



Request for Proposals Waterfront Master Plan



**City of Morro Bay
595 Harbor St
Morro Bay, CA 93442**

Key Request for Proposal Dates

Key Milestone	Schedule
RFP Issued	2/6/2025
Submit Questions By	2/21/2025
Responses to Questions Posted By	2/28/2025
Submit Proposals By	3/14/2025
Oral Interviews (Tentative)	4/4/2025
Contract Negotiation & Execution	5/20/2025
Tentative Start Date	6/1/2025
Tentative Completion Date	11/30/2026 (with possible extension)

Questions regarding this RFP should be directed to:

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Morro Bay, CA 93442
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I. Overview

A. Purpose

The City of Morro Bay (“City”) seeks qualified consulting firms and/or persons to update the [City’s Waterfront Master Plan \(WMP\)](#). The WMP has not been updated since it was first adopted in 1996.

The WMP, which is part of the City’s Local Coastal Program (LCP), is a land use policy document, a conceptual development plan, and implementation document. The WMP sets a vision for future development, land use, circulation, and infrastructure for Morro Bay’s waterfront area. The current WMP includes background information and existing conditions, conceptual plans for each of the four planning areas, and a roadmap of future actions to achieve the WMP vision. The WMP also includes a design guidelines chapter, which contains both design guidelines and standards for waterfront development.

The primary objectives of the Waterfront Master Plan Update (WMP Update) include:

- Updating background information to reflect existing conditions, including a realistic estimate of the 20-year demand for visitor serving commercial uses (hotel, motel, RV, tourism commercial, and tourism attractions such as museums).
- Expanding the plan’s boundaries northward to include the site of the former wastewater treatment plant site. The existing boundary ends at Morro Rock.
- Incorporating existing information (from other studies) regarding the feasibility of waterfront infrastructure for offshore wind development. In particular, the plan would incorporate findings from Mott McDonald’s operations and maintenance infrastructure feasibility study for Morro Bay. This study was commissioned by the County of San Luis Obispo in partnership with the City and is currently underway.
- Incorporating a sea level rise analysis, vulnerability assessment, and adaptation plan.
- Establishing a vision and conceptual plans for land use, development and circulation at and around the decommissioned Vistra powerplant property (using existing background information from previous studies).
- Establishing a vehicle circulation network to support the planned growth, including improved roadway connections from the Embarcadero and Coleman Road to Quintana/Main and to Atascadero Road/Highway 41; improving pedestrian facilities along the Embarcadero, including widened sidewalks and one-way traffic; and enhanced pedestrian and bicycle facilities.
- Addressing land use and circulation issues at Morro Rock, including public access to beach areas (including handicap access), parking, ingress/egress, safety, infrastructure, and maintenance.
- Development of a financially feasible implementation plan.
- Implementing all relevant policies and programs of Plan Morro Bay.



B. Relationship to Plan Morro Bay and Existing Plans and Studies

The City's General Plan and LCP Land Use Plan are combined into a single document called [Plan Morro Bay](#). Approved by the California Coastal Commission in May 2021, Plan Morro Bay is the community's vision for Morro Bay through 2040.

The WMP Update will implement Plan Morro Bay Policy LU-8.1: Update the 1996 Waterfront Master Plan with a focus on addressing issues of sea level rise and future planning for Morro Rock, LU-5.4 related to master planning for the Vistra power plant site, and LU-5.5 related to the former wastewater treatment plant. The WMP Update will also implement the following Plan Morro Bay policies:

