telephone number of the person signing this section of the form for the consultant.

Local Agency Section:

The Local Agency representative shall:

16. **Local Agency Contract Number** - Enter the Local Agency Contract Number.
17. **Federal-Aid Project Number** - Enter the Federal-Aid Project Number.
18. **Contract Execution Date** - Enter the date the contract was executed and Notice to Proceed issued. See LAPM Chapter 10, page 23.
19. **Local Agency Representative Name (Print)** - Clearly enter the name of the person completing this section.
20. **Local Agency Representative Signature** - The person completing this section of the form for the Local Agency must sign their name to certify that the information in this and the Consultant Section of this form is complete and accurate.
21. **Date** - Enter the date the Local Agency Representative signs the form.
22. **Local Agency Representative Title** - Enter the position/title of the person signing this section of the form.
23. **(Area Code) Tel. No.** - Enter the area code and telephone number of the Local Agency representative signing this section of the form.

EXHIBIT 10-02: LOCAL AGENCY CONSULTANT DBE INFORMATION

(Inclusive of all DBEs listed at bid proposal)

NOTE: Please refer to instructions on the reverse side of this form.

Consultant to Complete this Section			
1. Local Agency Name: _____			
2. Project Location: _____			
3. Project Description: _____			
4. Total Contract Award Amount: \$ _____			
5. Consultant Name: _____			
6. Contract DBE Goal %: _____			
7. Total Dollar Amount for <u>all</u> Subcontractors: \$ _____			
8. Total Number of <u>all</u> Subcontractors: _____			
Award DBE Information			
9. Description of Services to be Provided	10. DBE Firm Contact Information	11. DBE Cert. Number	12. DBE Dollar Amount
Local Agency to Complete this Section		13. Total Dollars Claimed \$ _____	14. Total % Claimed _____ %
20. Local Agency Contract Number: _____			
21. Federal-aid Project Number: _____			
22. Contract Execution Date: _____			
Local Agency certifies that all DBE certifications are valid and the information on this form is complete and accurate:			
23. Local Agency Representative Name (Print) _____			
24. Local Agency Representative Signature _____	25. Date _____	15. Preparer's Signature _____	
26. Local Agency Representative Title _____	27. (Area Code) Tel. No. _____	16. Preparer's Name (Print) _____	
Caltrans to Complete this Section		17. Preparer's Title _____	
Caltrans District Local Assistance Engineer (DLAE) certifies that this form has been reviewed for completeness:			
28. DLAE Name (Print) _____	29. DLAE Signature _____	18. Date _____	19. (Area Code) Tel. No. _____
30. Date _____			

Distribution: (1) Copy – Email a copy to the Caltrans District Local Assistance Engineer (DLAE) within 30 days of contract award. Failure to send a copy to the DLAE within 30 days of contract award may result in delay of payment.
(2) Copy – Include in award package sent to Caltrans DLAE (3) Original – Local agency files

INSTRUCTIONS - LOCAL AGENCY CONSULTANT DBE INFORMATION

Consultant Section

The Consultant shall:

1. **Local Agency Name** – Enter the name of the local or regional agency that is funding the contract.
2. **Project Location** - Enter the project location as it appears on the project advertisement.
3. **Project Description** - Enter the project description as it appears on the project advertisement (Bridge Rehab, Seismic Rehab, Overlay, Widening, etc).
4. **Total Contract Award Amount** - Enter the total contract award dollar amount for the prime consultant.
5. **Consultant Name** - Enter the consultant's firm name.
6. **Contract DBE Goal %** - Enter the contract DBE goal percentage, as it was reported on the Exhibit 10-I form. See LAPM Chapter 10.
7. **Total Dollar Amount for all Subcontractors** – Enter the total dollar amount for all subcontracted consultants. SUM = (DBE's + all Non-DBE's). Do **not** include the prime consultant information in this count.
8. **Total number of all subcontractors** – Enter the total number of all subcontracted consultants. SUM = (DBE's + all Non-DBE's). Do **not** include the prime consultant information in this count.
9. **Description of Services to be Provided** - Enter item of work description of services to be provided. Indicate all work to be performed by DBEs including work performed by the prime consultant's own forces, if the prime is a DBE. If 100% of the item is not to be performed or furnished by the DBE, describe the exact portion to be performed or furnished by the DBE. See LAPM Chapter 9 to determine how to count the participation of DBE firms.
10. **DBE Firm Contact Information** - Enter the name and telephone number of all DBE subcontracted consultants. Also, enter the prime consultant's name and telephone number, if the prime is a DBE.
11. **DBE Cert. Number** - Enter the DBE's Certification Identification Number. All DBEs must be certified on the date bids are opened. (DBE subcontracted consultants should notify the prime consultant in writing with the date of the decertification if their status should change during the course of the contract.)
12. **DBE Dollar Amount** - Enter the subcontracted dollar amount of the work to be performed or service to be provided. Include the prime consultant if the prime is a DBE, and include DBEs that are not identified as subcontractors on the Exhibit 10-O1 form. See LAPM Chapter 9 for how to count full/partial participation.
13. **Total Dollars Claimed** – Enter the total dollar amounts for columns 12 and 13.
14. **Total % Claimed** – Enter the total participation claimed for columns 12 and 13. SUM = (item "14. Total Participation Dollars Claimed" divided by item "4. Total Contract Award Amount"). If the Total % Claimed is less than item "6. Contract DBE Goal", a Good Faith Effort (GFE) is required.
15. **Preparer's Signature** – The person completing this section of the form for the consultant's firm must sign their name.
16. **Preparer's Name (Print)** – Clearly enter the name of the person signing this section of the form for the consultant.
17. **Preparer's Title** - Enter the position/title of the person signing this section of the form for the consultant.
18. **Date** - Enter the date this section of the form is signed by the preparer.
19. **(Area Code) Tel. No.** - Enter the area code and telephone number of the person signing this section of the form for the consultant.

Local Agency Section:

The Local Agency representative shall:

20. **Local Agency Contract Number** - Enter the Local Agency Contract Number.
21. **Federal-Aid Project Number** - Enter the Federal-Aid Project Number.
22. **Contract Execution Date** - Enter the date the contract was executed and Notice to Proceed issued. See LAPM Chapter 10, page 23.
23. **Local Agency Representative Name (Print)** - Clearly enter the name of the person completing this section.
24. **Local Agency Representative Signature** - The person completing this section of the form for the Local Agency must sign their name to certify that the information in this and the Consultant Section of this form is complete and accurate.
25. **Date** - Enter the date the Local Agency Representative signs the form.
26. **Local Agency Representative Title** - Enter the position/title of the person signing this section of the form.
27. **(Area Code) Tel. No.** - Enter the area code and telephone number of the Local Agency representative signing this section of the form.

Caltrans Section:

Caltrans District Local Assistance Engineer (DLAE) shall:

28. **DLAE Name (Print)** – Clearly enter the name of the DLAE.
29. **DLAE Signature** – DLAE must sign this section of the form to certify that it has been reviewed for completeness.
30. **Date** - Enter the date that the DLAE signs this section the form.