

## **REQUEST FOR PROGRESSIVE DESIGN/BUILD QUALIFICATIONS AND INSTRUCTIONS TO RESPONDENTS**

### **I. REQUEST FOR QUALIFICATIONS FROM RESPONDENTS**

- A. The County of Riverside (“**County**” or “**Owner**”), will receive responses to a Request for Qualifications (“**RFQ**”) for the complete planning, design and construction of the Harmony Haven Children & Youth Wellness Center Project (“**Project**”). The Project requires the successful Respondent to provide development proposals from qualified Developers (Developer) to design, plan, construct, carry financing for (see below under “Project Funding”), and manage a new Children’s Behavioral Health Campus (Project) on consisting of five new buildings, parking lots and walk paths for the Project located at 14700 Manzanita Road, Beaumont, CA 92223.
- B. **Basis for Procurement.** Owner will procure design and construction services pursuant to Public Contract Code section 22185 – 22185.11 using a progressive design-build project delivery process in which both the design and construction of the Project are procured from a single entity that is selected through a qualifications-based selection at the earliest feasible stage of the Project.
- C. Interested parties that wish to submit a response to this RFQ must carefully review this RFQ and the other Documents contained within this RFQ package. Parties submitting responses to this RFQ (“**Respondents**”) must comply with the requirements of this RFQ and submit all requested information within the timelines set forth in this Document.

### **II. PROJECT CRITERIA**

- A. **Project Site.** The Project site consists of a large, rural-style campus with a boundary of approximately 121 acres. The Project includes CEQA analysis (if required, the project may be eligible for a statutory exemption), conceptual design documents, scope and schedule documents, site civil engineering, topographic survey, geotechnical survey, drainage, soils testing, site utilities in support of new construction, and renovation/modernization of some of the existing structures for Behavioral Health.
- B. **Project Description.** The project consists of the site selection, design and construction of five (5) ground up buildings, parking lots, EV charging stations, and associated walking paths with lighting. The project will include, but is not limited to, delivery of new City water, gas, and sewage systems to the Campus in direct support of the five new buildings. The selected Respondent shall be responsible for securing all required permits and payment of service/connection fees for the Project. The three (3) residential buildings will require kitchen/food prep areas and backup generator(s) to provide emergency electrical power. Additionally, all buildings will require CCTV cameras, access control hardware, and low voltage cabling to be procured and installed by the Respondent, per

Riverside County Information Technology (RCIT) design. The five buildings consist of:

1. Children's Psychiatric Residential Treatment Facility (PRTF). Design for ground up construction of new sixteen (16) bed residential treatment facility of approximately 12,500 NSF. Includes accommodations for housing and support for caregivers, and children receiving treatment, nurse station, medication room, staff offices, group rooms, food prep/kitchen/dining area, restrooms/showers, laundry facilities, recreation room, playroom, outdoor playground, IDF/MPOE, and emergency generator.
2. Children/Adolescent Mental Health Urgent Care Facility. Design for ground up construction of an urgent care for children, adolescents, and Transitional Age Youth (TAY). Facility will consist of approximately 6,500 NSF including fifteen (15) stations, triage, staff offices/meeting room, IDF/MPOE, etc.
3. Children's Short-Term Residential Therapeutic Program (STRTP) with 3 double occupancy bedrooms in a home-like setting with restroom/shower, office, interview room, living area and staff areas, IDF/MPOE and emergency generator totaling approximately 4300 NSF.
4. Adolescent Residential Substance Use Disorder (SUD) – thirty (30) bedrooms, shower/toilets, nurse station, office areas, food prep/kitchen/dining area, laundry facilities, classrooms, multi-purpose areas, storage, IDF/MPOE, emergency generator, etc. Estimate approximately 19,500 NSF.
5. Outpatient Clinic for Mental Health and Substance Use Disorder. Approximately 6500 NSF with Nurses area, staff office, and conference room, treatment rooms, administrative offices, activity/living areas, IDF/MPOE, quiet rooms and snack area.

C. **Reference Exhibits.** The following exhibits are available for reference: (1) site plan, (2) conceptual plan of possible building locations, and (3) a description of each building including the purpose and its approximate size. These exhibits can be found at the following link: <https://rivcofm.org/rfp-rfq>. *(Please refresh page each time you visit the RFP & RFQ link).*

D. **Project Funding.** The Project will be funded through a Behavioral Health Continuum Infrastructure Program (BHCIP) grant.

