



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Director's Office
P.O. Box 944209
Sacramento, CA 94244-2090
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
MEGHAN HERTEL, Director



INVITATION FOR BID Notice to Prospective Bidders

August 27, 2026

IFB Number and Name: P2690001, Industrial Hygienist Services

Bid Due Date: September 11, 2026, 5:00 PM PST

The California Department of Fish and Wildlife (CDFW) invites you to review and respond to this Invitation for Bid (IFB). In submitting your bid, you must comply with the instructions set forth within this IFB.

All agreements entered into with the State of California will include by reference General Terms and Conditions (02/2025) and Contractor Certification Clauses (04/2017) that may be viewed and downloaded at:

[General Terms and Conditions \(GTC 02/2025\)](#)

[Contractor Certification Clauses \(CCC 04/2017\)](#)

If you do not have Internet access, a hard copy can be provided by contacting the person listed below.

In the opinion of the California Department of Fish and Wildlife, this IFB is complete and without need of explanation. However, if you have questions, or need any clarifying information, the contact person for this IFB is:

Elbertlyn Cantey
California Department of Fish and Wildlife
P.O. Box 944209
Sacramento, CA 94244-2090
Elbertlyn.Cantey@wildlife.ca.gov

Submit all questions to the email address listed above. No verbal information given will be binding upon the State unless such information is issued in writing as an official addendum. Questions via phone calls or in person are not accepted.

Amy Mowrer, Branch Chief
Procurement and Contracting Officer
Business Management Branch

Conserving California's Wildlife Since 1870

Table of Contents

NOTICE OF STATE MANDATED SB/DVBE PROGRAM PARTICIPATION REQUIREMENTS	3
Section 1: General Information	4
A. Agreement Term	4
B. Contract Budget Amount	4
C. Purpose and Description of Services	4
D. Questions Regarding IFB	4
E. Eligible Bidders	5
F. Community-Based Private Nonprofit Bidders	5
G. Executive Order N-6-22 – Russia Sanctions	5
H. Executive Order N-12-23 – Generative Artificial Intelligence (GenAI) Disclosure	6
I. Loss Leader	6
J. Contractor Insurance Requirements	6
K. Bidder Minimum Qualifications	7
Section 2: Submission Requirements	8
L. Key Action Dates	8
M. Submission of Bid	8
Section 3: Preference and Incentive Programs	11
N. Target Area Contract Preference Act (TACPA)*	11
O. Small Business Program	11
P. Disabled Veteran Business Enterprise (DVBE) Incentive and Participation	12
Section 4: Evaluation and Award Process	14
Q. Evaluation and Selection	14
R. Basis of Award	15
S. Award and Protest	15
T. Disposition of Bid	16
U. Sample Standard Agreement	16
V. Agreement Execution and Performance	16
W. Use of Subcontractor(s)	16
Section 5: Submittal Checklist and Required Attachments	18
Attachment 1 - Submittal Check List	18
Attachment 2 - Bid/ Bidder Certification Sheet	20
Attachment 3 - Payee Data Record (STD 204/205)	22
Attachment 4 - Bid Cost Sheet	23
Attachment 5 - Contractor Certification Clause (04/2017)	25
Attachment 6 - Bidder Declaration Form	26
Attachment 7 - DVBE Declaration	27
Attachment 8 - Commercially Useful Function (CUF) Certification	28
Attachment 9 - California Public Contract Code Section 10162	29
Attachment 10 - Darfur Contracting Act Certification	30
Attachment 11 - Bidder References	31
Attachment 12 - California Civil Rights Laws Attachment	32
Attachment 13 - Target Area Contract Preference Act (TACPA)	33

Sample Standard Agreement (STD. 213) is included as a separate document.

NOTICE OF STATE MANDATED SB/DVBE PROGRAM PARTICIPATION REQUIREMENTS

Disabled Veterans Business Enterprise (DVBE) Information

This solicitation has been exempted from DVBE Participation Program requirements. However, bidding firms that are certified as a DVBE or firms voluntarily utilizing DVBE subcontractors will receive an incentive applied to the level of DVBE participation identified in the bid response not to exceed five percent (5%). For more information, see Section 3, P. Disabled Veteran Business Enterprise (DVBE) Incentive and Participation.

Small Business Program Information

A Small Business Preference of five percent (5%) will be granted in accordance §1896 et seq., Title 2, California Code of Regulations (CCR). To claim the Small Business Preference, your firm must have its principal place of business located in California, an approved small business certification form, and proof of annual receipts on file with the Department of General Services, Office of Small Business and Disabled Veteran Business Services (DGS-OSDS).

If a bidding firm is not a California Certified Small Business and wishes to be considered for the small business calculation preference for this solicitation, bidder application for small business must be received by the DGS-OSDS by the bid due date by close of business. Bidders seeking small business certification status must also notify the State in writing at the time of submission that they have an application for Small Business certification for review and approval at the DGS-OSDS.

For certification information, visit: <https://caleprocure.ca.gov/pages/sbdvbe-index.aspx>
For certification assistance, call DGS-OSDS at (916) 375-4941 or (916) 375-4400.

Non-Small Business

The application of the five percent (5%) Small Business bidding preference is extended to non-small businesses that commit to subcontracting at least twenty-five percent (25%) of its net bid price to California Certified Small Businesses and/or Micro-businesses. For further information on eligibility, see Section 3, O. Small Business Program.

Section 1: General Information

A. Agreement Term

1. The contract term will be from upon California Department of General Services approval through June 30, 2029.

B. Contract Budget Amount

The awarded contract will be written for a maximum amount of **two hundred ten thousand dollars and zero cents (\$210,000.00)**. The awarded contractor will be required to perform services at the rates specified in Attachment 4, Bid Cost Sheet. The unit quantities listed in Attachment 4 are estimates only and do not guarantee the actual number of units to be provided or reimbursed under the contract. The Total Basis of Award amount in Attachment 4 will be used solely for award determination to establish the lowest cost.