- Policy LU-4.1: Waterfront Uses. Maintain and encourage the development of visitor-serving and coastal-dependent land uses along the waterfront and give such uses priority over other types of development that are either not dependent on a waterfront location or not related to public use and enjoyment of the coast.
- Policy LU-4.5: Recreational Uses. Oceanfront lands designated for Open Space/Recreation shall be protected for public recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated in those designated areas is already adequately provided for in the area.
- Policy LU-4.6: Development Priority. Using private lands suitable for visitor-serving commercial recreational facilities shall have priority over using such lands for private residential, general industrial, or general commercial development, not over agriculture or coastal-dependent industry.
- Policy C-7.19: Infrastructure Relocation. The City shall consider the relocation of critical water and wastewater infrastructure, as necessary and feasible, to protect those services from the effects of sea level rise and other coastal hazards.
- Policy LU-7.8: Sea Level Rise Impacts on Lateral Access. The following monitoring and actions shall be taken to address issues related to sea level rise in lateral access areas.
- Policy LU-8.7: Embarcadero/Harbor coastal Hazards Standards. In the Embarcadero area (i.e. the shoreline between Coleman Park and Tidelands Park) and for harbors/marinas development shall include all feasible measures to avoid, or if avoidance is infeasible, to mitigate against coastal hazard threats and potential impacts of coastal resources. Fill and placement of material in coastal waters, including shoreline protective devices in this area, shall be the minimum amount necessary, shall be allowed only where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects.
- Policy LU-8.12: Develop Information. The City shall continue to gather information on the effects of sea level rise and other coastal hazards on Morro Bay's shoreline, including identifying the most vulnerable areas, structures, facilities, and resources, with a focus on areas with priority uses such as public access and recreation resources, ESHA, and existing and planned sites for public infrastructure. Increase funding for public improvements with respect to potential vulnerabilities and impacts to infrastructure associated with changes in sea level elevation. Updates to the LCP as well as project-specific coastal hazards



assessments shall use the best available science, including the best available scientific estimates of expected sea level rise and potential resultant impacts. The information gathered should address multiple time frame horizons (e.g., 2025, 2040, 2050, and 2100) as well as multiple sea level rise scenarios, as appropriate and feasible.

- Policy CD-1.8: Lateral Access Temporary Closures. Lateral access at lease sites with coastal-dependent uses that require temporary closure for safety or other operational purposes shall be allowed only during active unloading for 30 minutes before or after and when the use is not occurring or is occurring but safe to coexist with pedestrians. The policy will be incorporated into the Waterfront Master Plan when updated.
- Policy CD-1.9: Lateral Access Materials. Decking for bayside lateral access decks shall be made of metal slats when eelgrass shading is not an issue. Decking shall be made of fiberglass when eelgrass shading is an issue. Railing for all bayside lateral access decks shall be made of metal. This policy will be incorporated into the Waterfront Master Plan when updated.
- Policy CD-1.10: Lateral Access Wayfinding. Install additional wayfinding along the Embarcadero that points the way to the lateral accessways. This wayfinding shall be in the form of icons in the pavement and directory signs. Directory signs should occur every two blocks or equivalent distance. Directory signs should include maps of the entire lateral access focus area and alignment with a “you are here” indicator and could include information about nearby amenities and interpretative information. The directory signs should be designed with a uniform theme and should be large enough to not just be noticeable but to stand out to passersby. The lateral access pavement icon should also be included on the directory signs. It could be similar to the Morro Rock icon used in this document or another icon as determined by the City. The pavement icons shall be included in all new on-land pavement along the lateral access alignment in the lateral access focus area. If feasible, the icon should also be included on new or replaced sections of the Harborwalk by stamping or some other form of application. On-land lateral or vertical accessways (except the public sidewalk) shall be made of paved stained brick and shall include the lateral access icon incorporated into the pavement. New or replacement sections of the Harborwalk boardwalk shall use the same type of materials as the existing Harborwalk sections. This policy will be incorporated into the Waterfront Master Plan when updated.
- Policy CIR-2.2: Street End Pedestrian Connections. Create safer and more distinct lateral access connections across the street ends on the west side of the Embarcadero at Dunes, Harbor, Morro Bay Boulevard, Front, Pacific, Marina, and Driftwood Streets, including by relocating parking from these areas.

Since the adoption of the existing Waterfront Master Plan in 1996, the City has developed and adopted several studies and plans that can assist in the development of the WMP Update. These plans include the [Downtown Waterfront Strategic Plan](#), the Economic Development Strategic Plan, and various site development studies.



The 2018 Downtown Waterfront Strategic Plan includes an assessment of “opportunity sites” and “catalyst sites” and includes design guidelines for the waterfront area, which should inform updates to the design guidelines chapter of the Waterfront Master Plan.

