

**San Francisco Bay Conservation and Development Commission**

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State of California | Gavin Newsom – Governor | [info@bcdc.ca.gov](mailto:info@bcdc.ca.gov) | [www.bcdc.ca.gov](http://www.bcdc.ca.gov)

**REQUEST FOR PROPOSAL  
Notice to Prospective Bidders**

**April 24, 2026**

You are invited to review and respond to this Request for Proposal (RFP), entitled SFBC-P-25-14, Strategic Planning Services for the San Francisco Bay Conservation and Development Commission. In submitting your proposal, you must comply with these instructions.

Note that all Agreements entered into with the State of California will include by reference General Terms and Conditions and Contractor Certification Clauses that may be viewed and downloaded at the following link: [Standard Contract Language \(ca.gov\)](http://www.bcdc.ca.gov/StandardContractLanguage). If you do not have Internet access, a hard copy can be provided by contacting the person listed below.

In the opinion of San Francisco Bay Conservation and Development Commission, this RFP is complete and without need of explanation. However, if you have questions, or should you need any clarifying information, the contact person for this RFP is:

<b>For specific questions concerning this project and RFP.</b>	<b>Information about BCDC is available at BCDC’s website:</b>
Submit question(s) to <b>Chenee Williams</b> Contracts Administrator E-mail: <a href="mailto:Chenee.Williams@bcdc.ca.gov">Chenee.Williams@bcdc.ca.gov</a>	<a href="https://www.bcdc.ca.gov/">https://www.bcdc.ca.gov/</a>

This RFP contains a list of Key Action Dates in Section C, Bid Requirements and Information (see Page 7).

Please note that no verbal information given will be binding upon BCDC unless such information is issued in writing as an official addendum. If you have questions or should you need any clarifying information, please contact the Contracts Administrator for this RFP listed above.

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**A) Purpose and Description of Services**

Established in 1965, the San Francisco Bay Conservation and Development Commission (BCDC – [SF Bay Conservation & Development |](#)) is a State of California independent commission operating as part of the California Natural Resources Agency. BCDC’s mission is to protect and enhance San Francisco Bay and advance the Bay’s responsible, productive, and equitable uses for this and future generations as we face a changing climate and rising sea levels. BCDC has regulatory and planning responsibility over San Francisco Bay and along the Bay’s nine-county shoreline. BCDC is guided in its policies and decisions by its laws: the McAteer-Petris Act (Govt. Code Sec. 66600-66682); the Suisun Marsh Protection Act (Govt. PRC Sec. 29000-29612); and the policies of the *San Francisco Bay Plan*. BCDC is also part of the State’s federally-recognized Coastal Zone Management Program, along with the California Coastal Commission and the California Coastal Conservancy.

San Francisco Bay is home to 500 species, billions of dollars of public and private sector investment annually, and is one of the most urbanized estuaries in North America. BCDC’s regulatory authority reaches to nearly every activity in the Bay and along its 550-mile-long shoreline, which is equivalent to half the length of the open coast of California from Mexico to Oregon. BCDC was created in 1965 to limit on a regional basis local governments’ massive, unregulated, and unplanned filling of the Bay, and promote public access to the Bay. Since then, the Bay Area’s population has almost doubled, and the size of the Bay actually has expanded. During this time, BCDC’s laws and policies have enabled the region to concurrently protect and enhance the Bay shoreline by: expanding public access to the Bay by requiring shoreline parks, trails, and water access; developing and protecting maritime ports, deepening shipping channels, and supporting airport facilities; promoting the use of shoreline areas for water-related industries, a wide variety of residential, commercial, and industrial uses; and, just as important, protecting, growing, and restoring natural habitats and historic Baylands that house and protect wildlife and can provide resilience in the face of rising sea levels caused by climate change.

