

SECTION 3

BASIS OF AWARD, SELECTION PROCESS, AND EVALUATION CRITERIA

3.1 BASIS OF AWARD

Award will be made to the Bidder whose response demonstrates to be the most qualified, responsive, and advantageous to the County. **The County shall not be obligated to accept the lowest cost response, but will make an award in the best interests of the County after all factors have been evaluated (“most responsive response”).**

THE COUNTY RESERVES THE RIGHT, AT ITS SOLE DISCRETION, TO REJECT ANY OR ALL RESPONSES OR ANY PART THEREOF, OR TO WAIVE ANY INFORMALITIES IN THE RESPONSE AND MINOR IRREGULARITIES, TECHNICAL DEFECTS, OR CLERICAL ERRORS, TO MAKE AN AWARD BASED ON SUITABILITY, QUALITY OF SERVICE(S) TO BE SUPPLIED, THEIR CONFORMITY WITH THE SPECIFICATIONS AND FOR THE PURPOSES FOR WHICH THEY ARE REQUIRED, AND NOT CONFINED TO COST ALONE. THE COUNTY SHALL NOT BE LIABLE FOR ANY COSTS INCURRED BY THE BIDDER IN CONNECTION WITH THE PREPARATION AND SUBMISSION OF THIS OR ANY OTHER RESPONSE.

False, incomplete, or nonresponsive statements in connection with the response may be deemed sufficient cause for rejection. The County shall be the sole judge in making such determination. The County reserves the right to cancel or discontinue the response process and reject any or all responses in the event it determines that there is no longer a requirement for the furnishing of such items, materials, equipment, and/or services, funding is no longer available for this proposal, or it is otherwise in the County's best interest to cancel the RFP process.

3.2 EVALUATION PROCESS

The Evaluation Committee will consider only those responses which have been considered responsive to the proposal. Any response which fails to meet the requirements of the proposal will be considered non-responsive and may be rejected. Responsiveness includes attention to detail in following the proposal format. The Evaluation Committee may also contact and evaluate the Bidder's and the subcontractors' references; contact any current users of a Bidder's services; solicit information from any available source concerning any aspect of a response, and seek and review any other information deemed pertinent to the evaluation process. The Evaluation Committee shall not be obligated to accept the lowest priced response, but shall recommend such response that is the most qualified, responsive, and cost-effective response and in the best interest of the County (“most responsive response”).

The RFP will be evaluated based on the following criteria:

Criteria	Points
Responsiveness to Scope which includes clarity, completeness, and general quality of proposal.	20
Comprehensiveness of the bidder's submitted proposal which considers all requirements of the project: units, property management, housing first & low barrier, equal access & non-discrimination habitability standards, project participants/occupants, connection with community resources, and specific compliance.	30
Personal experience and understanding of project.	30
Comprehensive cost proposal for Scope.	15
Required attachments/documents.	5
Total Points	100

3.3 NOTICE OF INTENT

A "Notice of Intent to Negotiate" with the successful Bidder will be sent, by email, to all participating Bidders.,

A "Notice of Intent to Award" will be sent, by email, to all participating Bidders upon completion of negotiations with the successful Bidder.

3.4 NEWS RELEASES

The successful Bidder shall not make any news release about the award without the prior written approval of the County.

3.5 DEBRIEFING

A debriefing shall be held before the award of the Agreement upon an unsuccessful Bidder's timely request for information concerning the evaluation of that Bidder's response. The request must be in writing, dated, signed either by the Bidder or a legally authorized individual on behalf of the Bidder and be received by the County's Department of Administrative Services-Purchasing at 2222 "M" Street, Merced, California 95340 within three (3) working days following the County's transmission, by U.S. postal mail or , of the "Notice of Intent to Negotiate". Each requesting Bidder will be allotted a maximum of one (1) hour for any debriefing conference. The information provided by the County will be based on the Evaluation Committee determinations of your company's submitted response as it relates to the evaluation criteria stated in this RFP. The debriefing may be held, at the County's discretion, by telephone conference call. The debriefing is not the forum to challenge the proposal's specification, requirements, or selection criteria. The debriefing procedure provided in this RFP to all requesting and unsuccessful Bidders is the exclusive and sole remedy and means of receiving

information regarding the respective Bidder's evaluation and preliminarily challenging the award of the Agreement.

3.6 PROTEST

Should an unsuccessful Bidder request a debriefing, and believes its response to be the most responsive to the County's proposal and that the County has incorrectly selected another Bidder for the award, the appealing Bidder may protest the County's selection as described below:

All protests must be made in writing, dated, signed by the Bidder or an individual authorized to sign Agreements on behalf of the protesting Bidder, and contain a statement of the reason(s) for protest; citing the law(s), rule(s) and regulation(s) or procedure(s) on which the protest is based. The protesting Bidder must have gone through the debriefing process described above and must provide facts and evidence to support the protest.

Protest(s) to County's Intent to Award must be sent either by U.S. mail, postage prepaid, or by personal delivery to:

County Executive Officer
County of Merced
2222 M Street
Merced, California 95340

All protests of the County's intended award decision must be received by the County Executive Officer no later than seven (7) working days following the County's transmission, by U.S. postal mail or facsimile, of the "Notice of Intent to Award" to the Bidder.

3.7 PROTEST PROCEDURES

A Bidder protesting the results must use the procedures set out in this Request for Proposal (RFP). By submitting a "Letter of Intent to Protest", the Bidder has agreed that the protest procedures in this RFP shall precede any action before a judicial or quasi-judicial tribunal regarding this proposal. Protests that do not follow these procedures shall not be considered. The protest procedures constitute the sole administrative remedy available to the Bidder under this procurement. Upon exhaustion of this remedy, no additional recourse is available with the County of Merced.

The formal protest shall be presented first to the County Executive Officer or their designee. If the protest remains unresolved after the County Executive Officer's review, the Bidder will have an opportunity to address the Board of Supervisors with their concerns. The decision of the Merced County Board of Supervisors constitutes the final step of the Bidder's administrative remedy.

The County Executive Officer, or their designee, and the County Board of Supervisors shall dismiss a protest if it is determined that the protest was submitted: (1) as a delay tactic; (2) to position the protester advantageously for future procurement; (3) in a form that deviates from the one prescribed; (4) without adequate factual basis or merit; or (5) in an untimely manner.

If a protesting Bidder does not appear at the scheduled protest hearing, the protest will be dismissed.