



REQUEST FOR QUALIFICATIONS (RFQ) POOL OF ARCHITECTURAL PROFESSIONAL SERVICES

PART 1 - GENERAL

1.1 INTRODUCTION

The Contra Costa Community College District (“District”), acting through its Governing Board, is seeking Statements of Qualifications from experienced and proven architectural firms (“Consultant”) to provide comprehensive architectural and engineering design and construction administration services for various capital improvement projects (“Projects”), located at all five District locations. Projects may be funded in-whole or in-part with Measure E bond funds, local capital improvement funds, state capital improvement funds, or other funding identified by the District.

The District’s goal in issuing this RFQ is to select a pool of experienced architectural firms that can provide a variety of planning, programming, and design services over the next five years. Once the pool is established, the District intends to issue a request for proposals (RFP) in order to select one or more qualified firm(s) from that pool to provide said services to the District specific projects or groups of projects.

The District intends to evaluate and select those firms whose qualifications are determined to be the most beneficial to the District. The selected firms are allowed to therefore provide services for a variety of District projects at any of the District’s campuses or satellite locations.

Responses to this RFQ shall be **due by 2:00 PM on 4/12/23** at the Contra Costa Community College District office located at 500 Court Street, Martinez, CA 94553.

Faxed or e-mailed Statements of Qualifications will NOT be accepted and will be rejected as non-responsive. The District reserves the right to duplicate any provided materials for internal use. All submittals become the property of the District. Please provide and submit two (2 sets) original statements, and one (1) set electronic copy on a flash drive to:

Purchasing Department
Contra Costa Community College District
500 Court Street, Martinez, CA 94553
Attn: Ben Cayabyab, Contract Manager
Architect “Pool” Statement of Qualifications

1.2 THE DISTRICT

The Contra Costa Community College District was established in 1949 and serves the residents of Contra Costa County. It is one of the ten largest multi-college community college districts in California. The District office is located in historic downtown Martinez. The District operates through three colleges: Diablo Valley College, Los Medanos College and Contra Costa College. The District also has two education centers: San Ramon Campus and Brentwood Center. The District’s Governing Board has five members elected by the community and one Student Trustee elected by students District wide. Since 2002, there have been three major facilities bonds approving close to

\$900M in capital improvement funds. The 2002 Measure A bond (\$120M) and 2006 Measure A+ bond (\$286.5M) are both now fully implemented and closed out. In 2014, the District successfully passed Measure E - \$450M facilities bond to continue to improve facilities on all three college campuses and two centers and that bond is currently being implemented.

The District also has several other funding sources that are utilized for various projects, including local funds, State funding and grants.

1.3 RESTRICTIONS ON LOBBYING AND CONTACTS

From the period beginning on the date of the issuance of this RFQ and ending on the date of the award of the contract, no person or entity submitting in response to this RFQ, nor any officer, employee, representative, agent, or consultant representing such a person or entity, shall contact through any means or engage in any discussion regarding this RFQ, the evaluation or selection process/or the award of the contract with any member of the District, College faculty or staff, Governing Board, selection team members, or any member of the Citizens' Oversight Committee. Any such contact may be grounds for the disqualification of the firm.

1.4 FULL OPPORTUNITY

No respondent will be discriminated against on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status in any consideration leading to the award of the contract. The District also affirmatively ensures that Disadvantaged Business Enterprises (“DBE”), Small Local Business Enterprises (“SLBE”), Small Emerging Local Business Enterprises (“SELBE”), and Disabled Veterans Business Enterprises (“DVBE”) shall be afforded full opportunity to respond to this RFQ.

1.5 ACCESSIBILITY OF SERVICES AND LEARNING ENVIRONMENT

The District is committed to providing an accessible environment which is supportive of Section 508 of the Rehabilitation Act of 1973 in 1998. All entities contracted by the District must adhere to these laws in performing the duties on behalf of the District. All deliverables provided to the District must be created in an accessible manner as outlined in Section 508 laws (both defined by the Federal Government and the State of California). For example, all presentation videos, electronic documents, training materials, software, or websites provided to the District for their use as part of the services must be in compliance with Section 508.