As the Bay Area’s population continues to increase, pressure to use and fill the Bay and develop the Bay shoreline continues to intensify, even in the face of climate change and rising sea levels. In response, in 2011 BCDC created the Nation’s first regulatory structure requiring all project applicants to analyze the possible effects of rising sea levels on their projects through 2100. This has spurred a creative approach to permitting projects based on their size, purpose, venue, scale, and other factors [[Permits | SF Bay Conservation & Development](#)]. A few years later, BCDC created its first Enforcement Program, which now includes a Compliance team, to resolve the growing number of permit violations awaiting action [[Compliance | SF Bay Conservation & Development](#), [Enforcement | SF Bay Conservation & Development](#)]. After fifteen years of providing leadership, technical support, studies, and policy development to spur and guide sea level rise adaptation across the Bay, the enactment of SB 272 (Laird) in

2024 enabled BCDC to create its Regional Shoreline Adaptation Plan (RSAP – [Local Sea Level Rise Plans | SF Bay Conservation & Development](#)). The RSAP is a framework through which all local governments along the Bay shoreline (over fifty in total) must create local shoreline resilience plans to be approved by BCDC no later than 2034. This progress has been accomplished by a fast-growing policy and legal staff, but without a commensurate increase in its Operations and Technology (O&T) staff; the Commission now has approximately 65 staff members, which is about a 33% increase in the past six years.

This policy advancement has gained BCDC a great deal of positive recognition, especially concerning sea level rise adaptation issues. Concurrently, many of its stakeholders continue to ask that BCDC implement its policies more effectively and efficiently – and whether all of those policies are necessary. BCDC created an internal team in 2023 to create and implement a regulatory roadmap to make significant changes to its work processes and work products, and BCDC is making significant progress. Of course, effectiveness and efficiency can be measured in many ways, and stakeholders would always appreciate faster headway. In any event, BCDC’s policies must be implemented in a way that ensures that *all* Bay Area communities – including marginalized communities, often communities of color, that have been subject to previous discriminatory policymaking – can prosper in the face of accelerating rising sea levels. As the RSAP declares, shoreline resilience is necessary to foster prosperity inland of the Bay as well, as the entire Bay Area depends upon the Bay in myriad ways. In addition, implementing the RSAP will require significant collaboration among the Planning, Regulatory, and Legal teams, supported by O&T.

These challenges have led the Commission to conclude that it should examine ways to improve the environmental, social, and economic health of the Bay and its shoreline communities by analyzing its current work and work processes and, ultimately, to create a new Strategic Plan to guide its work through the end of the decade. That Strategic Plan must recognize that the physical world in which BCDC operates is changing and that future shorelines will be located in different places. In addition, it is clear that the scale of projects and funding required to provide resilience to rising sea levels and storm surge along the Bay shoreline to protect people, nature, infrastructure, and access to the Bay is almost unfathomable. A study conducted by BCDC and the Metropolitan Transportation Commission estimates the cost at almost \$100B based upon projected water levels at 2050. As a regulatory and planning agency, BCDC is attempting to provide a measure of certainty for shoreline communities in an uncertain future.

**Purpose:** BCDC created its current Strategic Plan in 2023 (See Attachment A). The Commission now requires a new – not updated – plan to guide its actions through 2030. It must be based upon both what BCDC has learned during the past few years as its responsibilities and workload have grown, and how the Commission forecasts an

uncertain future. The shoreline is changing now, and it will change faster and faster as the years pass. Now is the time to further successful policies and accelerate implementation steps to ensure continued Bay and shoreline prosperity.

In the context of the tremendous amount of uncertainty facing the Bay Area during the next decade due to accelerating climate change and limited State resources, BCDC is seeking strategic planning services to assist the Commission and BCDC staff to:

1. Create a new three- or four-year strategic plan that will enable BCDC to continue to grow in policy expertise and improve its service delivery. It should include an ongoing mission, vision, and measurable goals and objectives that BCDC should strive to attain in the face of:
  - A. Greater uncertainty surrounding climate change;
  - B. Continuing pressures to develop the Bay's shoreline and resources;
  - C. A continuing need to conserve natural resources; and,
  - D. The need for BCDC to always incorporate racial and social equity, environmental justice, and meaningful public engagement into its daily work.
2. Develop an uncomplicated work plan to integrate the Strategic Plan into BCDC's day-to-day work, create a meaningful tool or series of tools to educate staff about how the plan is best integrated into their daily work, and help develop a limited number of meaningful metrics that can measure BCDC's success in implementing the Strategic Plan, along with a public-facing tool that demonstrates BCDC's progress.