C. Purpose and Description of Services

1. Purpose of Services

CDFW is required by law to maintain safe and healthy worksites for all department employees by furnishing and using safety devices and safeguards, adopting and using practices, means, methods, operations, and processes that are reasonably adequate to render such employment and place of employment safe and healthful. CDFW must do every other reasonably necessary thing to protect the life, safety, and health of its employees [California Labor Code §§6400-6413.5].

CDFW owns and manages wildlife areas, fish hatcheries, and ecological reserves. At these properties, employees carry out the services, activities, and programs necessary to manage California's diverse fish, wildlife, and the habitats on which they depend, for their ecological values and for their use and enjoyment by the public. CDFW requires a contractor to provide industry hygiene services to test for multiple potential hazardous substances.

2. Scope of Work (Description of Services)

For a detailed description of work to be performed, see Exhibit A, Scope of Work, which is attached hereto within the sample STD. 213 standard agreement and made a part of this solicitation.

D. Questions Regarding IFB

All questions concerning this IFB must be submitted directly to Elbertlyn Cantey at Elbertlyn.Cantey@wildlife.ca.gov on or before **September 4, 2026**. When submitting questions, indicate the IFB number in the subject line. Questions via fax or telephone will not be accepted. Answers provided by anyone other than the IFB contact named

above are not binding upon the State. Answers to questions and other notices about this IFB will be provided via an addendum at the same location on the Cal eProcure website. CDFW is not responsible for sending individual notifications of changes or updates.

E. Eligible Bidders

Public or private corporations, agencies, organizations, associations, or individuals may submit a sealed bid in response to this IFB.

The bidder must be legally constituted and qualified to do business within the State of California (registered with the [Secretary of State](#)). Except for bidders whose legal status precludes incorporation (i.e., public agencies, sole proprietorships, and partnerships), bidders that are not fully incorporated by the deadline for submitting sealed bids will be disqualified.

The bidder must also not be listed on either list of the 500 largest tax delinquencies pursuant to Section 7063 or 19195 of the Revenue and Taxation Code.

F. Community-Based Private Nonprofit Bidders

1. In accordance with [Assembly Bill \(AB\) 590, Chapter 535: Advance Payments](#), CDFW may allow advanced payment in contracts to community based private nonprofit agencies, not to exceed 25% of the total award, upon the Department's determination that an advanced payment is essential for the effective implementation of the contract services.
2. For a private nonprofit agency to be eligible to receive up to 25% of the contract amount, the entity must include the following as part of their bid submission and satisfy the minimum requirements in [Government Code 11019.3 \(c\)\(2\)\(A\)\(i-viii\)](#):
 - Submit documentation to support the need for advance payment, which may include, but is not limited to, invoices, contracts, estimates, payroll records, and financial records.
 - Demonstrate its current status in good standing as nonprofit under section 501(c)(3) of the Internal Revenue Code.
 - Provide an itemized budget for the eligible costs the advanced payment will fund.

G. Executive Order N-6-22 – Russia Sanctions

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in Ukraine, as well as any sanctions imposed under state law. By submitting a bid or proposal, Contractor represents that it is not a target of Economic Sanctions. Should the State determine Contractor is a target of Economic

Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for rejection of the Contractor's bid/proposal any time prior to contract execution, or, if determined after contract execution, shall be grounds for termination by the State.

H. Executive Order N-12-23 – Generative Artificial Intelligence (GenAI) Disclosure

The State of California seeks to realize the potential benefits of GenAI, through the development and deployment of GenAI tools, while balancing the risks of these new technologies.

Bidder / Offeror must notify the State in writing if it: (1) intends to provide GenAI as a deliverable to the State; or (2), intends to utilize GenAI, including GenAI from third parties, to complete all or a portion of any deliverable that materially impacts: (i) functionality of a State system, (ii) risk to the State, or (iii) Contract performance. For avoidance of doubt, the term "materially impacts" shall have the meaning set forth in State Administrative Manual (SAM) § 4986.2 Definitions for GenAI.

Failure to report GenAI to the State may result in disqualification. The State reserves the right to seek any and all relief to which it may be entitled to as a result of such non-disclosure.

Upon notification by a Bidder / Offeror of GenAI as required, the State reserves the right to incorporate GenAI Special Provisions into the final contract or reject bids/offers that present an unacceptable level of risk to the State.

Government Code 11549.64 defines "Generative Artificial Intelligence (GenAI)" as an artificial intelligence system that can generate derived synthetic content, including text, images, video, and audio that emulates the structure and characteristics of the system's training data.

I. Loss Leader

It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code. A "loss leader" is any article or product sold at less than cost: (a) Where the purpose is to induce, promote or encourage the purchase of other merchandise; or (b) Where the effect is a tendency or capacity to mislead or deceive purchasers or prospective purchasers; or (c) Where the effect is to divert trade from or otherwise injure competitors.

J. Contractor Insurance Requirements

1. The below required insurance documents will be requested upon award only. The awarded bidder will be required to maintain the following insurance coverage throughout the duration of the agreement and must supply proof of coverage, including endorsements, upon request by CDFW. Insurance must be in

accordance with *Exhibit D CDFW Additional Provisions* which is attached to the sample agreement and will be incorporated into the resulting agreement.

2. If the awarded bidder does not supply insurance documents to CDFW on or before the requested date on the Notice of Intent to Award, CDFW may rescind the award for the agreement and award the next lowest cost bidder. Required insurance for this Agreement includes:
 - a) Commercial General Liability (limits not less than \$1,000,000 per occurrence with a \$2,000,000 annual policy aggregate)
 - b) Automobile Liability (limits not less than \$1,000,000 combined single limit per accident)
 - c) Professional Liability (limits not less than \$1,000,000 per occurrence and \$3,000,000 policy aggregate)
 - d) Pollution Liability (limits not less than \$1,000,000 each occurrence and \$2,000,000 aggregate which may include Pesticide/Herbicide Applicator Coverage if applicable, or its equivalent)
 - e) Workers Compensation and Employers Liability (limits of \$1,000,000 are required. The waiver of subrogation endorsement must also be provided).