1.6 RFQ SCHEDULE (dates may be revised by addenda to this RFQ)

03/10/2023 - Issuance of Request for Qualifications
03/21/2023 – Non-Mandatory Pre-Proposal Conference, 1:30 PM via Zoom
03/31/2023 – Deadline for submission of questions/requests for clarification*
04/05/2023 - Questions/clarifications/addendum issued
04/12/2023 - SOQ submittal due at District Office in Martinez, by 2:00 PM**
04/28/2023 - Issue Short List of Selected Firms

* Please submit all questions regarding this RFQ in writing, by email to Ben Cayabyab, Contract Manager, at BCayabyab@4cd.edu, in accordance with the deadline noted above. All questions must be received by the close of business of the due date. Resulting addenda will be in the question/answer format posted to the District website.

**Submittals received after this time and date may be considered at the sole discretion of the District if it determines it will be in the District's best interests to do so.

PART 2 - SCOPE OF SERVICES

2.1 SUMMARY

The Consultant may provide Architecture and Engineering related services and reporting, including, but not limited to the following, and/or as described in each future project specific Request for Proposals. The quantity and duration of projects will depend on the District's requirements and needs for these services.

The work may include, but is not limited to, the following services:

- 1) Condition Assessments (estimate of remaining service life and code compliance reviews) investigation, analysis and recommendation(s) for repair/replacement of existing building components including, but not limited to, roofs, windows, structural, doors/hardware, exterior skin, and building systems, including but not limited to HVAC, plumbing, fire, electrical, communications, data, security, and other building and site components.
- 2) Architectural design and related engineering services for new building construction, building renovations (interior or exterior), and building demolition.
 - a. Preparation of estimates, schedules, plans, and specifications for projects, and as otherwise requested.
 - b. Provide support services in other disciplines, as required, to accomplish primary architectural scope, including but not limited to:
 - Interior Design/FF&E (Furniture, Fixtures, and Equipment)
 - Structural
 - Civil
 - Mechanical (HVAC and Controls)
 - Electrical
 - Plumbing
 - Audio/Visual
 - Telephone/Data/Communications
 - Security
 - Fire Protection
 - Landscape
 - Cost Estimating
 - Energy Modeling
 - Other support services tasks as needed for the work
- 3) Prepare programming, design documents and construction administration support services for best value selection projects including design documents for Lease-leaseback delivery method and criteria or bridging documents for Design-Build. Delivery method for each project will be determined as each new project is initiated.

- 4) Prepare programming, design phase documents (Schematic Design (SD), Design Development (DD), and Construction Documents (CD)) and construction administration services for design-bid-build delivery projects. Provide DSA submittal and approval support services as typically needed on all projects. . Participate in bidding and bid review and analysis, which will include preparing addenda and obtaining DSA approval of addenda.
- 5) Provide cost estimates as requested by District during various phases of a project, including during Programming/Space Plans, Schematic Design, Design Development and Construction Document phases, and participate in scope to budget reconciliation process with District and Project Manager (PM). . Provide value engineering and scope reduction options in order to adhere to project budget.
- 6) Participate in review of design documents with the District, campus end users, project team, local Fire Authority, DSA, and representatives of other State or Local agencies as needed, and prepare meeting minutes.
- 7) Determine and complete studies related to swing space needs on a campus or project level and develop phasing plans in coordination with the District.
- 8) Where applicable, develop swing space/interim housing plans and associated documents and obtain DSA approval.
- 9) Coordinate District-provided drawings and reports as required. This includes, but is not limited to, seismic studies, surveys, topographical maps, record documents, hazardous material surveys, geotechnical studies, and energy audits.
- 10) Incorporate hazardous material mitigation documents provided by District's consultant(s) into the final document set to be approved by DSA.
- 11) Prepare final set of plans and specifications for bidding.
- 12) Prepare complete interior design and FF&E packages.
- 13) Prepare and submit applications and documentation for project certification or incentive programs including but not limited to LEED, WELL, California Energy Design Assistance (CEDA), and PG&E's Market Access Program.
- 14) Conduct total cost of ownership/life cycle cost analysis on various design options, to allow us to make informed design decisions.
- 15) Conduct peer and constructability review of design and/or participate in District provided constructability review process.
- 16) Perform field investigations, surveying, and verification of record documents as needed.
- 17) Construction Administration Services:
 - a. Assist in construction administration activities, including attendance at weekly site or online meetings, implementation of current DSA-required procedures, and coordination of subconsultants during construction.
 - b. Respond to requests for information (RFI's), review contractor submittals and shop drawings, review of contractor payment requests and change orders, and conducting meetings.