To achieve these goals, the contractor will be responsible for creating and implementing a Work Plan to accompany the Strategic Plan that includes the following:

1. *Project Management and Process:* The work plan should describe (i) an engagement process for soliciting and incorporating staff, Commissioner, and public input; (ii) key milestones; and, (iii) coordination meetings with the Commission Chair, Commission Working Group, and Senior Staff. The length of time required for the project should not exceed six months. Administrative tasks, such as scheduling, will be handled jointly by BCDC staff and the consultant, depending upon need. The project can include either in-person or virtual meetings, with in-person meetings being favored to the extent practical.
2. *Review Background Materials:* The consultant will meet with Senior Staff and selected Commissioners, and will be provided with several background reports and information that should be reviewed to provide context and initial direction, including but not limited to:
  - A. The 2023 Strategic Plan and tracking information;
  - B. Annual Reports;

- C. Staff surveys;
  - D. BCDC Equity Action Plan;
  - E. Public Affairs Plan;
  - F. Environmental Justice Advisor Work Plan; and,
  - G. Department of Finance Mission Based Review.
3. *Design and Participate in a Strategic Plan Working Group:* A working group comprised of Commissioners, with staff assistance, will be the primary forum to guide and advise on this process. The team will be led by the Commission Chair.
4. *Obtain External Input:* To garner external feedback during the plan’s development, the consultant will be provided with a list of stakeholders with whom discussions should take place based on a series of questions developed by the team, and will facilitate at least one public workshop that will include Commissioners, staff, and members of the public. Note that a public workshop will be subject to the Bagley-Keene Act. BCDC staff will be responsible for logistics such as booking meeting rooms and mailing materials. The contractor is responsible for preparing and printing all materials for the workshop that may include a PowerPoint presentation, handouts, and boards for activities to solicit input. Additional strategies for how to solicit external input are welcome.
- A) *Develop the Strategic Plan:* The consultant will develop preliminary and final drafts with adequate time to be reviewed by staff, the Commissioner Working Group, and the full Commission, and will be revised based on comments received. The final Strategic Plan will be an attractive, highly graphical, and well-organized document, as will be the Work Plan and public facing progress report.

#### **B) Minimum Qualifications for Proposers**

- 1) Proposals must demonstrate that the individual/firm submitting the proposal (“Proposer”) meets the following minimum qualifications to be eligible for consideration for this project:

*Experience and Skill:* The project manager selected must have a minimum of five years of exceptional experience in designing successful strategic planning documents for a variety of policy-related organizations. The process BCDC envisions to create the revised Strategic Plan will include active discussions and workshops with Commissioners, staff, and key stakeholders. The consultant must be able to provide BCDC with an implementable roadmap to accomplish the work identified in Section A (above) using strong interpersonal skills with executive leaders, staff, and Commissioners to thoughtfully and expeditiously keep the process moving forward on schedule. Examples of successful consultant engagements, and reference checks with those engaged, will demonstrate to RFP decision makers of the applicant’s abilities.

- 2) **Qualified to do business in California.** The Contractor must be qualified to do business in California.

- 3) **Payee Data Record, STD Form 204.** The State of California requires all parties entering into business transactions that may lead to payment(s) from the State must provide their Taxpayer Identification Number (TIN) by filling out the information requested on the Payee Data Record, Std Form 204 (Attachment #4). This is to facilitate the prepare of Form 1099 and other information required by the Internal Revenue Code, Section 6019 and the State Revenue and Taxation Code, Section 1798.15. The TIN for individual and sole proprietorships is the Social Security Number (SSN).
- 4) **Contractor Certification Clauses (CCC) 4/2017.** The Contractor must be able to certify that the firm can comply with the Contractor Certification Clauses Form (CCC) 4/2017. The CCC can be found on the following link: Standard Contract Language (ca.gov).

**C) BID REQUIREMENTS AND INFORMATION**

**1) Key Action Dates**

The following dates are set forth for informational and planning purposes only and are subject to change:

RFP Available to Prospective Bidders	Date: April 24, 2026
Deadline for Questions	Date: May 1, 2026 Time: 3:00 pm
Responses to Questions Available to Prospective Bidders	Proposed Date: May 4, 2026
Final Date for Submission of Bid	Date: May 8, 2026 Time: 3:00 pm
Bid Opening	Date: May 11, 2026 Time: 10:00 am
Interview	Proposed Date: May 12-14, 2026
Evaluation of Proposal Package/Cost	Proposed Date: May 14 – May 15, 2026
Notice of Intent to Award	Proposed Date: May 15, 2026
Proposed Award Date	Proposed Date: May 22, 2026
Term Start Date	Proposed Date: May 25, 2026, or upon approval, whichever is later.