The above policies must each be endorsed to include “the State of California, its officers, agents and employees as additional insured but only with respect to work performed under the Contract”.

K. Bidder Minimum Qualifications

- A. Bidder must have a minimum of five years’ experience providing industrial hygiene services.
- B. Bidder, and/or any Bidder’s staff providing services under this agreement must be currently certified and in good standing as a Certified Industrial Hygienist (CIH) by the Board of Global EHS Credentialing (BGC). BGC certification must be maintained throughout the term of this agreement.
- C. Bidder, and/or any Bidder’s staff providing asbestos consultant services under this agreement must be currently certified and in good standing as a Certified Asbestos Consultant by the California Department of Industrial Relations (DIR), Division of Occupational Safety and Health. Asbestos certification must be maintained throughout the term of this agreement.
- D. The Bidder must provide an overview of the company’s services, including the major services provided, the size of the company, a summary of corporate organization, location and size of corporate headquarters and the location and sizes of branch offices at which work may be performed. The overview must clearly indicate which office will have the primary responsibility for the execution of this project. The overview must also provide a brief summary of key personnel, citing their professional experience and qualifications emphasizing education,

licenses, certifications and technical experience; work experience should identify the year, job title, and the firm of employment at the time the work was done.

Section 2: Submission Requirements

L. Key Action Dates

EVENT	DATE	TIME
IFB available to prospective bidders	August 27, 2026	2:00PM(PT)
Final Date for Question Submission	September 4, 2026	
Final Date for Bid Submission	September 11, 2026	5:00 PM(PT)
Bid Opening	September 15, 2026	3:00 PM(PT)
Notice of Intent to Award	September 17-18, 2026	
Proposed Award Date	September 25, 2026	

M. Submission of Bid

1. All bids must be submitted and received by CDFW on or before the final date and time for bid submission identified above. Bids may be submitted by email, mail, or hand delivered. Faxed bids will not be accepted.
2. Bid submittal by Email: Bids may be submitted by email as a PDF to the IFB contact listed on the front page of this solicitation; only bids received to this email inbox will be considered. Bids submitted via email must clearly identify the IFB name and title in the subject line. Emailed bids will not be opened by CDFW until the bid due date and time listed above in the Key Action Dates.
3. Bid submittal by Mail or Hand Delivery: A hard copy bid must be submitted under sealed cover. Bids not submitted under sealed cover will be rejected. The sealed cover must be plainly marked with the IFB number and title, must show your firm name and address, and must be marked with "DO NOT OPEN", as shown in the example:

Bidder's Firm Name Bidder's Firm Address IFB P2690001, Industrial Hygienist Services [choose mailing address below] ATTN: Elbertlyn Cantey DO NOT OPEN

Mail or deliver bids to one of the following addresses:

U.S. Postal Service Deliveries

Department of Fish and Wildlife
BMB Contracts Unit
P.O. Box 944209
Sacramento, CA 94244-2090

Hand Deliveries*

Department of Fish and Wildlife
BMB Contracts Unit
1700 9th Steet, Second Floor
Sacramento, CA 95811

UPS/FedEx/GLS

Department of Fish and Wildlife
Attn: BMB Contracts Unit
960 Riverside Parkway, Suite 90
West Sacramento, CA 95605

*Hand delivered bids must be coordinated and scheduled ahead of time. To coordinate delivery, email the IFB contact listed on the cover page of this solicitation. Hand delivered bids must receive a date and timestamp by CDFW staff upon receipt. CDFW staff may not be available to receive and timestamp unscheduled hand deliveries. Hand delivered bids without a timestamp will be rejected.

4. Any bid received after the bid submission date and time specified in **Section 2.L. Key Action Dates** will NOT be considered. It is the State's policy to make every effort to ensure that all bids have been received and properly time stamped; however, bidders are ultimately responsible for ensuring timely receipt of their bid. Bidders may verify receipt of their bid by contacting the person identified in the cover letter of this IFB prior to the Public Bid Opening.
5. Public Bid Opening: If your firm chooses to attend the bid opening, please email the IFB contact listed on the cover page of this solicitation and allow sufficient time to locate parking and for visitor security procedures.

Address for Public Bid Opening:

1700 9th Street, Second Floor
Sacramento, CA 95811

6. A minimum of one copy of the bid must be submitted.
7. All bids must include the documents identified in **Section 5, Submittal Checklist and Required Attachments (Attachment 1)**. Required attachments must be fully completed and not contain alternate versions or alterations. If an attachment does not apply, the form must be marked "N/A" and included in the bid. Do not mark the checklist item as "N/A" and omit the form from the bid. Bids with missing attachments or bids including alternate versions or alterations of the attachments will be deemed non-responsive. A non-responsive bid is one that does not meet the basic bid requirements.

8. All documents requiring a signature must be signed by a person authorized to bind the bidding firm.
9. Bids must be submitted for the performance of all the services described herein and in the Sample Agreement. Any deviation from the work specifications will not be considered and will cause a bid to be rejected.
10. 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 bids and may waive an immaterial deviation in a bid. The State's waiver of an immaterial deviation will in no way modify the IFB document or excuse the bidder from full compliance with all requirements if awarded the agreement.
11. The Bidder is required to complete all items on the bid cost sheet. Any items left blank will be interpreted by the State to represent a bid of zero dollars (\$0.00) for that item. Items indicating anything other than a numerical dollar amount (e.g. N/A) may be deemed nonresponsive and may be rejected.
12. Costs incurred for developing bids and in anticipation of award of the agreement are entirely the responsibility of the bidder and will not be charged to the State of California.
13. An individual who is authorized to bind the bidder contractually must sign the Bid/Bidder Certification Sheet, (Attachment 2). The signature must indicate the title or position that the individual holds in the firm. An unsigned bid will be rejected.
14. A 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, will not be considered.
15. A bidder may withdraw a bid by submitting a written withdrawal request to the State, signed by the bidder or an authorized agent. A bidder may thereafter submit a new bid prior to the bid submission deadline. Bids may not be withdrawn without cause subsequent to bid submission deadline.
16. CDFW may modify the IFB prior to the date fixed for submission of bids by the issuance of an addendum to all parties who received a bid package or through the Cal eProcure website (<https://caleprocure.ca.gov/pages/Events-BS3/event-search.aspx>).
17. CDFW reserves the right to reject all bids. CDFW is not required to award an agreement.
18. Before submitting a response to this solicitation, bidders are expected to review and understand all exhibits, correct all errors, and confirm compliance with the IFB requirements.

