



COUNTY OF SAN LUIS OBISPO  
CENTRAL SERVICES DEPARTMENT

Christopher Lopez *Director*

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**REQUEST FOR PROPOSAL PS- #1844  
PASO ROBLES GROUNDWATER BASIN  
MULTIBENEFIT IRRIGATED LAND REPURPOSING (MILR) PROGRAM  
PROGRAM DESIGN AND IMPLEMENTATION PLAN DOCUMENTATION**

July 30, 2024

The County of San Luis Obispo (County) is currently soliciting proposals for professional services in support of the design and implementation plan documentation of the Paso Robles Groundwater Basin Multi-Benefit Irrigated Land Repurposing (MILR) Program.

Each proposal shall specify each and every item as set forth in the attached specifications. Any and all exceptions must be clearly stated in the proposal. Failure to set forth any item in the specifications without taking exception may be grounds for rejection. The County reserves the right to reject any and all proposals and to waive any irregularity or informality in any proposal or in the RFP process, as long as, in the judgment of the County, such action will not negate fair competition and will permit proper comparative evaluation of the proposals submitted.

This RFP is posted on the County's Purchasing website at [http://www.slocounty.ca.gov/GS/Purchasing/Current\\_Formal\\_Bids\\_and\\_Proposals.htm](http://www.slocounty.ca.gov/GS/Purchasing/Current_Formal_Bids_and_Proposals.htm). Any changes, additions, or deletions to this RFP will be in the form of written addenda issued by the County. Any addenda will be posted on the website. Prospective proposers must check the website for addenda or other relevant new information during the response period. The County is not responsible for the failure of any prospective proposer to receive such addenda. All addenda so issued shall become a part of this RFP.

If you or your firm is interested and qualified, please submit two (2) separate Adobe Acrobat Portable Data Format (.pdf) files, one (1) technical proposal and one (1) cost proposal, through the County's Purchasing website at the address listed above, by **3:00 p.m. on August 23, 2024**.

If you have any questions about the proposal process, please contact the Buyer directly.

MISSY VILES  
Buyer II – Central Services Purchasing  
[mviles@co.slo.ca.us](mailto:mviles@co.slo.ca.us)

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**I. INTRODUCTION**

**A. PURPOSE**

The purpose of this Request for Proposal (RFP) is to solicit offers from qualified firms to provide professional services as required to design the Paso Robles Groundwater Basin Multi-Benefit Irrigated Land Repurposing (MILR) Program and develop a MILR Program Implementation Plan, including all plan elements to include (at minimum): Farming Unit Definition and Eligibility Criteria; Program Rules & Regulations; Enabling Ordinances; CEQA Documentation; Outreach Strategies; Projected Program Costs and Funding Mechanism; Legal Authority, and other elements as may be determined to be appropriate.

The MILR Program will provide a pathway to reduce groundwater pumping in the Paso Robles Groundwater Basin through voluntary repurposing of irrigated land to other less water-intensive uses. Key considerations of the MILR Program include:

- MILR Program is intended to work in concert with other SGMA efforts to achieve Basin sustainability (Balance)
- Intended to concentrate on commercial-scale irrigated agriculture.
- Developed as an alternative to mandatory pumping reductions.
- Intended to prioritize pumping reductions near communities whose drinking water wells have been impacted or are threatened.
- Issues to be determined:
  - Funding Sources and Financial Incentive Strategies.
  - Priority of Land Repurposing Locations.
  - Program Application and Enrollment Process.
  - Means by and Conditions under which new irrigated uses can be established.

The MILR Program will incentivize owners of eligible agricultural land to reduce groundwater pumping through the implementation of a phased multi-element program to achieve sustainable groundwater pumping within the basin while strategically targeting areas near communities reliant on vulnerable drinking water wells before their groundwater supplies are adversely impacted. The initial phase of the program will involve irrigators that wish to voluntarily enroll their farming unit into the MILR Program. An important consideration in developing the voluntary phase of the MILR Program will be to ensure that overlying landowners that choose to repurpose irrigated lands are not adversely impacted by their decision under current or future regulations over which the County of San Luis Obispo or the other Groundwater Sustainability Agencies have control.