- c. Participate in project close-out tasks, which will include the preparation of punch lists, the review of warranties and O&M manuals, and the review and approval of final contractor payments.
- d. Coordinate all required documentation for DSA close-out and certification.
- e. Preparation and review of Record Documents and electronic files.

18) Additional miscellaneous services and tasks generally associated with Architectural Services and Building Engineering Services and Systems, and as otherwise required architectural services.

The selected Consultant(s) must have sufficient staff to handle several projects simultaneously and promptly complete assigned tasks.

Deliverables, as specified in each Request for Proposals will be prepared in accordance with the applicable codes and regulations and District standards including, but not limited to, the District and/or College standards.

2.2 ADDITIONAL PROJECT INFORMATION

A. The following Exhibits are provided:

Exhibit A – District Standard Architectural Services Agreement

Exhibit B – 4CD Districtwide Energy & Sustainability Goals

B. Prospective List of Projects: Note that this list is not inclusive of all projects and projects may be added or removed as needed by the District. The District is in the process of updating all three colleges Facilities Master Plans and that process is anticipated to conclude in 2024. It is anticipated that completion of that effort will provide for additional projects districtwide that may need architectural/engineering services. Placement in the pool of architects does not guarantee a project assignment. Projects listed below are anticipated to commence in 2023 and 2024 and will be active Anticipated RFP date is listed for some projects. Dates in parentheses () are anticipated RFP issuance dates.

a. CCC

- Football Field synthetic turf replacement (2023)
- Site walkway upgrades (2023)
- Site paving upgrades (2024)
- HVAC, including controls, lighting, utility, metering, and other energy projects. (likely to be phased projects starting in 2023)
- Roof replacements (2023-2024)

b. DVC

- Liberal Arts (LA) upgrades: the scope of work may be in phases and the scope includes, but is not limited to to classroom tier seating removal in four classrooms new lighting in all classrooms, HVAC modernization for building, limited landscaping, and restroom renovations. (2023)
- Advanced Technology Building (ATC) - Classroom and office renovations. (2023)

- Administration Building (AB) - convert former Print Shop to new Journalism classroom and new Veteran's Center. (2023)
- Site paving upgrades (2023)
- Wet utility upgrades (2024)
- Medium voltage distribution upgrades (2024)
- HVAC, including controls, lighting, utility, metering, and other energy projects. (likely to be phased projects starting in 2023)
- Roof replacements (2023-2028)

c. LMC

- Rebuild Amphitheater (2023)
- Reconfigure Counseling Offices (2023)
- ADA Transition Plan Projects (2023)
- Upgrade pedestrian walkways (2024)
- HVAC, including controls, lighting, utility, metering, and other energy projects. (likely to be phased projects starting in 2023)
- Roof replacements (2023-2025)

d. District Office

- Restroom renovations (2023)

C. The District may deliver the projects subject to this RFQ using design-bid-build, design-build, lease-leaseback, or other Board approved delivery method.

NOTE: For design-build projects, the pool of qualified architects may be used to procure criteria/bridging architects. The design-build entity will be procured with a project specific RFQ/P. Design teams that participate in the criteria/bridging document phase will not be eligible for award as part of the design-build entity.