In 2021, the City commissioned a parking study to evaluate the feasibility of a paid parking program. The study determined that paid parking was feasible, and should be done in conjunction with parking management, “free” parking areas, and timed parking management. The California Coastal Commission has jurisdiction over such programs in the waterfront area, and has determined that paid parking can be implemented if part of an overall program of improvements to the beach recreational access experience and beach habitats, and where parking revenues are invested into the care and maintenance of the beach, roadway, parking, access and infrastructure and the waterfront’s environs, thus providing significant public benefit in return for the fees paid.

C. Background

The City of Morro Bay, incorporated in 1964, is in San Luis Obispo County, on the Central Coast of California, at the crossroads of Highway 1 and Highway 41, 12 miles north of San Luis Obispo. The City is located almost exclusively in the Coastal Zone.

The City operates utilizing the Council-Manager form of government with a five-member council elected at large by City residents for staggered four-year terms. More information, including the City’s adopted budget, goals, and organizational structure, can be found on the City’s website: www.morrobayca.gov.

In January 2025, the City executed a grant agreement with the California Coastal Commission for an LCP local assistance grant in the amount of \$750,000 to update the WMP and prepare a sea level rise adaptation and feasibility report to be incorporated into the WMP update.

On January 14, 2025, the City Council authorized the formation of a Waterfront Master Plan Advisory Committee (WMPAC) consisting of one member from each of the City’s five existing advisory bodies/commissions, one member from the National Estuary Program (or similar environmental group), and one member from the Embarcadero Master Leaseholders (EML) group.

The WMPAC will provide policy direction and formulate a recommendation to the Planning Commission on the WMP Update. The WMPAC will meet monthly beginning in March 2025. The WMPAC’s first task will be to work with City staff and the selected consultant to finalize the scope of work for the WMP Update. The WMPAC may delete, add, or revise any of the tasks identified in this scope of work before a final contract is approved with the selected consultant.

II. Scope of Work

The successful respondent (the “Consultant”) shall be required to perform and deliver to the City an update to the City’s Waterfront Master Plan and Sea Level Rise Adaptation and Feasibility Report.

The high-level WMP Update deliverables include:

- A public information and engagement plan.
- A background report.
- Workshops and meetings with staff and advisory bodies.



- An administrative draft WMP Update.
- A public review draft WMP Update.
- A public hearing draft WMP Update.
- Final WMP Update.
- Technical memorandum updating existing SLR projections.
- Draft Sea Level Rise Adaptation and Feasibility Report.
- Final Sea Level Rise Adaptation and Feasibility Report.

Community engagement is one of the City Council's four major citywide goals. All aspects of the Consultant's scope of work should maximize public engagement and transparency.

Consultants are encouraged to propose additional deliverables / optional tasks to achieve WMP Update objectives and primary components outlined below.

The following is an initial outline of the key tasks and deliverables for the WMP Update. The final scope of work will be determined based on input and direction from the WMPAC, the unique experience and ideas proposed by the selected consultant, and budget availability.

The WMP Update will begin with an evaluation of the existing WMP and will retain and build upon the existing content as appropriate. For example, the background and history section would only be expanded to describe the WMP Update process and to reflect changes to existing conditions.

The scope of work includes two parts: 1) the WMP Update; and 2) a Sea Level Rise Adaptation and Feasibility Report. The analysis and findings of the Sea Level Rise Adaptation and Feasibility Report will be incorporated into WMP Update.

A. Part I – WMP Update

At a minimum, the WMP Update will include the following components:

- A reliable estimate of the need for and demand for the various types of development permitted in the waterfront area, including visitor-serving commercial, commercial fishing, lodging and hospitality, recreation, parking, and visitor serving destinations such as museums and other visitor attractions.
- A vision and goals for future development, land use, circulation, and infrastructure on the Embarcadero development from the development potential, existing standards in the Waterfront Master Plan, and design standards in the Downtown Waterfront Specific Plan. This deliverable will involve significant public, stakeholder, and WMPAC input.
- Incorporation of analysis and findings of the Sea Level Rise Adaptation and Feasibility Report
- A comprehensive parking plan, including:
 - A plan for relocating parking spaces from street-end parking lots on the west side of the Embarcadero to another location.
 - A plan for parking and access improvements that can be funded with paid parking including beach recreational access experience and beach habitats, and beach, roadway, parking, access and infrastructure and the waterfront's environs, in conformance with Coastal Commission guidelines.