Eligible lands shall be identified as Farming Units. A Farming Unit shall be a collection of contiguous or semi-contiguous agricultural properties, which are greater than 5 acres in total, that are managed as a single irrigated farming operation (or planned for irrigation in the future). It is understood that there may be multiple categories of eligible farming units, including the following:

- Owners of commercially irrigated agricultural lands (> 5 acres), or agricultural lands that have been commercially irrigated within the previous 5-years and are eligible for an on-site

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agricultural offset clearance or 5-AFY agricultural offset exemption under the County of San Luis Obispo Land Use Ordinance Section 22.30.204, referred to as the Paso Basin Agricultural Offset Ordinance (Ag Offset Ordinance). Participation of this landowner group may require an exemption from some requirements of the Williamson Act.

- Owners of currently non-irrigated lands, greater than 5-acres, that are restricted from planting irrigated crops under the County's Ag Offset Ordinance but may plan to pump groundwater for commercial agricultural irrigation purposes in the future. Participation of this landowner group will require modification or repeal of the Ag Offset Ordinance.

The success of the initial voluntary phase of the MILR Program will be assessed and annual determinations will be made regarding the achievement of basin sustainability. If progress towards achieving GSA approved sustainability goals is determined to be inadequate, mandatory pumping limitations, as contemplated in the Groundwater Sustainability Plan and consistent with Water Code Section 10726.4, may be implemented and enforced.

It is anticipated that funding for the MILR Program will be generated from groundwater usage fees imposed pursuant to Water Code Section 10730.2 which are tied to an estimate of the relative volume of groundwater that is consumptively used for irrigation on each Farming Unit. Estimates of groundwater usage will be based on a remote sensed evapotranspiration (ET) accounting method (e.g., OpenET, Land IQ, or similar). Groundwater extractors may elect to use an equivalent alternative accounting method (e.g., groundwater well metering accounting methodology).

MILR Program phasing will be as follows:

1. Phase 1: Landowners of an eligible Farming Unit who wish to enroll in the MILR Program can do so by completing the On-Line Pre-Application. Pending submittal, the Pre-Application will be reviewed by the Paso Basin GSA Governing Body to determine eligibility. Subject to concurrence by the Paso Basin GSA Governing Body, the subject Farming Unit will be designated as eligible and enrolled in the MILR Program. A determination of eligibility shall trigger an exemption for the enrolled Farming Unit, including all parcels included therein, from the "look back provisions" of the Ag Offset Ordinance and from the irrigation requirements of the Williamson Act, as may apply (which would require modifying the Ag Offset Ordinance and the Williamson Act Rules of Procedure, subject to approval by the County Board of Supervisors). No new irrigated agriculture may be created as a result of enrollment in Phase 1. Landowners of an eligible Farming Unit, which are currently restricted from planting new irrigated agriculture due to limitations of the Ag Offset Ordinance, will be enrolled and placed on a "wait" list. At such time that the Basin is demonstrated to be in a sustainable condition, those Farming Units on the "wait" list may be authorized to plant new irrigated agriculture, subject to conditions to be established by the Basin GSAs in the future.
2. Phase 2: The owner of an enrolled Farming Unit may proceed under this Phase by voluntarily developing Farming Unit Groundwater Sustainability Profile and a Phase 1 / Final MILR Plan. These documents will be reviewed by the Paso Basin GSA Governing Body who will evaluate the submitted plan to determine the potential impacts and benefits to the long-term sustainability of the Paso Robles Groundwater Basin. Specific

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consideration will be given to the plan's predicted effectiveness in avoiding undesirable results, as defined by SGMA and described in the GSP. On a periodic basis, the Paso Basin GSA Governing Body will perform a competitive review of all FINAL MILR Plans submitted and score / rank all submitted plans to determine which plans offer the maximum benefit to the long-term sustainability of the Basin. Based on the results of the competitive review and ranking of the submitted MILR Plans, the Paso Basin GSA Governing Body will make a recommendation to select those MILR Plans that meet the objectives and resources of the GSAs. Upon GSA approval, the applicants will be notified that their MILR Plan, as submitted, was approved and ready for the implementation phase. A contract setting forth the terms and conditions of the agreement between the landowner and the Paso Basin GSA Governing Body (on behalf of the GSAs) will be executed and a Notice to Proceed issued. Implementation of the MILR Plan can proceed immediately after.