**2) Question and Answer Period**

Any questions regarding this RFP must be submitted in writing by May 1, 2026 at 3:00 PM, via email to the Contracts Administrator listed on Page 1 of this RFP. All questions must be received prior to the deadline for questions. Emails should include the individual's name, firm name, address, and must reference RFP SFBC-P-25-14. All answers will be posted on the Cal eProcure website. It is the responsibility of the Bidder to check the California State Contract Register at <https://caleprocure.ca.gov/pages/index.aspx> when inquiring about an addendum, questions, answers, and any other posts related to this RFP.

### 3) Terms, Cost Detail Format and Method of Payment

- **Term.** Work on the project is expected to begin immediately upon contract execution and be completed no later than December 31, 2026. The contract will terminate in April 2027.
- **Cost Detail Format.** The proposed rate should reflect the hourly rate(s) charged by the consultant assigned to the project and must include overhead and any indirect costs. The total proposed cost for this project is \$100,000.00.
- **Method of Payment.** The selected consultant will be reimbursed no more than once a month, on a task-completed basis; the payment rate quoted will be all-inclusive for overhead.

### 4) Proposal

- **Project Approach.** A brief statement of the entire project and approach thereto as seen by the prospective consultant.
- **Work Plan.** The Consultant shall develop a work plan and work schedule for completion. Identify each major task, necessary subtasks, and/or specific milestones by which progress can be measured and payments made. (Reference Scope of Work specified in Section A of this RFP.)
- **Description of Qualifications.** Describe the proposed team's qualifications specific to Section B of this RFP, Bidder Minimum Qualifications. Identify the personnel, including subcontractors' personnel, whose expertise or experiences addresses each of the specified requirements. Proposers may identify any other qualifications they feel would be critical to the successful completion of the scope of work specific to Section A of this RFP, Purpose and Description of Services.
- **Cost.** Cost proposal with budget breakdown and the hourly rate(s) of payment charged by the prospective consultant and his or her team that would work on the project in a separate sealed envelope marked "COST PROPOSAL – DO NOT OPEN".
- **Documentation of Past Work.** Two samples of documentation of the prospective consultant's past work which most closely correspond to the scope of work being requested by BCDC, specific to Section A of this RFP, Purposes and Description of Services. Also provide contact information for one reference associated with each instance of past work for which documentation is provided.
- **Required Attachments.** Complete and include all required attachments.

### 5) Packaging and Submittal Instructions

- a) All proposals must be submitted under sealed cover and received by BCDC by the dates and times shown in Section (C)(1), Key Action Dates. Proposals received after this date and time will not be considered.
- b) A minimum of three (3) copies of the proposal must be submitted.
- c) The original proposal must be marked "ORIGINAL COPY". All documents contained in the original proposal package must have original signatures and must be signed by a person who is authorized to bind the proposing firm. All additional proposal sets may contain photocopies of the original package.
- d) The proposal envelopes must be plainly marked with the RFP number and title, your firm name and address, and must be marked with "**DO NOT OPEN**", as shown in the following example:

San Francisco Bay Conservation and Development Commission  
Attn: Chenee Williams  
375 Beale Street, Suite 510  
San Francisco, CA 94105  
RFP Number SFBC- P-25-14

Strategic Planning Services for the San Francisco Bay Conservation and Development Commission

**Bidders are ultimately responsible for ensuring timely receipt of their bid.** Bidders may verify receipt of a bid by contacting the BCDC Contract Administrator identified on Page 1 of this RFP.