2.2 A/E PROFESSIONAL KNOWLEDGE, SKILLS, AND EXPERIENCE

A. The statement of qualifications shall demonstrate:

1. Knowledge and experience working with DSA regulations and requirements, and the California Building Code; as well as all other local and state agencies including but not limited to Local Fire Marshal and Heath Department.
2. Knowledge and experience working with higher education institutions and especially California community colleges in planning for and implementing complex renovation and/or new building projects on an occupied campus, and developing successful design and construction implementation solutions that minimize campus disruptions; direct experience in designing educational facilities to meet diverse programmatic requirements.

3. Experience and capability to develop detailed and thoughtful programming documents that address the campus programmatic needs while remaining within budget and schedule requirements.
4. The experience and ability to effectively and efficiently interface with District personnel and college faculty, staff, and student user groups during all phases of the Project.
5. The experience and ability to communicate and reach project objectives and solutions with a large number of students, administrators, staff, and faculty in a participatory governance environment.
6. The experience and ability to implement designs that incorporate modern sustainability measures that meet and exceed the District's sustainability goals and practices.

PART 3 - SUBMISSION REQUIREMENTS

3.1 SUBMISSION AND FORMATTING

- A. To be considered responsive to this RFQ, the submittals must be in the format identified below. The statements must include a table of contents clearly identifying each required section. Please note the maximum number of pages allowed under each section; front and back cover and index tabs are not considered as pages. Double sided pages will be counted as 2 pages. Please label your tabs with corresponding tab numbers (i.e. "Tab 4..."). Electronic copies should be submitted in PDF format and be word searchable and with bookmarks for each section.
- B. Submissions will not be made publicly available for inspection except as may be required by law. However, any portion your firm wishes to be considered to be exempt from disclosure under the Public Records Act should be clearly marked and accompanied with an explanation of the legal authority supporting this assertion.
- C. The submission shall adhere to the following format for organization and content. Submissions must be divided into the individual sections, with labeled tabs, as listed below:

Tab 1 - Table of Contents (1-page max.)

1. Provide index and title and number of each tab. Electronic copies should be submitted in PDF format and be word searchable and include bookmarks for each section. A bookmark is required corresponding to each "tab" section of the RFQ proposal package.

Tab 2 - Cover Letter (1-page max.)

1. Provide a cover letter indicating your interest in being qualified, including a brief description of why your firm, personnel, and consultants are well suited for and can meet the needs of the District.
2. Include name of firm, address, website, telephone, and name and email of principal to contact. The letter shall be signed by the individual authorized to bind the respondent or group to all statements and representations made therein and to represent the authenticity of the information presented.
3. Respondent shall certify that:

- a. No official or employee of the District, nor any business entity in which an official of the District has an interest, has been employed or retained to solicit or assist in the procuring of the resulting contract(s), nor that any such person will be employed in the performance of any/all contract(s) without immediate divulgence of this fact to the District.
 - b. No official or employee of the firm has ever been convicted of an ethics violation.
4. Statement of Compliance with District contractual requirements: A sample of the District’s standard architectural services agreement is attached to this RFQ. Each submission must include the following statement:

“[INSERT ARCHITECTURAL SERVICES COMPANY’S NAME] received a copy of the District’s form of Architectural Services Agreement (“Agreement”) attached as Exhibit “A” to the RFQ. .

[INSERT ARCHITECTURAL SERVICES COMPANY’S NAME] has reviewed the indemnity provisions and professional liability insurance provisions contained in the Agreement. If given the opportunity to contract with the District, [INSERT ARCHITECTURAL SERVICES COMPANY’S NAME] has no objections to the use of the Agreement.”
5. Respondent shall sign the submittal and include the following language: “By virtue of this submission, [INSERT FIRM NAME] declares that all information provided is true and correct.”

Tab 3 - Architectural Firm’s Information (2 pages max.)

