

DEFINITIONS

Agreement - Comprises the Request for Proposal (RFP), any amendment thereto, and the RFP response, if appropriate. The Agreement constitutes the entire agreement between the County of Merced and the awarded Bidder.

Bidder - A person, partnership, firm, corporation, or joint venture submitting an RFP response for the purpose of obtaining a County Agreement.

County - The County of Merced, a political subdivision of the State of California.

Evaluation Committee - A committee established to review and evaluate responses to determine the Agreement award.

Fidelity Bond - Also referred to as a Dishonesty Bond. A fidelity bond is a form of protection that covers the County for losses as a result of fraudulent acts by the Contractor.

Payment Bond - This bond is to protect subcontractors and suppliers. It ensures that the surety backing the bond will pay the subcontractors and suppliers if the awarded Bidder does not.

Performance Bond - A bond to ensure completion of the project as requested under the "Scope of Work". The Performance Bond is backed by a surety who guarantees the project will be completed in accordance with the specifications of the proposal.

Prime Contractor - The Bidder who is awarded the Agreement and designated as the legal entity. The Prime Contractor will hereafter also be known as the Contractor. Any subcontracting, Joint Ventures, or other legal arrangements made by the Contractor during this project are the sole responsibility of the Contractor.

Proposal Security Bond - Also referred to as Bid Security. A bond that is submitted with Bidder's response to compensate the County for damages it might suffer if successful bidder refuses to execute the Agreement that may be derived from their response. Generally, it is 10% of the amount of Bidder's response as bid security.

Proprietary - The information provided that is considered exempt from public disclosure defined as Trade Secrets under Civil Code Section 3426.1, pursuant to Public Records Act.

Scope of Work - The mutually agreed to terms which describe tasks, dependencies, the sequence and timing of events, deliverables, and responsible parties associated with the various phases of the RFP.

Subcontractors - Any person, entity or organization, to which Contractor or County has delegated any of its obligations hereunder.