- A plan for converting street-end parking lots into public plazas.
- A conceptual land use and circulation plan for the area at and around the decommissioned Vistra powerplant property (using existing background information from previous studies); at and around the former wastewater treatment plant property from Park Street to the Embarcadero, and from Little Morro Creek to Atascadero Road; at and around the City's "Market Plaza" property between east of the Embarcadero between Harbor and Pacific; the commercial and commercial fishing area between Beach Street and Coleman Park; and, between Coleman Park and Morro Rock (including enhanced landscaping, beach access, and storm drainage control).
- A re-evaluation of the four existing Waterfront Master Planning Areas (Morro Rock/Coleman Park, T-Piers/Fisherman Work Area, Embarcadero Visitor Area, and Tidelands Park) to determine the following for each area:
 - Were the original WMP proposals implemented? If not, why?
 - Have the character, vision, or economic factors changed?
 - Should the boundaries be adjusted?
 - What are the opportunities and constraints?
 - What new proposals should be considered?
- An evaluation of the "fifth" Waterfront Master Planning Area (Vistra Power Plant site) and the "sixth" Waterfront Master Planning Area (WWTP and adjacent properties) to determine the following for each area:
 - Should the boundaries be for these area?
 - What are the opportunities and constraints?
 - What new proposals should be considered?
- An inventory of the City's current waterfront properties to determine the development status, redevelopment potential, development potential (if vacant), and estimated timeline for redevelopment of lease sites, and the potential for creating additional lease and/or development sites.
- A circulation plan that connects the Embarcadero to Atascadero Road and former wastewater treatment plant site and/or the Embarcadero to Main/Quintana. Focused traffic studies will need to inform the scope of improvements needed to support existing and planned development.
- A review and update of WMP design guidelines to protect and enhance the public's physical and visual access to the bay and implement the WMP vision for the character of the waterfront.
- An inventory of desired public benefits on the waterfront.
- Provide guidance to revitalize, generate revenue, and modernize the waterfront while preserving the seaside and fishing community charm.
- An identification and optimization of public facilities, infrastructure, and spaces needed to support the working waterfront, commercial fishing industry, and harbor, including boatyard, haul-out, and storage facilities.
- A consideration of waterfront infrastructure for offshore wind development.



- A programmatic eel grass mitigation program. Depending on budget availability, this may be incorporated into the plan as a future implementation action.
- Inclusion of numerous graphics, maps, and concept drawings to facilitate understanding of the plan. Provide AutoCAD, GIS, etc. files with deliverables.

In addition to completing the above deliverables, the selected consultant would be responsible for:

- Organizing and facilitating visioning, design, and goal setting workshops. This includes preparing informational materials and advertisements to promote broad community participation in the WMP Update process. The public information plan should include efforts to engage a broad segment of the population, including underserved populations. This includes online public opinion surveys and press releases.
- Preparing a background report, which includes interviews with stakeholders and an evaluation of the existing plan, including:
 - An analysis of aspects of the existing plan that were not implemented, and whether they should be carried forward, deleted or modified in the update.
 - Identify the aspects of the existing plan that have worked well and those that need improvement.
- Attending monthly WMPAC meetings.

B. Part 2- Sea Level Rise Adaptation and Feasibility Report

The City will utilize the latest guidance on sea level rise projections to update previously completed technical studies that were based on OPC's 2018 guidance, including: 1) ESHA Analysis: 2050 Sea Level Rise Scenario (Rincon: August 2018); and 2) Sea Level Rise Adaptation Strategy Report (Moffatt and Nichol; January 2018). These updates will be outlined in a draft technical memorandum for Coastal Commission staff to review. A final technical memorandum will be prepared to incorporate Coastal Commission staff comments. Existing sea level rise studies and background information available here: [Plan Morro Bay | City of Morro Bay - Official Website](#).

Develop Draft Sea Level Rise Adaptation and Feasibility Report. This report will:

- Incorporate and rely on analysis from the City's two existing sea level rise studies, with any necessary technical updates for compliance with the latest State guidance.
- Focus on the proposed boundary area of the Waterfront Master Plan Update and address Embarcadero commercial and waterfront industrial development in the Harbor.
- Inform the development of a timeline to relocate underdeck utilities (including water and wastewater infrastructure), decks, piers, and other immobile bayside lateral accessways raised to heights above the sea level rise inundation zone.
- Identify triggers for implementing sea level rise adaptation strategies, including potentially raising infrastructure along the waterfront. Prioritize high risk areas.
- Support the City's efforts to identify funding (e.g., grants, etc.) for protecting infrastructure from sea level rise.