1. Provide a brief description and history of the firm, including a brief summary of qualifications and specialized experience pertinent to higher education projects in California. Provide specificity as to firms experience in CA community colleges projects. State the number of years the firm has been in business providing design services. If the firm has more than one office, keep the summary information brief, and identify the primary design office. For the primary design office, identify:
 - the number of years it has been in operation;
 - the number of employees (licensed professionals, technical support, administrative support);
 - disciplines typically performed with in-house employees;
 - company organization chart;
 - location of office where the bulk of services solicited will be performed.

Tab 4 – Relevant Project Experience (1-page maximum for each project)

1. Provide detailed experience information per following requirements: Provide ten (10) design projects that demonstrate the scope and scale of projects that best describe the firm’s unique capabilities. The ten (10) representative projects should consist of five (5) new construction projects and o five (5) renovation projects on which the firm has provided full design and construction administration services in the past ten (10) years. Please choose projects that represent a broad cross section of the firm’s capabilities . Projects must be in the State of California, preferably from the local design office that

would serve the District's projects. Projects on which current employees have contributed when working for other firms are not to be included in this section. Those projects may be submitted as a part of Tab 6, Project Staff Qualifications.

2. For each project submitted to support item 1 above, provide the following information:
 - a. Name, location and a brief description of the project; identify if the project was a renovation or new construction and any specific program and facilities requirements;
 - b. Please indicate if this was a DSA project or not. If the project AHJ was DSA, please provide the duration from initial DSA submittal to final DSA approval.
 - c. Name of the primary design professional from your firm. Include a matrix identifying which of your proposed team members worked on submitted projects.
 - d. Approximate size of project in square feet
 - e. Project construction budget
 - f. Project owner, include owner reference (contact name, title, email and phone number)
 - g. Listing of main consultants on the project
 - h. Date of project completion
 - i. Identify major sustainability and/or energy goals made part of the design, including LEED and/or WELL certification achievement.
 - j. Name of contractor, delivery method and email contact information

Tab 5 -- Architect team and Subconsultant Information Team Organization:

1. Using the attached SUNCONSULTANT MATRIX, identify subconsultants with whom you are likely to work on Contra Costa CCD projects, including: mechanical engineer, electrical engineer, low voltage system engineers, plumbing engineer, civil engineering, landscape architect, interior design & space planning, and other specialties. You may provide up to three (3) firms from the same discipline. For each major sub consultant, provide the following information as outlined in the matrix:
 - a. Name
 - b. Discipline
 - c. Numbers of projects completed with your firm
 - d. Identify which project, if any, in the above section of the RFQ each consultant completed with your firm.
 - e. Number of employees and licensed professionals
 - f. Firm specialties
 - g. Number of DSA projects completed in the last 5 years

The District reserves the right to approve or reject any external sub-consultants, or internal staff performing consulting services, proposed by the Consultant either during or after the selection process.

Tab 6 -- Project Staff Qualifications/Experience (1 page max. each person)

Identify the key members of your Project team that may be assigned to provide services to the District. Additional information for individual project team members and subconsultants will be requested as part of project specific RFPs.

1. For this RFQ, include your organization's:
 - a. Principal-in-charge
 - b. Project manager(s); include any project managers that could be assigned to District projects.
 - c. Project architect(s)
2. Provide a snapshot of experience, including the years of relevant experience with the Company, academic degrees, professional registrations, field of registration and year acquired, a synopsis of experience, training, or other experience which may be applicable to the District.
3. Information to be provided should include a focus on educational projects (community college or university, and school districts) both new construction and renovation Include project name, location, name of A/E firm, construction value, project type, and the specific role the individual held for each project. Identify which of the ten proposed projects each proposed team member worked on. While the District has a preference to see if there is a connection of proposed team members and proposed projects, it is not a requirement that team members have worked on those projects.

Tab 7 -- Approach (7 pages max.)

This section shall describe the proposed approach for meeting the scope of services required by the District during a typical project cycle. It is recommended that this section be thoughtfully crafted in order for the evaluation committee to fully understand the proposing team's approach to District projects.