- e) If the proposal is made under a fictitious name or business title, the actual legal name of proposer must be provided. Proposals not submitted under sealed cover and marked as indicated may be rejected.
- f) Bidder may modify a bid after its submission by withdrawing the original bid and resubmitting a new bid prior to the bid submission deadline. Bidder modifications offered in any other manner, oral or written, shall not be considered.
- g) Bidder's bid may be withdrawn from consideration by submitting a written withdrawal request to the State, signed by Bidder or an authorized agent prior to the public bid opening. The bid is binding once it is opened by the State and may not be withdrawn without cause.
- h) Bid must be submitted for the performance of all the services described herein. Any deviation from the work specifications will not be considered and will cause a proposal to be rejected.
- i) A bid may be rejected if it is conditional or incomplete, or if it contains any alterations of form or other irregularities of any kind. The State may reject any or all proposals and may waive an immaterial deviation in a proposal. The State's waiver of an immaterial deviation shall in no way modify the RFP document or excuse the proposer from full compliance with all requirements if awarded the agreement.
- j) Costs incurred for developing proposals and in anticipation of award of the agreement are entirely the responsibility of the proposer and shall not be charged to the State of California.
- k) BCDC may modify the RFP prior to the date fixed for submission of proposals by the issuance of an addendum to all parties who received a proposal package.
- l) BCDC reserves the right to reject all proposals. The agency is not required to award an agreement.
- m) Before submitting a response to this solicitation, bidders should review the bid, correct all errors, and confirm compliance with the RFP requirements.
- n) Where applicable, Bidder must carefully examine work sites and specifications. No additions or increases to the Agreement amount will be made due to a lack of careful examination of work sites and specifications.
- o) More than one proposal from an individual, firm, partnership, corporation, or association under the same or different names will not be considered.

- p) The State does not accept alternate contract language from a prospective contractor. A proposal with such language will be considered a counter proposal and will be rejected. The State’s General Terms and Conditions (GTC) are not negotiable.
- q) No oral understanding or agreement shall be binding on either party.

**6) Evaluation and Selection**

- a) All bid packages properly received according to the RFP instructions on or before the bid due date and time shall be publicly opened and the rates read on the date and time specified in Section (C)(1), Key Action Dates, Bid Opening.
- b) BCDC will evaluate each bid to determine compliance and adherence to all IFB requirements, as well as verification of calculations. BCDC reserves the right to request clarification of any documents submitted with this bid regarding any and/or all sections of the RFP.
- c) The bidder that meets the minimum qualifications will be evaluated and scored according to the criteria indicated below. A minimum of 60 points must be achieved, based on a sum of total points achieved for the rating/scoring criteria identified below, to be considered responsive.
- d) The highest scoring bidder will be awarded the contract.
- e) In the event of a precise tie between the lowest responsible bid of a certified small business and a certified disabled veteran owned small business, the contract must be awarded to the disabled veteran owned business per the Department of General Services (DGS) State Contracting Manual (SCM), Section 8.21C. If a tie persists between any Bidders after the small business preference is applied, a coin toss or lot drawing shall be used to determine the contract award. The coin toss or lot drawing shall be officially witnessed and all affected bidders shall be advised of the tiebreaker method and invited to attend.
- f) Bids that contain false or misleading statements, or which provide references that do not support an attribute condition claimed by the bidder, may be rejected.

<b>Criteria to consider bidders for an interview</b>	
<b><i>Rating/Scoring Criteria</i></b>	<b><i>Maximum Possible Points</i></b>
<p><u>Project Approach</u></p> <ul style="list-style-type: none"> <li>• A brief statement of the entire project as seen by the prospective consultant.</li> </ul>	15

<p><u>Work Plan and Project Understanding</u></p> <ul style="list-style-type: none"> <li>• Understanding of the project and project requirements</li> <li>• Approach to project tasks and timeline</li> </ul>	<p>20</p>
<p><u>Description of Qualifications</u></p> <p>See Section C, Item No. 4.</p>	<p>15</p>
<p><u>Cost</u></p> <ul style="list-style-type: none"> <li>• Cost effectiveness (rates, reasonableness, and appropriateness of proposed fees)</li> <li>• Cost relative to other proposers</li> </ul>	<p>30</p>
<p><u>Samples of Work</u></p> <ul style="list-style-type: none"> <li>• Two samples of documentation of the prospective consultant’s work which most closely corresponds to the scope of work being requested by BCDC (See Section A of this RFP, Purpose and Description of Services).</li> </ul>	<p>20</p>
<p style="text-align: right;"><b>Total Points</b></p>	<p><b>100</b></p>
<p>Small Business Preference (If you are a certified Small Business, the proposer will be awarded 5% Preference)</p>	<p>5</p>
<p style="text-align: right;"><b>Total Possible Points</b></p>	<p><b>105</b></p>

**7) Awards and Protests**

- a) Notice of the proposed award shall be posted in a public place in the office of the San Francisco Bay Conservation and Development Commission, 375 Beale Street, Suite 510, San Francisco, CA 94105 and on the following Internet site: <https://www.bcdc.ca.gov>, for five (5) working days prior to awarding the agreement.
  