1. The BHCIP grant program was authorized by voter Proposition 1. Passed in March 2024, Proposition 1 is a two-bill package including the Behavioral Health Services Act (BHSA) (Senate Bill 326) and the Behavioral Health Infrastructure Bond Act of 2024 (BHIBA) (Assembly Bill 531). The BHIBA portion is a \$6.38 billion general obligation bond to develop an array of behavioral health treatment, residential care settings, and

supportive housing to help provide appropriate care facilities for individuals experiencing mental health and substance use disorders.

2. On May 12, 2025, the California Department of Health Care Services awarded Owner a grant to fund the Project. At the time of this RFP, Owner anticipates the grant funding will become available sometime in late 2025 or the first quarter of 2026.
  3. The successful Respondent will be required to perform work ‘at-risk’ and without payment until the grant funding is available. Owner will be unable to make any payments for work performed to the successful Respondent until it receives the grant funds. The successful respondent must be able to and willing to carry the cost of the Project and seek reimbursement through RUHS-BH as grant funds are received.
- E. **Project Budget.** The target allowable design and construction cost inclusive of developer fees, construction, fixtures, furniture and equipment (“FFE”), permits, connection fees, emergency generators, security and access Control, low voltage cabling and amenities is not to exceed \$148,266,821.

### III. SCOPE OF AND TIMELINE FOR THE PROJECT

- A. The scope and needs of the Project include the Project Criteria set forth herein and the design and construction services as defined by Section 01 11 50 (Summary of Work – Design and Pre-Construction Services), Section 01 11 53 (Summary of Work), Section 00 52 50.53 (Construction Management Services), and 00 60 01 (Guaranteed Maximum Price Development). The selected Respondent must provide complete and all-inclusive planning, design, permitting, and construction services to deliver a fully complete and operational Project.
- B. The Project shall be organized into two phases:
1. **Phase One.** If Owner decides (in its sole and absolute discretion) to award a contract to a successful Respondent, Owner will enter into a written contract with the successful Respondent in the form provided in this RFQ. The successful Respondent will then perform necessary planning, design and preconstruction services sufficient to establish a Guaranteed Maximum Price for the Project. The successful Respondent shall perform services in accordance with Sections 00 11 50 (Summary of Work – Design and Preconstruction Services), 00 52 50.53 (Construction Management Services), and 00 60 01 (Guaranteed Maximum Price Development).
  2. **Phase Two.** At the completion of Phase One, if Owner decides (in its sole and absolute discretion) to accept the Guaranteed Maximum Price for the Project, Owner may amend its contract with the successful Respondent to contract for the remaining design, preconstruction, and construction activities sufficient to complete and close out the Project, consistent with the Guaranteed Maximum Price.

- C. **Project Timeline.** Owner anticipates the following general timeline for the Project, subject to the requirements of the Contract Documents if a Contract is awarded. This timeline is subject to adjustment as the Project planning, design, and construction develop and is provided for general information purposes only to assist Respondents in assessing the general timeframe of the Project:

Action	Approximate Date	Calendar Days
Phase 1 Award and Phase 1 Contract	_____, 2025	
Phase 1 Preconstruction and Design Phase	_____, 2025 to _____, 2025	_____
Phase 2 Design/Build Construction	_____, 2025 to _____, 2026	_____
Project Completion	April 28, 2026	_____
Warranty Period ends	_____, 2027	_____

#### IV. PROPOSAL DEADLINE AND CONTACT INFORMATION

- A. Sealed responses to the Request for Qualifications must be submitted to Owner at the County of Riverside, Facilities Management Department, 3450 – 14<sup>th</sup> Street, Riverside, CA 92501 on July 23, 2025. **Proposals shall be due by 5:00 p.m. local time, as determined by the receptionist's date stamp at Owner Manager's Office.** Owner may reject all submissions received after the specified time and may return such submissions unopened. Proposals must be submitted in accordance with the requirements of this RFQ.
- B. All inquiries and requests for information shall be submitted by electronic mail (E-mail) to John Harden, Facility Operation Manager - PMO at [JHarden@Rivco.org](mailto:JHarden@Rivco.org). Inquiries to other Owner representatives are not permitted. There is a Cone of Silence related to this procurement as stated more fully below.