1. Explain how your firm leverages or stays on top of technological advances in design and construction. Describe how those advances are a benefit to the District. Please provide specific examples of projects.
2. Describe your firm's quality control program/process: who has the responsibility for implementation of the program, how the program is kept current and how the architectural team instills a culture of quality throughout the team. Illustrate the firm's success. The District is looking to demonstrate success in implementing the quality control program used by the team to ensure quality documents and products.
3. Team management and communication: Describe how you typically structure a project team and how the team communicates internally and externally to ensure all necessary information is distributed, tracked and addressed. Identify any tools as well as approaches to managing your own internal project team as well as your subconsultants to ensure complete, accurate, well-coordinated set of drawings. Be specific and provide example(s).
4. Sustainability and Energy: 4CD has continued to improve all facilities through such sustainable projects as LED lighting upgrades, building automation/climate control

systems, water conservation projects throughout all campuses and reducing utility costs and reliance on fossil fuels by investing in renewable energy sources across 4CD. Project teams should be innovative at combining projects and technology that may result in lower total cost of ownership, or balanced total costs (e.g. updating to LED lighting when replacing an HVAC system can result in smaller size/right sizing HVAC equipment)

- a. Describe how the team will approach bringing the principles of integrated sustainable design, construction and facility operation to an existing campus. Describe the team's strategies and methods for delivering sustainable projects that meet the District's sustainability goals. Provide examples and articulate your work with your key subconsultants in this area, if any Please use the information provided about the District's sustainability program in Exhibit B to inform your responses.
5. Describe your approach a traditional project design phases (programming, schematic design, design documents, construction documents, bidding and construction administration). Identify specific documents and deliverables the firm expects to provide during each phase of design and construction administration for this project and methods used to keep the design phase on schedule.
6. Describe your approach to project design on alternative delivery methods projects, including design-build. Please articulate how you approach the criteria/bridging documents phase of a project as well as design as part of a DBE team. What methods do you apply in keeping a project on budget?
7. Describe your approach to both large and small/medium renovation projects that have limited budgets.
8. Division of the State Architect (DSA): Describe the team's experience in working with the Division of the State Architect, including examples in resolving design issues. Discuss the firm's proactive strategies for facilitating timely DSA response and coordination. Show demonstrated success in anticipating DSA concerns, resolving code-related design issues, and facilitating timely DSA reviews. Show the ability to keep DSA-related documentation current during construction and timely DSA closeout and certification at the project's conclusion.

PART 4 - Litigation History (no. of pages as needed)

1. Provide a list of all construction-related litigation, mediation and arbitration in the last five (5) years, filed either by an owner, owner's consultant or contractor, against the individual or firm, or filed by the firm against an owner, owner's consultant or contractor, related to any project for which the individual or firm provided services, regardless of the outcome. State the outcome of the litigation. If there has been no litigation pursuant to the above, state "No Litigation" on this tab.

PART 5 - SELECTION PROCESS / EVALUATION FACTORS

5.1 SELECTION PROCESS

- A. The District's Evaluation Committee will review all of the submitted Statements of Qualifications (SOQ) pursuant to the specific criteria set forth in this RFQ, including, without limitation:
 - 1. Responsiveness to Request for Qualifications documents
 - 2. Relevant firm experience
 - 3. Architect team and proposed subconsultants professional qualifications
 - 4. Approach
- B. The Evaluation Committee members will consolidate their evaluations to generate a composite ranking of the firms. Based on this ranking the District will issue the list of qualified firms.
- C. Interviews may be conducted with architectural teams for specific projects as part of the RFP process. The need for interviews will be determined on a project-by-project basis.
- D. Successful firms will be invited to submit a proposal in response to project specific RFPs.