- b) If any proposer, prior to the award of Agreement, files a protest with the San Francisco Bay Conservation and Development Commission and the Department of General Services, Office of Legal Services, 707 Third Street, 7th Floor, Suite 7-330, West Sacramento, CA 95605, email: [olsprotests@dgs.ca.gov](mailto:olsprotests@dgs.ca.gov), on the grounds that the (protesting) proposer would have been awarded the contract had the agency correctly applied the evaluation standard in the RFP, or if the agency followed the evaluation and scoring methods in the RFP, the Agreement shall not be awarded until either the protest has been withdrawn or the Department of General Services has decided the matter. It is suggested that you submit any protest by certified or registered mail.

- c) Within five (5) days after filing the initial protest, the protesting proposer shall file with the Department of General Services, Office of Legal Services and the San Francisco Bay Conservation and Development Commission a detailed statement specifying the grounds for the protest.
- d) Upon resolution of the protest and award of the Agreement, Contractor must complete and submit to the awarding agency the Payee Data Record (STD 204), to determine if the Contractor is subject to state income tax withholding pursuant to California Revenue and Taxation Code Sections 18662 and 26131. This form can be found on page 14 or the Internet at <https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>. No payment shall be made unless a completed STD 204 has been returned to the awarding agency.
- e) Upon resolution of the protest and award of the Agreement, Contractor must sign and submit to the awarding agency, page one (1) of the Contractor Certification Clauses (CCC), which can be found on page 16 or the Internet at [https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract- Language#@ViewBag.JumpTo](https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language#@ViewBag.JumpTo).

#### **8) Disposition of Bids**

- a) Upon bid opening, all documents submitted in response to this RFP will become the property of the State of California, and will be regarded as public records under the California Public Records Act (Government Code Section 6250 et seq.) and subject to review by the public.
- b) Bid packages may be returned only at the bidder's expense, unless such expense is waived by the awarding agency.

#### **9) Agreement Execution and Performance**

- a) The successful bidder(s) shall enter into an Agreement with BCDC prepared on a State of California Standard Agreement (STD 213 form, sample attached) and shall include Exhibits A, A-1, B, D. The approval of an Agreement is contingent upon timely receipt and the State's acceptance of the Contractor's certificates of insurance, bonds, licenses, permits and other required documents.
- b) This Agreement is not valid unless and until approved by DGS or, under its delegated authority, BCDC has no legal obligation unless and until the Agreement is approved. Any work commenced by the Contractor prior to approval may be considered voluntary and the Contractor may have to pursue claim for payment by filing with the California Victim Compensation and Government Claims Board. When the Agreement is fully approved, a copy shall be forwarded to Contractor.
- c) All performance under the agreement shall be completed on or before the termination date of the Agreement.

#### **D) Special Programs**

- 1) Small Business Preference - <https://www.dgs.ca.gov/PD/Services/Page-Content/Procurement-Division-Services-List-Folder/Certify-or-Re-apply-as-Small-Business-Disabled-Veteran-Business-Enterprise#@ViewBag.JumpTo>. Section 14835 et seq. of the California Government Code requires that a five percent preference be given to bidders who qualify as a small business. The rules and regulations of this law, including the definition of small business, are contained in Title 2, California Code of Regulations,

Section 1896, et seq. A copy of the regulations is available upon request. To claim the small business preference, your firm must have its principal place of business located in California, have a complete application (including proof of annual receipts) on file with the State Office of Small Business and DVBE Services (OSDS) by 4:00 p.m. on the date bids are opened, and be verified by such office. Questions regarding the preference approval process should be directed to the Office of Small Business and DVBE Services at (916) 375-4940.