#### V. METHOD OF REVIEW AND SELECTION; SELECTION TIMELINE

- A. Owner will follow the procurement process in Public Contract Code section 22185.3 and in this RFQ to select a qualified Respondent. If a Contract is to be awarded, Owner will select a Respondent using a qualifications-based selection as defined in Public Contract Code section 22185(i) and using the process defined in Public Contract Code section 22815.3.
- B. The process for review and selection shall proceed as follows:
1. **Publication of the Request for Qualifications.** Interested parties may obtain the Request for Qualifications package by downloading it from

Owner's website at: <https://rivcofm.org/rfp-rfq>. *(Please refresh page each time you visit the RFP & RFQ link).*

2. **Mandatory Pre-Response Briefing and Site Walk.** All interested parties must attend a mandatory pre-response briefing and site walk at which Owner and its Project team will discuss the Project scope, provide a guided tour of the Project site, review the RFQ process, and discuss the Project generally. Each Respondent must attend through one or more designated representatives and must certify attendance as part of its Response. The pre-response briefing will be held at 14700 Manzanita Park Road, Beaumont, CA 92223 on the date set forth in the "Procurement Schedule" section below.
3. **Question and Answer Period through Final Addenda.**
  - (a) Owner will accept written questions related to this RFQ in writing only from interested parties that attended the mandatory pre-response briefing and site walk.
  - (b) All questions must be received no later than the date set forth in the "Procurement Schedule" section below. Any questions received after this date will not be considered and Owner will not provide any response.
  - (c) Owner may periodically issue addenda to the RFQ prior to the deadline for issuance of final addendum set forth in the "Procurement Schedule" section below. Copies of all questions and answers shall be included in each addenda. Owner shall post each addenda at the website where the original RFQ is located. Each Respondent is responsible for obtaining, reviewing, and understanding each addenda issued by Owner.
  - (d) Respondents must comply at all times with the requirements of the "Cone of Silence" section below during this procurement.
4. **Submission of Responses to the Request for Qualifications.** Each Respondent must timely submit the documents and information listed required by Owner in response to this RFQ. The deadlines stated in this RFQ are absolute and will not be waived. Owner will not consider or open any late submissions. Each Respondent must select a method of delivery that ensures its submission will be timely received at the correct address.
5. **Review and Scoring of Responses.** Owner will review and score the written submissions to this RFQ that comply with the requirements stated in this RFQ. Owner will then rank the Respondents by their overall score.
6. **Shortlisting of Respondents.** Owner shall notify the top three Respondents and request that each of the three Respondents provide

Document 00 42 53 (Pre-Construction Cost Form) within seven (7) business days.

7. **Interviews with Selected Respondents.** Owner will schedule and conduct interviews with the three highest-scoring Respondents that have timely provided Document 00 42 53 (Pre-Construction Cost Form). Owner will evaluate and score each Respondent following the interview.
  8. **Final Selection and Notice of Intent to Award.** Following the interviews, Owner will score and rank the Respondents and then make a recommendation to Owner's Council to either (i) forego selection and award of a Contract, (ii) to award a Contract to the firm with the highest overall score, or (iii) to take other action as necessary and appropriate. If Owner elects to award a Contract, it will issue a Notice of Intent to Award.
  9. **Protest Period and Final Award.** If Owner issues a Notice of Intent to Award, the unsuccessful Respondents shall have an opportunity to protest the award following the procedures set forth in this RFQ and pursuant to applicable law.
- C. Owner reserves the right to deem non-responsive any Proposal which does not address and respond to all of the requirements of this RFQ.
- D. Owner reserves the right to reject all responses to the Request for Qualifications in its sole and absolute discretion.
- E. The qualifying Respondent **with the most points** will be identified as the candidate for an award of the Contract as provided in this RFQ. Owner will use the criteria specified in Exhibit \_\_\_\_ of this RFQ to score each proposal.
- F. **Procurement Schedule.** Owner will follow the below timeline for this procurement. Owner reserves the right to adjustments to the dates set forth in this document from time-to-time pursuant to applicable law.

Action	Date	Time
Advertise Request for Qualifications	____ 7/2/2025 _____, 2025	
Optional Pre-response Briefing and Site Walk	____ 7-15-2025 _____, 2025	10:00 a.m.
Final Date for Respondents to Submit Questions to OWNER	____ 7-17-2025 _____, 2025	5:00 p.m.
OWNER Issues Final Addendum	____ 7-21-2025 _____, 2025	
<b>Deadline</b> for Respondent Submission of Response to Request for Qualifications	____ 7-24-2025 _____, 2025	5:00 p.m.