Implementation of the groundwater sustainability measures that are identified in the approved MILR Plan shall be the responsibility of the landowner. Subject Matter Experts (SME's) will be available to the landowner to provide technical support and assistance, as appropriate, during the implementation phase, including assisting with final design of the measures and the acquisition of the necessary permits. All costs and expenses associated with the services provided by the SME's shall be borne by the Paso Basin GSA Governing Body. If during the implementation phase, elements of the plan are determined to need modification or elimination, the landowner will coordinate with the SMEs and the Paso Basin GSA Governing Body. These conditions will also apply should additional measures be added to the plan.

3. Phase 3: The Paso Basin GSA Governing Body shall make a determination periodically regarding the progress towards sustainability in the Basin. If the Paso Basin GSA Governing Body determines that progress is not adequate, then the Paso Basin GSA Governing Body may consider making a recommendation that the GSAs proceed with imposing a pumping reduction program as discussed above triggering a subsequent phase of the MILR Program which will provide for the assignment of groundwater consumptive use allocations to all Farming Units in the Basin.

Funding for the project will be from a California Department of Water Resources (State) Grant Agreement No. 4600014639, which is included as an attachment to the Sample Agreement (See Appendix B). The Consultant shall be subject to the terms and conditions of the referenced grant agreement.

**See Appendix A for detailed scope of work.**

The consultant contract is planned to be a "Time and Materials" based contract, with a Not-To-Exceed (NTE) amount, and the County shall pay to the Consultant as compensation in full for all services performed at the rates specified in the Consultant's Rate Sheet (to be included in the Consultants Proposal). All work to be performed under the terms of the contract must be completed on or before April 30, 2025.

## **B. BACKGROUND**

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The Basin is identified by the Department of Water Resources (DWR) in Bulletin 118 as Subbasin No. 3-004.06. The Basin is part of the greater Salinas Valley Basin in the Central Coastal region of California. The Basin lies entirely within San Luis Obispo County. The basin includes the City of Paso Robles and unincorporated areas of the County including Shandon, Creston, San Miguel, Cholame, and Whitley Gardens. In 2022, approximately 92 percent of groundwater extracted from the Paso Basin was for agricultural irrigation uses. The Basin, as defined in the Groundwater Sustainability Plan (GSP), encompasses an area of approximately 436,240 acres, or 681 square miles and is entirely within San Luis Obispo County. The Basin boundaries delineate the groundwater basin and are graphically depicted in the Basin Location Map (Figure 1 of the GSP). The watershed, which includes the area that drains the surface water to the Basin, encompasses a much larger area. The Basin is classified by DWR as a high priority groundwater basin with critically over drafted conditions.

Over the past 40 years, the Paso Robles area has seen dramatic changes in agricultural practices as well as persistently dry hydrologic cycles that have negatively affected the underlying Basin. Since 1998, approximately 700,000 acre-feet have been depleted from storage within the Basin. This critical water resource supports over \$1 billion in agricultural production annually and is a key asset for regional tourism.

Agricultural irrigation represents approximately 90 percent of the Basin groundwater use, so any sustainable plan primarily requires less water use by growers. This is challenging since wine grapes, which are the largest crop produced in the basin and a key part of the economy, are already a good agricultural choice requiring less water per acre than most crops. Ultimately, the problem is a result of too much irrigated acreage in production. The GSP presents the concept of a following program to reduce acreage.