The Consultant will prepare a final version of the report to incorporate input from Coastal Commission staff, City staff, and other agencies and experts.



C. Environmental Determination (Optional Task)

The City anticipates preparing an Addendum to the Plan Morro Bay Environmental Impact Report as the environmental determination for the WMP Update, in accordance with the California Environmental Quality Act. Consultants may include an EIR Addendum as an optional task for City consideration.

III. Budget

The City received a \$750,000 grant from the California Coastal Commission for the WMP Update and sea level rise analysis. The City will reserve a portion of the grant funds to cover contingency costs for out-of-scope work, optional tasks, and additional staff and consultant support that may be needed as work progresses on the WMP Update. The City may also use grant funds to reimburse City staff costs for work on the WMP Update. The City reserves the right to complete any portion of the scope of work with City staff time or the assistance of other consultants as necessary to maximize cost efficiency. This would be negotiated between the City and Consultant before a contract is approved.

IV. Estimated Timeline

The City's target date for City Council adoption of the WMP Update is November 30, 2026 (with the possibility of a time extension). After Council adoption, the WMP Update will be submitted to the California Coastal Commission for review and certification as an amendment to the City's LCP.

V. Qualifications of Ideal Consultant

The ideal consultant will have extensive experience in the following areas:

- Conducting and facilitating public workshops, including interactive design and visioning exercises.
- A proven ability to build consensus among diverse stakeholders.
- A proven ability to prepare professional and visually appealing graphics for outreach materials and plan exhibits.
- Site planning and design of public spaces, including principles of placemaking, activation, interaction with private spaces, and pedestrian connectivity.
- Preparing master plans or similar planning documents for other coastal communities with working waterfronts, tideland areas, and/or harbors and marinas.

The ideal consultant will also possess knowledge and experience in the following areas:

- Harbor operations, facilities, and terminology.
- The California Coastal Act, State Lands Commission, and general planning principles and regulations pertaining to coastal access.



VI. Proposal Content and Organization

The Proposer shall prepare an effective, clear, and concise proposal. The City is requesting three (3) hard copies and one (1) electronic copy in PDF format.

All proposals must be received before **5:00 p.m. PDT on March 14, 2025**. Hard copies should be submitted to Airlin Singewald, Community Development Director, at 595 Harbor St., Morro Bay, CA 93442, and electronic copies to asingewald@morrobayca.gov.

Proposals received after that date and time will not be considered. Each proposal must be submitted to the City in a sealed envelope with the proposal title and bidder name.

There is no express or implied obligation for the City of Morro Bay to reimburse responding firms for any expenses incurred in preparing proposals in response to this request. The City of Morro Bay reserves the right to reject any proposals submitted.

Proposals submitted in response to this request will be reviewed by a team of City representatives. The team will review all complete, eligible, qualified submittals received by the deadline. Upon evaluating the qualifications provided in the applications, the team may identify top vendors to be invited for finalist interviews.

In addition to the detailed proposal, the respondent should also submit the following:

A. Cover Letter

The cover letter shall be signed by an official authorized to bind the proposing entity and shall contain a statement that the proposal is valid for at least ninety (90) days. The cover letter shall provide:

1. An overview of the proposing entity's history, ownership, organizational structure, and qualifications.
 - a. Identify the full legal name, address, and, if applicable, type of legal entity (e.g., corporation, partnership, limited liability company, sole proprietorship, etc.) with whom the contract would be entered into and all trade names/assumed names, which are used by that person/entity.
2. A description summarizing the proposer's experience over the years in performing similar services to municipal clients.
3. Demonstration of experience in engaging with agency staff and formal and informal decision-makers and stakeholders for projects covering similar work.
4. Describe any conflicts of interest which might arise, if any.
5. Provide any other information the City might find helpful in making a decision.