- 2) Disabled Veteran Business Enterprise (DVBE) Participation Program  
BCDC has been able to meet our 3% DVBE goals through other contracts. Therefore, BCDC has elected to waive the DVBE Participation requirement for this solicitation.

## **E) REQUIRED DISCLOSURES**

### **1) Commercially Useful Function**

If Bidder is a California certified small business in accordance with Government Code Sections 14837(d)(1)-(2), Bidder must address specific aspects of the legislation that requires certified small businesses to perform a commercially useful function as defined in Government Code Sections 14837(d)(4)(A)-(B). A Commercially Useful Function Certification (CUF) form is attached to this solicitation.

### **2) Darfur Contracting Act**

Effective January 1, 2009, contracts for Non-Information Technology (Non-IT) goods or services must address the requirements of the Act. The Act was passed to preclude State agencies generally from contracting with "SCRUTINIZED" companies that do business in the African nation of Sudan (of which the Darfur region is a part), for the reasons described in PCC Section 10475.

A SCRUTINIZED company is a company doing business in Sudan as defined in PCC Section 10476. SCRUTINIZED companies are ineligible to, and cannot, bid on or submit a proposal for a contract with a State agency for Non-IT goods or services (PCC Section 10477(a)). PCC Section 10478(a) requires a company that currently has (or within the previous three years has had) business activities or other operations outside of the United States to certify that it is not a SCRUTINIZED company in order to submit a bid or proposal to a State agency. A SCRUTINIZED company may still, however, submit a bid or proposal for a contract with a State agency for goods or services if the company first obtains permission from the DGS according to the criteria set forth in PCC Section 10477(b).

### **3) Contractor Certification Clauses**

The Contractor Certification Clauses (CCC) may be downloaded from the Internet at <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>. An original, signed copy of page 1 must be submitted with the bid. Failure to submit a signed CCC shall delay approval of this Agreement.

#### 4) Economic Sanctions

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (EO) regarding sanctions in response to Russian aggression in Ukraine. The EO is located at <https://www.gov.ca.gov/wp-content/uploads/2022/03/3.4.22-Russia-Ukraine-Executive-Order.pdf>.

The EO directs all agencies and departments that are subject to the Governor's authority to take certain immediate steps, including notifying all contractors and grantees of their obligations to comply with existing economic sanctions imposed by the U.S. government in response to Russia's actions in Ukraine, as well as any sanctions imposed under state law.

This paragraph serves as a notice under the EO that as a contractor or grantee, compliance with the economic sanctions imposed in response to Russia's actions in Ukraine is required, including with respect to, but not limited to, the federal executive orders identified in the EO and the sanctions identified on the U.S. Department of the Treasury website (<https://home.treasury.gov/policy-issues/financial-sanctions/sanctionsprograms-and-country-information/ukraine-russia-related-sanctions>). Failure to comply may result in the termination of contracts or grants, as applicable.

Please note that for any agreements or grants valued at \$5 million or more, a separate notification will be sent outlining additional requirements specified under the EO.

#### F) REQUIRED ATTACHMENTS

This RFP contains a list of Key Action Dates and Bid Requirements and Information in Section C (see Table of Contents).

All required documents are listed on Attachment 1, Bidder's Checklist, and must be included when submitting a bid.

This RFP package includes the following documents and shall be included in the final bid submission:

1. Required Attachment Checklist
2. Proposal/Prosper Certification Sheet
3. Prosper References
4. Payee Data Record - STD 204
5. Contractor Certification Clauses (CCC 4/2017)
6. Bidder Declaration - GSPD-05-105
7. Commercially Useful Function Certification Form
8. Disabled Veteran Business Enterprise (DVBE) Declarations – DGS PD 843
9. Darfur Contracting Act
10. Sample Standard Agreement (STD 213)
  - a. Exhibit A – Scope of Work

- b. Exhibit B – Budget Detail and Payment Provisions
- c. Exhibit B -1 – Rate Sheet
- d. Exhibit D – Special Terms and Conditions & Additional Provisions

***The following documents are incorporated by reference and are available on the internet at <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>. Bidder may request an electronic copy of these documents by contacting the assigned contract analyst listed below.***

1. Exhibit C - General Terms and Conditions for Private Contractors (GTC 04/2017).
2. Standard Contractor Certification Clauses (CCC 04/2017)