OWNER Notification of Request for Interviews	8-1-2025	, 2025
Interviews with Top Three Rated Respondents	8-7-2025	, 2025
Selection and Notice of Award	8-14-2025	, 2025

## **VI. CONFLICTS OF INTEREST**

- A. Pursuant to Public Contract Code section 22185.2, Owner has developed guidelines for a standard organizational conflict-of-interest policy, consistent with applicable law, regarding the ability of a person or entity that performs services for the local agency relating to the solicitation of a design-build project, to submit a proposal as a design-build entity or to join a design-build team.
- B. OWNER's Conflict-of-Interest Policy and the Respondent's Conflict -of -Interest Disclosures are included in the Forms attached to this RFQ. Each Respondent must complete and submit the Conflict of Interest Disclosure form with its response.
- C. Owner may engage additional third-party consultants from time-to-time to provide services related to the Project.

## **VII. CONE OF SILENCE**

- A. "Cone of Silence" means a prohibition on any communication, oral or written, regarding particular Requests for Qualifications, bids, proposals, contract negotiations, or other competitive solicitation between:
  - 1. Any person who seeks an award of the Project from Owner, including a Respondent or Respondent's representative, and,
  - 2. Any person appointed to evaluate or recommend selection in such procurement process, including members of Owner's Project team.
- B. Notwithstanding the foregoing, the Cone of Silence shall not apply to communications with, among or between the Project Manager, Construction Manager, and the Owner and their respective staff, or with designated staff who are not serving on an Evaluation Panel or the Interview/Presentation Panel, to obtain clarification or information concerning the subject solicitation. Further, nothing herein shall prohibit District employees or representatives from communicating with each other. For purposes of this section, "Respondent's Representative" means an employee, partner, officer, or director of a potential Respondent, or consultant, lobbyist, or actual or potential subcontractor or sub-consultant of a Respondent.
- C. A Cone of Silence applies to this procurement as of the date Owner first issues a Request for Qualifications. The Cone of Silence shall terminate at the time Owner'

governing board or council votes to award or approve a contract, to reject all responses, or otherwise take action that ends the solicitation.

- D. Nothing contained herein shall prohibit any prequalified Respondent or any Respondent's representative:
  - 1. from engaging in contract negotiations with Owner;
  - 2. from making a public presentation to Owner's board or council during any duly noticed public meeting; or
  - 3. from communicating in writing with any of Owner's employees or officials for purposes of seeking clarification or additional information, or from participating in interviews, subject to the provisions of the applicable RFQ.
- E. Nothing contained herein shall prohibit the Project Manager or other staff from initiating contact with a Respondent or Respondent's representative and subsequent communications related thereto for the purpose of obtaining further information regarding the Respondent's response or as otherwise permitted by this Section. For purposes of this Document and when not otherwise precluded by the operation of this Document from doing so, the Project Manager or designee shall accept communications from prequalified Respondents or Respondent's representatives while a Cone of Silence is applicable to this competitive solicitation.
- F. Owner's board or council shall be informed of any person who is alleged to have failed to observe the Cone of Silence or requirements of this Section. In each such instance, an investigation shall be performed.
  - 1. If there is a determination of violation, Owner reserves the right to reprimand, penalize in the form of lower ranking or points, or entirely disqualify the Respondent who failed to observe the Cone of Silence or requirements of this Section from further consideration for the pending competitive solicitation.
  - 2. A written notice of a determination of a failure to observe the Cone of Silence or requirements of this Section, if any, and notice of the penalty imposed as provided for in this Section, if any, shall be furnished to the Respondent or person who has been investigated.
  - 3. A Respondent or person who is determined to have failed to observe the Cone of Silence or requirements of this section may appeal such determination in the same manner and using the same procedure established for a Proposal Protest in this RFQ.

## VIII. MANDATORY REQUIREMENTS

- A. **Proposal Manager.** Each Respondent must designate in its submission one individual that shall be the single point of contact for the Respondent during the



entire qualification and selection process for the Project. Respondent may substitute from time-to-time the single point of contact by notifying Owner in writing.