B. Client References and Work Product Examples

1. Provide at least three municipal agencies, corresponding contact information, and similar work product examples.
2. Provide at least one (1) sample planning document (weblink is acceptable) of the type required by this RFP prepared by the respondent for a municipality or other governmental agency/authority.



C. Project Cost and Time Estimate

1. Provide a fee schedule for the proposed services, detailed by service.
2. Describe the proposed billing and payment structure.
3. Provide a typical project timeline for the requested services.

D. Exceptions to Agreement

The City's standard Professional Services Agreement and insurance requirements are available here <https://www.morrobayca.gov/1065/Purchasing>. Proposers should provide any exceptions to the terms or conditions of the Agreement in writing and attach them as part of the proposal.

VII. Proposal Evaluation and Selection

The review team may consist of some or all the following: City staff, WMPAC members, outside experts, representatives of the local business community, members of other local or regional organizations, and representatives of the public. The final approval of any contract award recommendation will necessitate review and approval by the City Manager and potentially the City Council. The City may interview a limited number of finalists following the review and ranking of proposals. Interviews may be conducted in person, by phone or teleconference. Proposers invited to oral interviews will be provided with additional instructions in preparation of such interviews. Proposals will be evaluated on the following factors:

1. Responsiveness to the instructions, requirements, and terms and conditions of this RFP.
2. Project methodology and work plan.
3. Demonstrated understanding of the project scope and tasks to be completed.
4. Project team's qualifications, expertise, credentials, licenses, and overall experience in carrying out the scope of service. See RFP Section III, Qualifications, for the City's desired qualifications of the ideal consultant.
5. Proposer's municipal public sector experience conducting similar studies for cities of similar size and complexity.
6. The demonstrated competence, ability, capacity, and skill of the Proposer to provide the services promptly, within the time specified, within budget, and without delay or interference.
7. References and work product examples.
8. Whether the price is fair, reasonable, and competitive.

VIII. Special Conditions

A. Contract Agreement and Insurance Requirements

The selected consultant shall be required to enter a city-prepared Agreement for Consultant Services approved by the City Attorney. Consultants shall be prepared to accept the terms and conditions of the City's Agreement for Consultant Services including all insurance requirements. The successful Consultant's bid and the terms and conditions stated in this RFP will be made part of the contract between the City of Morro Bay and the Consultant. This RFP outlines the specifications and



requirements, but not necessarily all of the terms and conditions that will be incorporated into the final agreement between the City of Morro Bay and the successful Consultant.

- Commercial General Liability Insurance using Insurance Services Office “Commercial General Liability” policy from CG 00 01 or the exact equivalent. Defense costs must be paid in addition to limits. There shall be no cross-liability exclusion for claims or suits by one insured against another. Limits are subject to review but no less than \$1,000,000 per occurrence.
- Business Auto Coverage on ISO Business Auto Coverage from CA 00 01 including symbol 1 (Any Auto) or the exact equivalent. Limits are subject to review, but in no event to be less than \$1,000,000 per accident. If Consultant owns no vehicles, this requirement may be satisfied by a non-owned auto endorsement to the general liability policy described above. If Consultant or Consultant’s employees will use personal autos in any way to perform the Scope of Services, then Consultant shall provide evidence of personal auto liability coverage for each such person.
- Property Damage Insurance in an amount of not less than \$1,000,000 for damage to the property of each person on account of any one occurrence.
- Workers Compensation on a state-approved policy form providing statutory benefits as required by law with employer’s liability limits.
- Excess or Umbrella Liability Insurance (Over Primary) if used to meet limit requirements, shall provide coverage at least as broad as specified for the underlying coverages. Any such coverage provided under an umbrella liability policy shall include a drop-down provision providing primary coverage above a maximum \$25,000 self-insured retention for liability not covered by primary but covered by the umbrella. Coverage shall be provided on a “pay on behalf” basis, with defense costs payable in addition to policy limits. Policy shall contain a provision obligating insurer at the time insured’s liability is determined, not requiring actual payment by the insured first. There shall be no cross-liability exclusion precluding coverage for claims or suits by one insured against another. Coverage shall be applicable to City for injury to employees of consultant, subcontractors or others involved in the Work. The scope of coverage provided is subject to approval of City following receipt of proof of insurance as required herein. Limits are subject to review but in no event less than \$1,000,000 per occurrence.
- Professional Liability or Errors and Omissions Insurance as appropriate shall be written on a policy form coverage specifically designated to protect against acts, errors or omissions of Consultant and “Covered Professional Services” as designated in the policy must specifically include work performed under this agreement. The policy limit shall be no less than \$2,000,000 per claim and in the aggregate. The policy must “pay on behalf of” the insured and must include a provision establishing the insurer’s duty to defend. The policy retroactive date shall be on or before the effective date of this agreement.