19. Where applicable, bidder should carefully examine work sites and specifications. Bidder must investigate conditions, character, and quality of surface or subsurface materials or obstacles that might be encountered. No additions or increases to the agreement amount will be made due to a lack of careful examination of work sites and specifications.
20. The State does not accept alternate contract language from a prospective Contractor. A bid with such language will be considered a counter proposal and will be rejected. The State's General Terms and Conditions are not negotiable.
21. No oral understanding or agreement will be binding on either party.

Section 3: Preference and Incentive Programs

N. Target Area Contract Preference Act (TACPA)*

1. Promotes economic development and employment opportunities in designated distressed areas, by offering a five percent (5%) worksite and a 1% - 4% workforce bidding preference. The Preference does not apply to Agreements where the worksite is fixed by the contract terms. Preferences only apply to California based firms, and only when the lowest responsive bid and resulting Agreement exceeds \$100,000.
2. For additional information view website at:
<https://www.dgs.ca.gov/PD/Services/Page-Content/Procurement-Division-Services-List-Folder/Request-Target-Area-Contract-Preference>

O. Small Business Program

1. A Small Business Preference of five percent (5%) will be granted in accordance with Government Code Section 14835, and as contained in California Code of Regulations, title 2, Section 1896.8. To claim the Small Business Preference, which may not exceed \$50,000 for any bid, your firm must have its principal place of business located in California and you must have an approved small business certification form and proof of annual receipts on file with the Department of General Services, Office of Small Business and Disabled Veteran Business Services (OSDS). Questions and requests for copies of the regulations should be directed to OSDS at (916) 375-4940.
2. Bidders requesting the Small Business Preference must complete the certification on the attached Bid/Bidder Certification Sheet (Attachment 2, Item 14) and include a copy of the certification. The Small Business Preference and Certification Request must be signed in the same style in which the bidder is licensed by the Contractor's State License Board.

3. The application of the five percent (5%) Small Business bidding preference is extended to non-small businesses that commit to subcontracting at least twenty-five percent (25%) of its net bid price to California Certified Small Businesses and/or Micro-businesses when the non-small business:
 - a) Includes a notification in the bid submission to the CDFW that it commits to subcontract at least twenty-five percent (25%) of its net bid price with one (1) or more small businesses
 - b) Submits a timely, responsive bid
 - c) Is determined to be a responsible bidder; and
 - d) Submits a Bidder Declaration GSPD-05-105 (see Attachment 6) listing the small businesses it commits to subcontract with for a commercially useful function in the performance of the Agreement.
4. The CDFW will grant small businesses a five percent (5%) Small Business preference on a bid evaluation when a responsible non-small business has submitted the lowest-priced, responsive bid pursuant to the evaluation of a solicitation method when a small business:
 - a) Includes a notification in the bid submission to the CDFW that it is a small business or that it has submitted to the Department of General Services, Office of Small and Disabled Veteran Business Services (OSDS) a complete application no later than 5:00 p.m. on the bid due date, and is subsequently certified by the Department of General Services as a small business; and
 - b) Submits a timely, responsive bid; and
 - c) Is determined to be a responsible bidder.
5. Bidders pending Small Business or DVBE Certification applications under review by the Department of General Services concurrent with the bid time frame should contact OSDS to request an expedite review/approval of their application in order to be considered for the small business preference during the evaluation of this bid. Contact OSDS at (916) 375-4940 to obtain information about the application expedite process.
6. Bidders must notify the CDFW, in writing, at the time of bid submission that they have an application for Small Business or DVBE Certification under review at the OSDS, and that they wish to be considered for the Small Business Preference Calculation.

P. Disabled Veteran Business Enterprise (DVBE) Incentive and Participation

1. DVBE Incentive

- a) In accordance with section 999.5(a) of the Military and Veterans Code, and DVBE Incentive Regulations, CCR 1896.99.100, an incentive will be given to bidders who provide DVBE participation.
- b) For evaluation purposes only, the State will apply an incentive to bids that propose California certified DVBE participation as identified on the Bidder Declaration GSPD-05-105 (see Attachment 6), confirmed by the State. The incentive amount for awards based on low price will vary in conjunction with the percentage of DVBE participation. The following percentages will apply for awards based on low price.

Confirmed DVBE Participation of:	DVBE Incentive
5% or Over	5%
4% to 4.99% inclusive	4%
3% to 3.99% inclusive	3%

- c) For awards based on low price, the net bid price of responsive bids will be reduced (for evaluation purposes only) by the amount of DVBE incentive as applied to the lowest responsive net bid price. If the #1 ranked responsive, responsible bid is a California certified small business, the only bidders eligible for the incentive will be California certified small businesses. The incentive adjustment for awards based on low price cannot exceed 5% or \$100,000, whichever is less, of the #1 ranked net bid price. When used in combination with a preference adjustment, the cumulative adjustment amount cannot exceed \$100,000.

2. DVBE Program Participation Program Requirements

- a) **The DVBE Participation Program Requirements have been waived for this IFB;** however, an incentive will be given to bidders who provide DVBE participation.