- B. **Limitation on Overlapping of Team Members.** The Respondent's general contractor (if it is a separate legal entity from the Respondent), the Architect of Record, and Lead Engineer are not allowed to participate in any capacity as a member of more than one Respondent team. There are no such participatory restrictions on other team members.
- C. **Commitment to Maintain Team Members for Project Duration.** Respondent's team members and key personnel named in the Response to Owner's Request for Qualifications are a material element of Owner's selection of a Respondent to receive the award of the Contract, and performance by those individuals on the Project in their designated roles is of paramount importance to Owner. The successful Respondent will be limited in its ability to change team members or Key Personnel.
- D. **Required Licensure.** Pursuant to Public Contract Code section 3300, the Respondent's general contractor for the construction work on the Project must possess a valid Class A or B license issued by the California Contractors State License Board. The Respondent's general contractor must maintain its license in good standing at all times during construction without exception. Any individual or business entity providing architectural or engineering services for the Project must hold and maintain in good standing any required California licenses. The Respondent must secure and maintain any local, state, federal, or professional licenses required to perform any aspect of the design or construction work for itself and Subcontractors and subconsultants of all tiers.
- E. **Skilled and Trained Workforce Commitment.** This Project is subject to the requirements of Public Contract Code sections 22185 et. seq. and 2600 et. seq. Pursuant to Public Contract Code section 22185.3(b), a design-build entity shall not be evaluated for selection unless the entity provides an enforceable commitment to the local agency that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades, in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of the Public Contract Code. By submitting a response to the Request for Qualifications, the Respondent agrees, represents and warrants that:
  - 1. It shall comply fully with the requirements of Public Contract Code section 2600 et. seq.
  - 2. It shall cause all of its Subcontractors at every tier to comply fully with the requirements of Public Contract Code section 2600 et. seq.

3. It shall provide to Owner, on a monthly basis while the Project or contract is being performed, a report demonstrating compliance with this Public Contract Code section 2600 et. seq.
  4. If Respondent fails to provide the monthly report required by this section, or provides a report that is incomplete, Owner shall withhold further payments until a complete report is provided.
  5. If a monthly report does not demonstrate compliance with Public Contract Code section 2600 et. seq., Owner shall withhold further payments until the Respondent provides a plan to achieve substantial compliance with Public Contract Code section 2600 et. seq., with respect to the relevant apprenticeable occupation, prior to completion of the Project.
- F. **Respondent Certifications.** Each Respondent must submit the Respondent Certifications with its response to the Request for Qualifications. Owner will reject as non-responsive any response submitted without the Respondent Certifications.
- G. **Respondent's Careful Examination of Documents.** Submission of a response signifies that the Respondent has carefully examined the Documents issued by Owner as part of this Request for Qualifications and has a complete understanding of the nature, extent, and location of the Work to be performed. Respondent further certifies that its careful examination of the Request for Qualifications Documents is not limited as provided in Public Contract Code section 1104 and includes review as a Design/Builder holding licenses issued by the California State License Board, the California Architects Board, and the Board for Professional Engineers, Land Surveyors, and Geologists. If awarded a Contract by Owner, Respondent shall assume full responsibility for the completeness and accuracy of architectural or engineering plans and specifications prepared for the Work on the Project.
- H. **Compliance with Wage Rates.** Respondents are required to comply with all applicable prevailing wage requirements and regulations. Copies of the general prevailing rates of per diem wages for each craft, classification, or type of worker needed to design and construct the Project, as determined by Director of the State of California Department of Industrial Relations, are on file at the Office of Owner and are deemed included in the Contract Documents.

Pursuant to Labor Code Section 1774, the Respondent and any Subcontractors, regardless of tier, shall pay not less than the specified prevailing wage rates to all workers employed in the execution of the Contract. The California Department of Industrial Relations (DIR) has determined the general prevailing rate of wages for each craft, classification, or type of worker needed to execute the work. Copies of the current schedules for prevailing wages applicable to this project are on file with Owner. It shall be mandatory for the Respondent, or any Subcontractor to pay not less than the said specified rates to laborers and workmen employed by them in the execution of the Contract. Alternatively, wage rates may be accessed on the internet at: [http://www.dir.ca.gov/DLSR/statistics\\_research.html](http://www.dir.ca.gov/DLSR/statistics_research.html). All certified payroll

records must be submitted electronically to the DIR and to Owner. Further details will be provided in the Agreement.

- I. **DIR Registration Requirement.** This Project is considered a public works project per Labor Code Section 1720. As such, pursuant to Sections 1725.5 and 1771.1 of the Labor Code, all Contractors and subcontractors must be currently registered with the Department of Industrial Relations (DIR) in order to qualify to be listed in a proposal, subject to the requirements of Section 4104 of the Public Contract Code; or engage in the performance of any contract for public work. Limited exceptions for Joint Ventures and Projects with Federal Funds may apply pursuant to Section 1771.1 of the Labor Code. Registration process, fees, and related information may be obtained from the DIR website at: <http://www.dir.ca.gov/public-works/publicworks.html>

No Contractor or Subcontractor may be awarded a contract for public works on a public works project (awarded on or after April 1, 2015) unless registered with the DIR pursuant to Labor Code section 1725.5. This Project is subject to compliance monitoring and enforcement by the DIR.