The Sustainable Groundwater Management Act (SGMA) requires sustainable groundwater management in all high and medium priority basins throughout the State of California. SGMA's first critical deadline required formation of GSAs by June 30, 2017. SGMA authorizes any local agency, or combination of local agencies (e.g., counties, cities, certain special districts) overlying a groundwater basin to decide to become a GSA. There are currently five (5) GSAs within the Basin that collectively have responsibility for implementing the Groundwater Sustainability Plan (GSP) and bringing the Basin into a sustainable condition by 2040. The Basin GSAs include the following:

- City of Paso Robles GSA
- County GSA
- San Miguel Community Services District (CSD) GSA
- Shandon-San Juan (SSJ) GSA
- Estrella – El Pomar – Creston (EPC) GSA

These GSA agencies (together, Paso Basin GSAs), whose service areas collectively cover the entire Basin, are party to a Memorandum of Agreement (MOA), which established the Paso Basin Cooperative Committee (PBCC) for the purpose of developing and implementing a single GSP. The MOA also sets forth a process for retaining consultants; and provides that the County can act as the contracting agent on behalf of the other GSAs.

With the passage of the Sustainable Groundwater Management Act (SGMA) in 2014, groundwater sustainability agencies (GSA) have been authorized with broad authorities to protect local beneficial uses that depend on groundwater. Under SGMA, beneficial uses of groundwater,

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including agricultural and municipal groundwater pumping, as well as environmental purposes such as groundwater dependent ecosystems, must be protected from significant and unreasonable impacts to sustainability indicators such as declining water levels. SGMA provides GSAs management authorities that can apply to the development and implementation of management actions and programs, including those that achieve reductions in groundwater pumping through conversion of irrigated lands to land uses that require less applied water. The Basin GSAs believe that the implementation of the MILR Program will provide a pathway to reduce groundwater pumping in the Paso Robles Groundwater Basin through voluntary repurposing of commercially irrigated land to other less water-intensive uses which will benefit the Basin in a way to help achieve sustainability. The MILR Program will allow owners of eligible agricultural land to reduce groundwater pumping through the implementation of a phased multi-element program to achieve sustainable groundwater pumping within the basin while strategically targeting areas near communities reliant on vulnerable drinking water wells before their groundwater supplies are adversely impacted. The initial phase of the program will involve irrigators that wish to voluntarily enroll their farming unit into the MILR Program. An important consideration in developing the voluntary phase of the MILR Program will be to ensure that overlying landowners that choose to repurpose irrigated lands are not adversely impacted by their decision under current or future regulations over which the County of San Luis Obispo or the other Groundwater Sustainability Agencies have control. The County of San Luis Obispo adopted an Agricultural Offset Ordinance pre-dating SGMA using its land use authority that restricts the planting of new or expanded irrigated crop production within the Paso Basin area. This ordinance was intended to be an interim measure until GSP implementation can achieve basin sustainability and is currently set to terminate on January 1, 2028. The majority of commercial irrigated agriculture overlying the Paso Basin is within the unincorporated County and subject to the Agricultural Offset Ordinance restrictions.

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**II. SCHEDULE AND SUBMITTAL**

**A. RFP SCHEDULE**

The following represents the tentative schedule for this RFP. Any change in the scheduled dates for the Pre-Proposal Conference, Deadline for Final Questions, or Proposal Submission Deadline will be advertised in the form of an addendum to this RFP. The schedule for other milestones dates may be adjusted without notice.

RFP Schedule	Date
Issued	July 30, 2024
Pre-Proposal Conference	August 14, 2024
Deadline for Final Questions	August 16, 2024
Proposal Submission Date	August 23, 2024
Evaluation of Proposals Completed	August 30, 2024
Interviews (If Required)	September 5, 2024
Intent to Award Issued	September 13, 2024
Award by Board of Supervisors (If required)	September 24, 2024
Notice to Proceed	September 25, 2024

**B. QUESTIONS**

All questions (requests for interpretations or corrections) pertaining to the content of this RFP must be made in writing through the County’s Purchasing website by **3:00 p.m. on August 16, 2024**. Requests submitted after said date may not be considered. Questions will receive a response within five (5) business days. Questions and responses will be posted (anonymously) on the Purchasing website and can be viewed by accessing the RFP. The County reserves the right to determine the appropriateness of comments / questions that will be posted on the website.