3. DVBE Resources and Information

The Department of General Services, Office of Small Business and Disabled Veteran Business Enterprise Services (DGS-OSDS) is the state's certifying agency that oversees the Small Business (SB), Small Business for the Purpose of Public Works (SB-PW), and Disabled Veteran Business Enterprise (DVBE) certification programs. Resources and Information can be found at:

<https://www.dgs.ca.gov/PD/About/Page-Content/PD-Branch-Intro-Accordion-List/OSDS/OSDS?search=Office-of-Small-Business-and-Disabled-Veteran-Business-Enterprise/Certification-Program>

4. Commercially Useful Function Definition

- a) All California-certified Small Businesses (SB) and Disabled Veteran Business Enterprise (DVBES) doing business with the state must perform a Commercially Useful Function (CUF). Performing CUF is a critical requirement for all California-certified firms - SB and DVBE - that do business with the state (Government Code Section 14837 and Military and Veterans Code Section 999).
- b) CUF definition and resources can be found at:
<https://www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/Commercially-Useful-Function-for-Certified-Firms>
- c) A Contractor, subcontractor, or supplier will not be considered to perform a commercially useful function if the Contractor's, subcontractor's, or supplier's role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of disabled veteran business enterprise participation.

Section 4: Evaluation and Award Process

Q. Evaluation and Selection

- 1. At the time of bid opening, each bid will be checked for the presence or absence of required information in conformance with the submission requirements of this IFB.
- 2. CDFW will evaluate each bid to determine its responsiveness to the published requirements.
- 3. Bids that contain false or misleading statements, or which provide references, which do not support an attribute or condition claimed by the bidder, may be rejected.
- 4. At its sole discretion, CDFW reserves the right to overlook, correct, or require a bidder to remedy any obvious clerical or mathematical errors on a submitted bid.
 - a) If the correction of an error results in an increase or decrease in the total price, CDFW will give the bidder the option to accept the corrected price or withdraw their bid.
 - b) Bidders may be required to initial corrections to costs and figures on the bid document(s) if the correction results in an alteration of the cost(s) offered.
 - c) If a mathematical error occurs in a total or extended price and a unit price is present, CDFW will use the unit price to settle the discrepancy.

R. Basis of Award

1. The contract Award, if made, will be to the lowest responsive and responsible bidder meeting all requirements of this IFB.
2. Bid responses must fully comply with all IFB requirements. Failure to do so will disqualify the bid.
3. CDFW reserves the right to reject all bids if it is determined that the cost is unreasonable, exceeds the estimated budget, or is otherwise not in the best interest of the State.
4. If it is determined not to be in the best interest of the State, the State reserves the right to not award a contract in response to this IFB.
5. In the event of a two-way (or more) tie, the method that will be used as a "tie-breaker" will be to place the names of the bidders in a container. The first name drawn will be the proposed awardee. The remaining bidder(s) name(s) will be drawn sequentially and noted in case, upon validation, the proposed awardee selected through the tie-breaking process is unacceptable.
6. Small Business bidders, meeting the IFB specifications, will have precedence over Non-Small Business bidders in that the application of any bidder preference for which Non-Small Business bidders that may be eligible under any other provision of law will not result in the denial of the award to a Small Business bidder.
7. In the event of a precise tie between the low responsible bid of bidder meeting the specifications of a Small Business, and the low responsible bid of a bidder meeting the specifications of a disabled veteran-owned small business, the contract will be awarded to the veteran-owned small business.

S. Award and Protest

1. Award: If an Agreement is not awarded to the lowest bidder, the lowest bidder will be notified within five (5) working days prior to the award of the Agreement. Notice of the proposed award will be posted publicly on the IFB's event page on the Cal eProcure website (<https://caleprocure.ca.gov/pages/Events-BS3/event-search.aspx>) at least five (5) working days prior to awarding the Agreement.
2. Protest: In Accordance with Public Contract Code Section 10345, if any Bidder, prior to the award of an agreement, files a written protest with the Department of General Services, Office of Legal Services, and CDFW on the grounds that the (protesting) bidder is the lowest responsive responsible bidder, the agreement will not be awarded until either the protest has been withdrawn or the Department of General Services has decided the matter. The protest must be sent to:

Department of General Services
Office of Legal Services

California Department of Fish and Wildlife
Contracts Unit

ATTN: Bid Protest Coordinator
707 3rd Street, 7th Floor, Suite 7-330
West Sacramento, CA 95605
Email: OLSProtests@dgs.ca.gov

ATTN: Contracts Unit Manager
P.O. Box 944209
Sacramento, CA 94244-2090
Email: BMBcontracts@wildlife.ca.gov

Within five (5) days after filing the initial protest, the protesting bidder must file with the Department of General Services and the California Department of Fish and Wildlife a detailed written statement specifying the grounds for the protest. Protests may be submitted by regular mail, facsimile, courier, or personal delivery.

T. Disposition of Bid

1. Upon bid opening, all documents submitted in response to this solicitation will become the property of the State of California and will be available for public inspection under Public Contract Code 10342.

U. Sample Standard Agreement

1. This solicitation includes, as a separate document, a Sample Standard Agreement (STD 213 and exhibits) for review. The Sample Standard Agreement contains language that CDFW expects to utilize for the awarded contract.

V. Agreement Execution and Performance

1. Work must start on the express date set by the CDFW Contract Manager and the Contractor, after all approvals have been obtained and the agreement is fully executed. Should the Contractor fail to commence work at the agreed upon time, the CDFW, upon five (5) days written notice to the Contractor, reserves the right to terminate the Agreement. In addition, the Contractor will be liable to the State for the difference between Contractor's bid price and the actual cost of performing work by the second lowest bidder or by another Contractor.
2. The rates provided by the awarded Bidder identified on Attachment 4, Bid Cost Sheet will be incorporated into the Agreement's Exhibit B, Budget Detail and Payment Provisions. Rates must remain the same throughout the duration of the agreement and cannot be altered through an amendment to the contract.
3. All performance under the Agreement must be completed on or before the termination date of the Agreement.

W. Use of Subcontractor(s)

1. The Contractor will be responsible for all work performed. All persons engaged in the work will be considered employees of the Contractor. When any subcontractor fails to execute a portion of the work in a manner satisfactory to the State, the Contractor must immediately remove such subcontractor upon written request of the State and the subcontractor will not be employed for any portion of the contract.

The State will not entertain requests to arbitrate disputes among subcontracts concerning responsibility for performing any part of the work.