- J. **Addenda.** Respondents must direct all requests for clarification about the meaning or intent of any documents related to this RFQ to Owner by email as listed in this RFQ and in accordance with any Cone of Silence requirements found therein. Owner will issue by formal written Addendum any clarifications it considers necessary in response to such questions. Only items answered by formal written Addendum shall be binding on Owner. Oral responses or any other interpretation or clarification will have no legal effect. At Owner's discretion, it may also issue Addenda to modify any documents related to this RFQ. The Respondent shall acknowledge its receipt of any Addenda in response to the RFQ. Respondents may obtain a complete list of Addenda from Owner.

## **IX. SUBCONTRACTOR PROCUREMENT**

- A. If a Contract is awarded, the Project will be subject to Public Contract Code section 22185.6 and the Subletting and Subcontracting Fair Practices Act at Public Contract Code sections 4100 et. seq. Respondent must strictly comply with all legal requirements regarding solicitation of, contracting with, and payment of Subcontractors.
- B. Pursuant to Public Contract Code Section 22185.6(a), Owner has not identified any specific types of Subcontractors that shall be included in the Respondent's Response to the RFQ.
- C. Each Respondent may include one or more Subcontractors in its Response to the Request for Qualifications. Any Subcontractors included in the Response shall be afforded the protections of Chapter 4 (commencing with Section 4100) of Part 1 of the Public Contract Code.

- D. If a Contract is awarded, the Respondent shall proceed as listed in Public Contract Code section 22185.6 in awarding construction subcontracts with a value exceeding one-half of 1 percent of the contract price allocable to construction work. The Respondent shall:
1. Provide public notice of availability of work to be subcontracted in accordance with the publication requirements applicable to Owner's competitive bidding process, including a fixed date and time on which qualifications statements, bids, or proposals will be due.
  2. Establish reasonable qualification criteria and standards with input from Owner.
  3. Award subcontracts on a best value basis. The process may include prequalification or short-listing.
- E. Subcontractors awarded construction subcontracts on the Project shall be afforded all the protections of Chapter 4 of Part 1 of the Public Contract Code, commencing with Section 4100.
- F. A construction Subcontractor licensed pursuant to Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code that provides design services used on the Project shall not be subject to any liability arising from their design if the construction subcontract for that design is not performed by that Subcontractor.

## **X. SUBMISSION OF RFQ RESPONSES**

### **A. Submission Format.**

1. Each Respondent shall submit its response in one or more sealed envelopes, boxes, or other containers (referred to herein as a "RFQ Response Package") containing the items listed in this Article. **RFQ Response Packages shall be hand delivered to County of Riverside, Facilities Management Department, 3450 – 14<sup>th</sup> Street, Riverside, CA 92501.** Each RFQ Response Package will be time and dated stamped by Owner upon receipt. RFQ Response Packages shall be due by 5:00 p.m. local time, as determined by the receptionist's date stamp at Owner's Facilities Management Department. Owner may reject all submissions received after the specified time and may return such submissions unopened. All RFQ Response Packages shall be marked as follows: **RESPONSE TO REQUEST FOR QUALIFICATIONS FOR RIVERSIDE COUNTY BEHAVIORAL HEALTH CHILD HEALTH CENTER AT HARMONY HAVEN.**
2. Each Respondent shall submit three (3) hard copies of Respondent's RFQ Response Package and one (1) electronic, scanned copies of the same (USB Flash Drives) shall be submitted to Owner as outlined in this section.

Respondent's RFQ Response Package shall be organized as outlined in Section B below.

3. Each submission shall be in no less than 11 -point font and shall be provided on standard 8-1/2 inch by 11 inch paper unless otherwise noted. Where page limitations are stated, they refer to a single, double-sided page.