PART 6 - GENERAL INFORMATION/CLARIFICATION

6.1 ADDITIONAL INFORMATION

- A. The District shall not be responsible for, nor accept as a valid excuse for late submittal delivery, any delay in mail service or other method of delivery used by the Respondent. Neither the District nor its representatives shall be responsible for any expense entailed in the delay of late submittal delivery.
- B. This RFQ will be distributed via multiple channels, including being posted on the District website at:
<http://www.4cd.edu/webapps/PurchasingViewBids/default.aspx>
- C. Notice of interest: All firms that are interested in submitting qualifications for this Project should provide a Notice of Interest with a contact name, phone number, and email address to the District's RFQ point of contact below.
- D. RFQ Contact/Addenda/Clarification. Submit notice of interest, questions/requests for clarification IN WRITING VIA EMAIL ONLY to:

Ben Cayabyab, Contract Manager
Email: 4CDPurchasingRFIs@4cd.edu
- E. If it becomes necessary for the District to revise any part of this RFQ, or to provide clarification or additional information after this document is released, a written addendum will be posted on the District website and will be sent to each firm that provides a Notice of Interest. Recipients of record are those parties which obtained a copy of the RFQ directly from the District, (District website). Addenda will be sent by E-mail and will be posted to the District Website at <http://www.4cd.edu/webapps/PurchasingViewBids/default.aspx>

- F. It shall be the responsibility of the Respondent to inquire of the District as to any addendum issued. This may be done by contacting the Contract Manager, Mr. Ben Cayabyab at (925) 229-6959 or via email at 4CDPurchasingRFIs@4cd.edu prior to submittal or submittal deadline. The District may modify this RFQ or any of its deadline dates set forth in the RFQ prior to the date fixed for submission of qualifications by issuance of an addendum. All addenda issued shall become part of this RFQ.
- G. Evaluation of Submittals. The District may reject any or all submittals and may waive any immaterial deviation from the RFQ. The District's waiver of an immaterial defect shall in no way modify the RFQ documents or excuse the proposer from compliance with other provisions of the RFQ. The District's evaluation is solely for the purpose of determining which Respondents are deemed qualified. Statements of Qualification will be reviewed and a determination made by the District based upon the submitted information and any other information available to the District. The District may request that a Respondent submit additional information pertinent to the submittal. The District also reserves the right to investigate other available sources in addition to any documents or information submitted by the Respondent.
- H. The District shall not, under any circumstance, be liable for any pre-contractual expenses incurred by Respondents, and Respondents shall not include any such expenses as part of their submittals.
- I. No Commitment to Award. Issuance of this RFQ and receipt of submittals does not commit the District to award a contract for services. The District expressly reserves the right to postpone the submittal opening for its own convenience, to accept or reject any or all submittals received in response to this RFQ, to negotiate with more than one proposer concurrently, or to cancel all or part of this RFQ without obligation in any manner for proposal preparation, interview, fee negotiation, marketing costs, or any other costs associated with this RFQ. The awarding of a contract, if at all, is at the sole discretion of the District.
- J. Joint Offers. Where two or more firms desire to submit a single submission in response to this RFQ, they should do so on a prime-subconsultant basis rather than as a joint venture or informal team. The District intends to contract with a single firm and not with multiple firms doing business as a joint venture. The awarding of a contract, if at all, is at the sole discretion of the District.
- K. Submitted Materials. The submittals and any other supporting materials submitted to the District in response to this RFQ will not be returned and will become the property of the District unless portions of the material are designated as proprietary at the time of submittal and are specifically requested to be returned. Vague designations and/or blanket statements regarding entire pages or documents are insufficient and will not bind the District to protect the designated matter from disclosure. Pursuant to *Michaelis, Montanari, & Johnson v. Superior Court* (2006) 38 Cal.4th 1065, submittals shall be held confidential by the District and shall not be subject to disclosure under the California Public Records Act until after either: (1) the District and the successful respondent have completed negotiations and entered into an agreement, or (2) the District has rejected all respondents. Furthermore, the District will have no liability to the respondent or any other party as a result of any public disclosure of any submittal or supporting material.

END OF DOCUMENT