Section 5: Submittal Checklist and Required Attachments**ATTACHMENT 1 - SUBMITTAL CHECK LIST**

Complete this checklist by placing a checkmark or “X” next to each item to confirm your bid submission is complete (do not mark as N/A). A complete and responsive bid submission must include **all** attachments and required documents (including this checklist) identified below:

<u>Attachment</u>	<u>Attachment Name/Description</u>
_____ Attachment 1	Submittal Check List
_____ Attachment 2	Bid/Bidder Certification Sheet (Signed)
_____ Attachment 3	Payee Data Record (STD. 204/205) (Signed)
_____ Attachment 4	Bid Cost Sheet
_____ Attachment 5	Contractor’s Certification Clauses (CCC 04/2017)
_____ Attachment 6	Bidder Declaration Form
_____ Attachment 7	DVBE Declaration
_____ Attachment 8	Commercially Useful Function (CUF) Certification
_____ Attachment 9	California Public Contract Code Section (10162)
_____ Attachment 10	Darfur Contracting Act Certification
_____ Attachment 11	Bidder References
_____ Attachment 12	California Civil Rights Laws (if over \$100,000)
_____ Attachment 13	Target Area Contract Preference Act (TACPA) (if > 100,000)

Other Required Documents:

- _____ Copy of California Business License or articles of incorporation (per “Eligible Bidders” Section)
- _____ Proof of Bidder’s certification and good standing as a Certified Industrial Hygienist (CIH) by the Board of Global EHS Credentialing.

- _____ Proof of Bidder's certification and good standing as a Certified Asbestos Consultant by the California Department of Industrial Relations, Division of Occupational Safety and Health.
- _____ Copy of Bidder's (including key personnel's) resumes and company profile including major services provided, size of company, summary of corporate organization, location and size of corporate headquarters and the location and sizes of branch offices. Profile must include which office will be primarily responsible for this project.

ATTACHMENT 2 - BID/ BIDDER CERTIFICATION SHEET

This Bid/Bidder Certification Sheet must be signed and returned along with all the "required attachments" as a bid package as directed in Submission of Bid with original signatures. The bid documents must be transmitted in accordance with IFB instructions.

- A. **Our all-inclusive bid is submitted as detailed in Attachment 4, Bid Cost Sheet.**
- B. All required attachments are included with this certification sheet.
- C. I have read and understand the DVBE participation requirements and have included documentation demonstrating that I have met the participation goals.
- D. The signature affixed hereon and dated certifies compliance with all the requirements of this bid document. The signature below authorizes the verification of this certification.

An unsigned Bid/Bidder Certification Sheet may be cause for rejection

1. Company Name	2. Telephone Number ()	2a. Email
3. Address		
Indicate your organization type:		
4. ☐ Sole Proprietorship	5. ☐ Partnership	6. ☐ Corporation
Indicate the applicable employee and/or corporation number:		
7. Federal Employee ID No.	8. California Corporation No.	
9. Indicate applicable license and/or certification information:		
10. Bidder's Name (Print):	11. Title:	
12. Signature	13. Date	
14. Are you certified with the Department of General Services, Office of Small Business and DVBE Services (OSDS) as:		
a. California Small Business Yes ☐ No ☐ If yes, enter certification number: b. Disabled Veteran Business Enterprise Yes ☐ No ☐ If yes, enter certification number:		
c. Non-Small Business Subcontractor Preference Yes ☐ No ☐		
NOTE: A copy of your Certification is required and MUST be included if either of the above items are checked "Yes".		
Date application submitted to OSDS (if application is pending):		

BID/BIDDER CERTIFICATION SHEET INSTRUCTIONS

Complete the numbered items on the Bid/Bidder Certification Sheet by following the instructions below:

Item Numbers	Instructions
1, 2, 2a, 3	Must be completed. Items are self-explanatory.
4	Check if your firm is a sole proprietorship. A sole proprietorship is a form of business in which one (1) person owns all the assets of the business in contrast to a partnership and corporation. The sole proprietor is solely liable for all the debts of the business.
5	Check if your firm is a partnership. A partnership is a voluntary agreement between two (2) or more competent persons to place their money, effects, labor, and skill, or some or all of them in lawful commerce or business, with the understanding that there will be a proportional sharing of the profits and losses between them. An association of two (2) or more persons to carry on, as co-owners, a business for profit.
6	Check if your firm is a corporation. A corporation is an artificial person or legal entity created by or under the authority of the laws of a state or nation, composed, in some rare instances, of a single person and his/her successors, being the incumbents of a particular office, but ordinarily consisting of an association of numerous individuals.
7	Enter your Federal Employee Tax Identification Number.
8	Enter your corporation number assigned by the California Secretary of State's Office. This information is used for checking if a corporation is in good standing and qualified to conduct business in California.
9	Complete, if applicable, by indicating the type of license and/or certification that your firm possesses and that is required for the type of services being procured.
10, 11, 12, 13	Must be completed. These items are self-explanatory.
14	If certified as a California Small Business, place a check in the "Yes" box, and enter your certification number on the line. If certified as a Disabled Veterans Business Enterprise, place a check in the "Yes" box and enter certification number on the line. If you are not certified to one (1) or both, place a check in the "No" box. If your certification is pending, enter the date your application was submitted to OSDS.

ATTACHMENT 3 - PAYEE DATA RECORD (STD 204/205)

A completed Payee Data Record is required for all payees (non-governmental entities or individuals) entering into a transaction that may lead to a payment from the state. Each state agency requires a completed, signed, and dated STD 204 on file; therefore, it is possible for you to receive this form from multiple state agencies with which you do business.

STD 204 Payee Data Record

This form is available at: <https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>

The STD 205 is optional. It is used to provide remittance address information if different than the mailing address on the STD 204 – Payee Data Record. Use this form to provide additional remittance addresses and additional Authorized Representatives of the Payee not identified on the STD 204.