**B. Required Contents.** Each Respondent's submission shall contain the following information.

1. Group One Documents. Respondents will assemble the documents listed below into one or more tabbed binders:
  - (a) **Cover Letter and Executive Summary:** A two-to-three page letter summarizing each element of the response and items which the Respondent believes will make Respondent's RFQ Response Package superior to the responses of other anticipated Respondents.
  - (b) **Respondent's Response to Request for Qualifications Questionnaire.** Fully completed responses to the Request for Qualifications Questionnaire and Forms completed in compliance with the instructions included in that Document, *with the exception of* the Respondent's financial statements, which shall be provided with the Group Two Documents.
  - (c) **Respondent's Disclosures and Certifications.** Fully completed versions of the documents listed in the Respondent Certifications completed in compliance with the instructions included in that Document.
2. Group Two Documents. Respondents shall assemble and submit in a separately sealed envelope that are included in Respondent's full submission the following documents:
  - (a) **Audited Financial Statements.** In a separate envelope, Respondent will provide audited financial statements for the Respondent and its general partners and/or joint venturers.
3. The Pre-Construction Cost Form is not required as part of a Respondent's submission. Owner shall request this document only from the three shortlisted Respondents as described above in Section IV.

## **XI. RFQ RESPONSE RECEIPT AND EVALUATION**

- A. Owner shall time-stamp all responses to this RFQ upon receipt. RFQ responses will not be opened publicly and will be held in confidence during the evaluation period prior to the Contract award. RFQ responses may become public later as described in this RFQ and pursuant to applicable law.

- B. Upon receipt of Respondent's RFQ Response Package, Owner will perform an initial review for completeness and to identify any patently defective or non-responsive responses. Responses not meeting the requirements of this RFQ may be considered non-responsive. Owner action on a defective or non-responsive response may include refusal to evaluate the response and elimination of the Respondent from the evaluation process. Owner reserves the right to take any action consistent with the requirements of this RFQ including, without limitation, requesting additional information after receipt and opening of any response and waiving any inconsequential defects.
- C. Owner may reject any response and may waive, to the fullest extent permitted by law, any informalities or minor irregularities therein. Owner also reserves the right, in its discretion, to reject all responses and issue a further RFQ for the Project. Additionally, Owner reserves the right: (i) to reject any nonconforming, non-responsive, or conditional response, (ii) to request other responses, and (iii) to reject the response of any Respondent if Owner believes that for any reason it would not be in the best interest of Owner to make an award to that Respondent.
- D. In evaluating responses, Owner will consider the information provided in the Respondent's submitted documentation, the Respondent's compliance with the prescribed requirements, and such other data as may be requested in this RFQ, Respondent's interview, or any other information provided or discovered prior to the Notice of Award.
- E. Owner may conduct any investigations Owner deems necessary to assist it in its evaluation of any response and to establish the Respondent's responsibility, qualifications and financial ability (and that of its proposed subcontractors, suppliers, and other persons and organizations) to perform and furnish the Work in accordance with the Contract Documents, to Owner's satisfaction, and within the prescribed time. Owner shall have the right to communicate directly with Respondent's surety regarding Respondent's bonds.
- F. Owner will determine at its sole discretion whether a response to the RFQ is responsive and whether a Respondent is responsible.
- G. Owner will resolve any discrepancies between (a) the indicated sum of any column of figures and the correct sum of those figures in favor of the correct sum, and (b) written words and figures, or written words and numerals, in favor of the written words.
- H. O Owner will evaluate each response to the RFQ based on the Evaluation Factors set forth in the RFQ Scoring Matrix.
  - 1. Owner will review and score the written submissions to this RFQ that comply with the requirements stated in this RFQ. Owner will then rank the Respondents by their overall score.

2. Owner shall notify the top three Respondents and request that each of the three Respondents provide the Pre-Construction Cost Form within seven (7) business days.
3. Owner will schedule and conduct interviews with the three highest-scoring Respondents that have timely provided Pre-Construction Cost Form. Owner will evaluate and score each Respondent following the interview.