B. Reservations

This RFP does not commit the City to award a contract, to defray any costs incurred in the preparation of a proposal pursuant to this RFP, or to procure or contract for work. No payment of any kind will be provided to the Consultant responding to this RFP, or parties they represent, for obtaining any of the information solicited.



C. Public Records

All proposals submitted in response to this RFP become the property of the City. Information in the proposal, unless specified as trade protected, may be subject to public review. Any information contained in the proposal that is proprietary must be clearly designated. Marking the entire proposal as proprietary will be neither accepted nor honored. Proprietary information submitted in response to this RFP will be handled in accordance with the California Public Records Act.

D. Right to Cancel and Amend

The City reserves the right to cancel, for any or no reason, in part or in its entirety, this RFP, including but not limited to: selection schedule, submittal date, and submittal requirements. If the City cancels or revises the RFP, all Consultants will be notified in writing.

E. Additional Information

The City reserves the right to request additional information and/or clarification from any or all Consultants.

F. Conflict of Interest

Consultant covenants that the company, its officers, employees and/or agents presently have no interest, and shall not acquire any interest, direct or indirect, financial or otherwise, which would conflict in any manner or degree with the performance of the services requested herein by the City. Consultant further covenants that, in the performance of any contract or agreement resulting from this RFP, no subcontractor or person having such an interest shall be employed. Consultant certifies that to the best of Consultant's knowledge, no one who has or will have any financial interest under any contract or agreement resulting from this RFP is an officer or employee of the City.

G. Release of Public Information

Consultants who respond to this RFP who wish to release information to the public regarding selection, contract award or data provided by the City must receive prior written approval from the City before disclosing such information to the public.

H. Non-Assignment

If a contract is awarded, the selected Consultant shall neither assign, nor delegate, in part or in whole, any duties without the prior written consent of the City which shall not be unreasonably withheld.

IX. Collusion

Each Consultant certifies that the company, its officers, employees and/or agents are not a party to any collusive action, fraud, or any action that may be in violation of the Sherman Antitrust Act. The Consultant certifies that the company, its officers, employees and/or agents have not offered or received any kickbacks or inducements from any other bidding Consultant, supplier, manufacturer, or subcontractor in connection with the proposal and that the company, its officers, employees and/or agents have not conferred on any public employee having official responsibility for this procurement transaction any payment, loan, subscription, advance, deposit of money, services, or



anything of more than nominal value. Any or all bids shall be rejected if there is any reason to believe collusion exists among the bidding Consultants. More than one bid from an individual firm, partnership, corporation, or association under the same or different names may be rejected.

Reasonable grounds for believing that a bidding Consultant has interest in more than one proposal for the work being proposed may result in rejection of all bids in which the bidding Consultant is believed to have interest.

A. Debarment

By submitting a proposal, the Consultant certifies that the company is not currently debarred from submitting proposals and/or bids for contracts issued by any City or political subdivision or agency of the State of California, and that it is not an agent of a person or entity that is currently debarred from submitting proposals and/or bids for contracts issued by any City or political subdivision or agency of the State of California.

B. Equal Employment Opportunity Compliance

The selected Consultant shall not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The Consultant shall take affirmative action to ensure that all employees and applicants for employment shall be treated with equality in all aspects of employment processes including, but not limited to, hiring, transfer, promotion, training, compensation, and termination, regardless of their race, creed, color, sex, national origin, age, or physical handicap.

C. Right to Audit

The selected Consultant shall maintain such financial records and other records as may be prescribed by the City or by applicable federal and state laws, rules, and regulations. The selected Consultant shall retain these records for a period of three years after final payment, or until they are audited by the City, whichever event occurs first. These records shall be made available during the term of the contract or service agreement and the subsequent three-year period for examination, transcription, and audit by the City or its designees.