STD 205 Payee Data Record Supplement

This form is available at: <https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.pdf>

ATTACHMENT 4 - BID COST SHEET

The Bidder proposes to provide CDFW with industrial hygienist services in accordance with the specifications, terms and conditions contained herein, at the unit rates noted below. Rates include all Contractor costs including but not limited to taxes, labor, transportation, travel, parking, and all other expenses necessary under the performance of this contract. The awarded Contractor will be reimbursed for actual services rendered as requested and approved by the CDFW Contract Manager. The Contract will be reimbursed at the unit rates identified below to the total cost that must not exceed **two hundred ten thousand dollars and zero cents (\$210,000.00)**

If a field within the Cost Sheet is left blank, it will be construed as a bid of \$0.00. If a field within the Cost Sheet is marked with anything other than a number (i.e. N/A) the bid may be deemed nonresponsive.

No.	Item (Description)	Quantity*		Cost Per Unit			Total
1	Certified Asbestos Consultant Work	10	x	\$	per Hour	=	\$
2	Certified Industrial Hygienist Work	6	x	\$	per Hour	=	\$
3	Laboratory Test – Asbestos – PLM Standard TAT (5 days)	2	x	\$	per Test	=	\$
4	Laboratory Test – Asbestos – PCM (5 days)	2	x	\$	per Test	=	\$
5	Laboratory Test – Asbestos – 1000-point count (5 day)	2	x	\$	per Test	=	\$
6	Laboratory Test – Asbestos – soil/rock – Level A, <0.25%	2	x	\$	per Test	=	\$
7	Laboratory Test – Asbestos	2	x	\$	per Test	=	\$
8	Laboratory Test – Lead – Bulk/Paint Chip/Dust/ Air (FAA)	6	x	\$	per Test	=	\$
9	XRF (Equipment)	1	x	\$	per Test	=	\$
10	Laboratory Test – Mold – Surface tape lift - Qualitative	6	x	\$	per Test	=	\$
11	Laboratory Test – Mold – Total Spore - Air	6	x	\$	per Test	=	\$
12	Laboratory Test – Drinking Water - pH	4	x	\$	per Test	=	\$
13	Laboratory Test – Drinking Water - lead	4	x	\$	per Test	=	\$

14	Laboratory Test – Drinking Water - copper	4	x	\$	per Test	=	\$
15	Laboratory Test – Indoor Air Quality -IAQ Meter	4	x	\$	per Test	=	\$
16	Laboratory Test – Moisture	4	x	\$	per Test	=	\$
17	Laboratory Test – Bulk Samples - Asbestos	4	x	\$	per Test	=	\$
18	Laboratory Test – Roofing - Asbestos	4	x	\$	per Test	=	\$
19	Laboratory Test – Paint - Lead	4	x	\$	per Test	=	\$
20	Urgent (24 Hour) Rate**	2	x	\$	per Test	=	\$
Subtotal***							\$
Travel Reimbursement Not to Exceed****							\$10,000.00
Total Basis of Award***							\$

*Quantity is an estimate. Actual services will vary by service needs. Service needs will be determined by CDFW Contract Manager.

**Urgent Rate would indicate the need for a faster test and result report due to increased risk of Health and Safety issue, if needed.

*** Total basis of Award and subtotal is to determine the lowest bid only. The awarded Contractor will be reimbursed for actual services as requested and approved by the CDFW Contract Manager. The awarded Contract will be reimbursed at the unit rates identified above to a total cost that must not exceed \$210,000.00.

****Not to Exceed State reimbursement for travel, lodging, per diem, and mileage as outlined in Exhibit I.

ATTACHMENT 5 - CONTRACTOR CERTIFICATION CLAUSE (04/2017)

A completed Contractor Certification Clause is required with your bid. Please use this link to go directly to the form:

<https://www.dgs.ca.gov/-/media/Divisions/OLS/Resources/CCC-042017.pdf?la=en&hash=4DE3E4DC414511AE378794200BA43EBF91C758EE>

ATTACHMENT 6 - BIDDER DECLARATION FORM
(GSPD-05-105)

A completed Bidder Declaration Form is required with your bid. When completing the declaration, Bidders must identify all subcontractors proposed for participation in the contract. Bidders awarded a contract are contractually obligated to use the subcontractors for the corresponding work identified unless the State agrees to a substitution, and it is incorporated by amendment to the contract.

At the State's option prior to award, Bidders may be required to submit additional written clarifying information on selected subcontractors. Failure to submit the requested written information as specified may be grounds for bid rejection.

This form with instructions is available at the following link:

<https://www.dgs.ca.gov/-/media/Divisions/PD/PTCS/OPPL/SCM/SCM-Link-Docs/master-biddeclar08-09.pdf>

ATTACHMENT 7 - DVBE DECLARATION
(DGS-PD-843)

A completed DVBE Declaration is required with your bid. If your firm or subcontractors are not DVBEs, please include the form itself marked 'N/A' when submitting your bid.

This form is available at the following link:

https://www.documents.dgs.ca.gov/dgs/fmc/gs/pd/pd_843.pdf

ATTACHMENT 8 - COMMERCIALLY USEFUL FUNCTION (CUF) CERTIFICATION

Complete one (1) CUF Certification for the portion of the contract that each certified Small Business (SB) and/or Disabled Veteran Business Enterprise (DVBE) identified on the Bidder Declaration will be performing. If no SBs or DVBEs will participate in the contract work, mark 'N/A' on this form when submitting it with your bid.

CUF statute (*Government Code 14837 and Military and Veterans Code 999*) requires that the contractor and subcontractor provide goods/services described in the scope of work and/or considered to be distinct element of the contract work.