## **XII. AWARD AND PROTEST**

### **A. Notice of Intent to Award; Protest Procedures.**

1. If Owner issues a Notice of Intent to Award, Owner will use reasonable effort to deliver by electronic mail a copy thereof to all Respondents who submitted RFQ Response Packages no later than the first Business Day after issuance, although any delay or failure to do so will not extend the protest deadline. The Notice of Intent to Award shall include, at a minimum, all of the following: (1) The name of the Respondent to whom the award was made; (2) a written decision supporting the Contract award which states the basis of the award; and (3) Owner's second and third ranked Respondents.
2. Any protest must be submitted in writing to \_John Harden – Facilities Operations Manager\_\_\_\_\_ at the address in Article I above, before 2:00 p.m. (with the time determined by the time-stamp procedure described in Article X (RFQ Response Receipt and Evaluation) above) of the fifth (5th) Business Day following issuance of the Notice of Intent to Award. Protests must conform to the following:
  - (a) The initial protest document must contain a complete statement of the specific basis (or bases) for the protest.
  - (b) The protest must include the name, address and telephone number of the person representing the protesting party.
  - (c) The Respondent filing the protest must transmit a copy of the initial protest document and any attached documentation concurrently to all other parties with a direct financial interest that may be adversely affected by the outcome of the protest. Such parties shall include, but not be limited to all other Respondents that submitted RFQ Response Packages and their associated Subcontractors, vendors, sureties, etc.
3. The procedure and time limits set forth in this section are mandatory and are a Respondent's sole and exclusive remedy in the event of protest. A Respondent's failure to comply with these procedures shall constitute a waiver of any right to further pursue its protest including the filing a Government Code Claim or instituting separate legal proceedings. A

Respondent may not rely on a protest submitted by another Respondent but must timely pursue its own protest.

- B. **Notice of Award.** If any award is made, Owner shall publicly announce the award of the Contract by issuing a Notice of Award, by posting the same in the Office of Owner, and by mailing a copy of the Notice of Award to all parties who requested that Owner provide such notice.

### **XIII. MISCELLANEOUS REQUIREMENTS**

A. **Electronic Documents.**

1. Owner may, in its sole discretion, and solely as a convenience to Respondents, elect to provide various documents and/or other information as a hardcopy paper document, with a link to a website that houses the documents or other electronic forms (“**Electronic Copy**”). In all cases, the Original Electronic File shall be referred to, and shall control, in the event of any inconsistency between a Hardcopy and an Electronic Copy.
2. Respondents are advised to check all electronic media for computer viruses before loading any files therefrom. Respondents are fully responsible for intercepting and disabling viruses, if any, that may be inadvertently transmitted with an Electronic Copy. Also, files distributed electronically are subject to data erosion, erasure and/or alteration, and computer systems and software become obsolete in time (together, “Data Erosion”). By taking any step to open or otherwise use any electronic file, each Respondent acknowledges these risks and releases Owner, and its officers, employees, consultants, representatives, and agents and holds them harmless from and against all claims of any type or nature arising from or relating to any virus inadvertently transmitted or any Data Erosion. In addition, the composition of electronic files and the adjuncts to them were created for the use and convenience of Owner and may not be compatible with other users. As a result, Respondents acknowledge that Electronic Files may not match printed Hardcopies, and that it is the responsibility of the Respondents to ensure printed Hardcopy Documents match the original electronic files.

B. **Public Records Act Requests.**

1. Owner is a public agency and is subject to the California Public Records Act.
2. Pursuant to the Public Records Act, Owner will make available to the public after Award of a Contract: Respondent’s submissions (to the extent opened), all correspondence and written questions submitted during the RFQ process, all submissions opened in accordance with the procedures of this RFQ, and all subsequent evaluation information.



3. Any submissions not opened will remain sealed and will be returned to the submitting Respondent. Except as otherwise required by law, Owner will not disclose trade secrets or proprietary financial information submitted that has been designated confidential by Respondent (including but not limited to the RFQ Response Package). Any such trade secrets or proprietary financial information that a Respondent believes should be exempted from disclosure must be specifically identified and marked as such by Respondent. Blanket-type identification by designating whole pages or sections shall not be permitted and shall be invalid. The specific information must be clearly identified as such.
4. Upon a request for records related to this RFQ, Owner will notify the Respondent involved within a reasonable time after receipt of the request of a specific time when the records will be made available for inspection. If the Respondent timely identifies any additional proprietary, trade secret, or confidential commercial or financial information that Respondent determines is not subject to public disclosure, and requests Owner to refuse to comply with the records request, Respondent shall take all appropriate legal action and defend Owner's refusal to produce the information in all forums; otherwise, Owner will without restriction make such information available to the extent required by applicable law.
5. Information disclosed in the RFQ and attendant submissions are the property of Owner unless Respondent makes specific reference to data that is considered proprietary. Subject to the requirements in the Public Records Act, reasonable efforts will be made to prevent the disclosure of information except on a need-to-know basis during the evaluation process.

C. **Costs of Preparing Responses to the RFQ.** Respondents are solely responsible for the cost of preparing responses to the Request for Qualifications.