Supplier Name:	
Certification Type (SB or DVBE):	
Certification number:	
Prime or Subcontractor?	
1. List the specific services the supplier will provide in relation to the Scope of Work:	
2. List reasons why the services are a normal and consistent function of the supplier; provide support (e.g. UNSPSC, certification, resumes, licenses, educational degrees, website, past performance, etc.):	
3. Will the supplier provide products, inventories, materials, and supplies as well as perform ALL the following duties? (If supplier is not providing any goods, mark "N/A")	1. Negotiating Price 2. Determining quality and quantity 3. Ordering 4. Making payment 5. Installing N/A ☐ Yes ☐ No ☐

ATTACHMENT 9 - CALIFORNIA PUBLIC CONTRACT CODE SECTION 10162
California Natural Resources Agency: California Department of Fish and Wildlife
-- Questionnaire --

FACILITY NAME		PROJECT NAME	
NAME OF BUSINESS			
<i>In accordance with Section 10162 of the California Public Contract Code, bidders shall complete, under penalty of perjury, the question below. Please answer the following:</i>			
HAVE YOU, ANY OFFICER OF YOUR BUSINESS, OR ANY EMPLOYEE OF YOUR BUSINESS WHO HAS PROPRIETRY INTEREST IN YOUR BUSINESS EVER BEEN DISQUALIFIED, REMOVED, OR OTHERWISE PREVENTED FROM BIDDING ON, OR COMPLETING A FEDERAL, STATE, OR LOCAL GOVERNMENT PROJECT BECAUSE OF A VIOLATION OF LAW OR VIOLATION OF SAFETY REGULATIONS? ☐ Yes <i>(Explain circumstances below. Attach additional pages if needed.)</i> ☐ No			
NOTICE TO BIDDERS			
Bidders are cautioned that making false certification may subject the certifier to criminal prosecution. The California Department of Fish and Wildlife (CDFW) reserves the right under California Public Contract Code Section 10162 to reject any bidder, any officer of such bidder, or any employee of such bidder who has a proprietary interest in such bidder who has been disqualified, removed or otherwise prevented from bidding on, or completing a federal, state or local government project because of a violation of law or violation of safety regulations. Failure to return this form with the bid shall not be cause for rejection; however, bidders must furnish the completed form within the time frame prescribed by the CDFW. Failure to submit this form within the time frame prescribed by the CDFW may be deemed refusal of an award which shall be cause for forfeiture of bidder's security.			
CERTIFICATION			
<i>By my signature, I certify under penalty of perjury under the laws of the State of California that the foregoing questionnaire and statements pursuant to California Public Contract Code Section 10162 are true and correct</i>			
BIDDER SIGNATURE		PRINTED NAME	DATE

ATTACHMENT 10 -DARFUR CONTRACTING ACT CERTIFICATION

Public Contract Code Sections 10475 -10481 applies to any company that currently or within the previous three years has had business activities or other operations outside of the United States. For such a company to bid on or submit a proposal for a State of California contract, the company must certify that it is either a) not a scrutinized company; or b) a scrutinized company that has been granted permission by the Department of General Services to submit a proposal.

OPTION #1 – NOT APPLICABLE

☐ Check here if your company has not, within the previous three years, had any business activities or other operations outside of the United States.

<i>Company/Vendor Name (Printed)</i>	<i>Federal ID Number</i>
<i>Printed Name and Title of Person Signing</i>	<i>By (Authorized Signature)</i>

OPTION #2 - CERTIFICATION

If your company, within the previous three years, has had business activities or other operations outside of the United States, in order to be eligible to submit a bid or proposal, please insert your company name and Federal ID Number and complete the certification below.

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that a) the prospective proposer/bidder named below is **not** a scrutinized company per Public Contract Code 10476; and b) I am duly authorized to legally bind the prospective proposer/bidder named below. This certification is made under the laws of the State of California.

<i>Company/Vendor Name (Printed)</i>	<i>Federal ID Number</i>
<i>By (Authorized Signature)</i>	
<i>Printed Name and Title of Person Signing</i>	
<i>Date Executed</i>	<i>Executed in the County and State of</i>

OPTION #3 – WRITTEN PERMISSION FROM DGS

Pursuant to Public Contract Code section 10477(b), the Director of the Department of General Services may permit a scrutinized company, on a case-by-case basis, to bid on or submit a proposal for a contract with a state agency for goods or services, if it is in the best interests of the state. If you are a scrutinized company that has obtained written permission from the DGS to submit a bid or proposal, complete the information below.

We are a scrutinized company as defined in Public Contract Code section 10476, but we have received written permission from the Department of General Services to submit a bid or proposal pursuant to Public Contract Code section 10477(b). A copy of the written permission from DGS is included with our bid or proposal.

<i>Company/Vendor Name (Printed)</i>	<i>Federal ID Number</i>
<i>Initials of Submitter</i>	
<i>Printed Name and Title of Person Initialing</i>	

ATTACHMENT 11 -BIDDER REFERENCES

Submission of this attachment is mandatory. Failure to complete and return this attachment with your bid will cause your bid to be rejected and deemed nonresponsive. Any reference that is deemed negative by CDFW may cause bidder to be rejected/disqualified.

List below three (3) references for services performed within the last five (5) years, which are similar to the Scope of Work to be performed in this Agreement.

REFERENCE 1

Name of Firm			
Street Address	City	State	Zip Code
Contact Person	Telephone Number		
Contact's Email Address			
Dates of Service	Value or Cost of Service		
Brief Description of Service Provided			

REFERENCE 2

Name of Firm			
Street Address	City	State	Zip Code
Contact Person	Telephone Number		
Contact's Email Address			
Dates of Service	Value or Cost of Service		
Brief Description of Service Provided			

REFERENCE 3

Name of Firm			
Street Address	City	State	Zip Code
Contact Person	Telephone Number		
Contact's Email Address			
Dates of Service	Value or Cost of Service		
Brief Description of Service Provided			

ATTACHMENT 12 -CALIFORNIA CIVIL RIGHTS LAWS ATTACHMENT

A completed California Civil Rights Laws Form is required with your bid. Please use this link to go directly to the form:

<https://www.dgs.ca.gov/-/media/Divisions/OLS/Forms/CALIFORNIA-CIVIL-RIGHTS-LAWS-ATTACHMENT.pdf>

ATTACHMENT 13 -TARGET AREA CONTRACT PREFERENCE ACT (TACPA)

A completed TACPA Request Form is required with your bid. If not applying for the preference, please mark the form 'N/A' when submitting it with your bid.

TACPA Request Form STD 830

Obtain form at <https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std830.pdf>