**C. PROPOSAL SUBMITTAL**

If your firm is interested and qualified, please submit two (2) separate Adobe Acrobat Portable Data Format (.pdf) files, one (1) technical proposal and one (1) cost proposal, through the County’s Purchasing website at the address listed on the title page by **3:00 p.m. on August 23, 2024**.

**D. PRE-PROPOSAL CONFERENCE**

A pre-proposal conference will be held on **August 14, 2024, at 11:00AM** using a virtual format (i.e., TEAMS or ZOOM). Interested consultants should RSVP for this meeting to Blaine Reely, Groundwater Sustainability Director via email at [breely@co.slo.ca.us](mailto:breely@co.slo.ca.us) no later than **5 p.m. on August 12, 2024**. This pre-proposal conference is not mandatory; however, it is highly recommended.



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**III. GENERAL INSTRUCTIONS**

**A. COUNTY RIGHTS & OPTIONS**

1. All proposals must be submitted to the County's Purchasing website in Adobe PDF format no later than **3:00 p.m. on August 23, 2024**. Late proposals will not be considered.
2. The County reserves the right to request any missing information in a proposal submitted in response to this RFP. Proposer shall have 24 hours to provide the information to the requesting Buyer.
3. All costs incurred in the preparation and submission of proposals and related documentation will be borne solely by the proposer.
4. This RFP does not constitute an offer of employment or to contract for services.
5. The County may, in its sole and absolute discretion, accept or reject any and all proposals, in whole or in part, with or without cause, in response to this RFP and make more than one award, or no award, or postpone or cancel, at any time, this RFP process, which the County determines to be in its best interests.
6. The County reserves the right to remedy technical errors, modify the published scope of services and approve or disapprove the use of all sub-consultants.
7. The issuance of this RFP does not constitute an agreement by the County that any subsequent selection process will occur, or that any contract will be entered into by the County. Proposals and other materials will not be returned.
8. The County has the right to use any or all ideas or concepts presented in any proposal or interview without restriction, without conversation to all applicants.
9. All documents submitted to the County in response to this RFP will become the exclusive property of the County.
10. All proposals shall remain firm for one hundred eighty (180) days following the closing date for receipt of proposals.
11. The County reserves the right to award the contract to the firms who present the proposal which, in the judgment of the County, best accomplishes the desired results.
12. The term of the contract will be twelve (12) months from the date of award. Pricing will remain unchanged throughout the term of the contract.
13. Any contract awarded pursuant to this RFP will incorporate the requirements and specifications contained in this RFP. All information presented in a proposer's proposal will be considered binding upon selection of the successful proposer, unless otherwise modified and agreed to by the County during subsequent negotiations.
14. Under the provisions of the California Public Records Act (the "Act"), Government Code section 6252 et seq., the County may be obligated to provide a copy of any and all records that the proposer provides County relating to this RFP (hereafter "Records from Proposer"), including those records which the proposer believes constitute confidential information. If the County determines (in its sole discretion) that (i) a person/entity has requested a copy of records that would include Records from Proposer, and (ii) the County

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does not have sufficient direct, first-hand knowledge to independently conclude that such Records from Proposer are exempt from disclosure under the Act, and (iii) the requester is not willing to accept the proposer's claim that the Records from Proposer are exempt from disclosure under the Act, the County will provide the proposer written notice thereof (via mail and/or email). If the proposer does not, within seven court business days thereof, file the appropriate papers in San Luis Obispo County Superior Court ("Court") seeking a court order preventing the County from disclosing any such Records from Proposer to the requester, and have its request heard by the Court within 30 days thereof, the proposer shall be deemed to have waived any claim that the Records from Proposer are exempt under the Act. (The County reserves the right to issue a written extension of time if it determines (in its sole discretion) that one is appropriate.) Under no circumstances shall the proposer be entitled to recover from the County any of its court costs, attorney's fees or other litigation expenses that are related in any way to whether any Records from Proposer are exempt under the Act. If any proposer believes that information contained in its response to this RFP should be protected from disclosure, the proposer **MUST** specifically identify the pages of the response that contains the information by properly marking the applicable pages and inserting the following notice in the front of its response:

***NOTICE:*** *The data on pages \_ of this response identified by an asterisk (\*) contain technical or financial information, which are trade secrets, or information for which disclosure would result in substantial injury to the proposer's competitive position. Proposer requests that such data be used only for the evaluation of the response but understands that the disclosure will be limited to the extent the County considers proper under the law. If an agreement is entered into with the proposer, the County shall have the right to use or disclose the data as provided in the agreement, unless otherwise obligated by law.*

The County will not honor any attempt by the proposer to designate its entire proposal as proprietary. If there is any dispute, lawsuit, claim or demand as to whether information within the response to the RFP is protected from disclosure under the Act, proposer shall indemnify, defend, and hold harmless, the County arising out of such dispute, lawsuit, claim or demand.

15. The proposer warrants that no official or employee of the County has an interest, has been employed or retained to solicit or aid in the procuring of any contract resulting from this RFP, if any, and further warrants that such person will not be employed in the performance of the contract without immediate written notice to the County.
16. Firms submitting proposals shall warrant that their offer is made without any previous understanding, agreement or connection with any person, firm or corporation submitting a separate proposal for the same project and is in all respects fair, without outside control, collusion, fraud or otherwise illegal action. This condition shall not apply to proposals which are submitted by firms who have partnered with others to submit a cooperative proposal that clearly identifies a primary contractor and the associated sub-contractors.
17. Contractor shall comply with all laws and regulations governing nondiscrimination in employment, including the Americans with Disabilities Act of 1990, the Fair Employment

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and Housing Act (California Government Code §§ 12900, et seq.), and the applicable regulations promulgated thereunder (2 California Code of Regulations §§ 7285, et seq.).

- 17.1. **Nondiscrimination:** The Contractor, with regard to the work performed by them during the Contract, shall not discriminate on the grounds of race, color or national origin or other legally protected criteria in employment or the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the Contract covers a program set forth in Appendix B of the Regulation.
- 17.2. **Solicitation for Subcontracts, Including Procurement of Materials and Equipment.** In all solicitation, either by competitive bidding or negotiation, made by the Contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this Contract and the regulations.
18. Unforeseen additional items and/or services may be required. The County therefore reserves the right to negotiate with the successful proposer for additional items and/or services beyond what is described in Appendix A to be added to the final contract.
19. **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 or County 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 County.
- 20. Advanced Clean Fleets.**
- 20.1. Vehicles with a GVWR greater than 8,500 lbs. and light-duty package delivery vehicles operated in California may be subject to the California Air Resources Board Advanced Clean Fleets regulations. Such vehicles may therefore be subject to requirements to reduce emissions of air pollutants. For more information, please visit the CARB Advanced Clean Fleets webpage at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-fleets>.
- 20.2. All fleets hired by the County shall be listed on the CARB Advanced Clean Fleets webpage as a compliant fleet or the fleet owner must provide a signed statement that its fleet is not subject to the High Priority and Federal Fleets regulations in title 13, CCR, sections 2015 through 2015.6 and the State and Local Government Fleets regulations in title 13, CCR, sections 2013 through 2013.4.

## **B. PREVAILING WAGE**

THIS SECTION NOT APPLICABLE

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### **C. CHANGES TO THE RFP**

This RFP is posted on the County's Purchasing website at [http://www.slocounty.ca.gov/GS/Purchasing/Current\\_Formal\\_Bids\\_and\\_Proposals.htm](http://www.slocounty.ca.gov/GS/Purchasing/Current_Formal_Bids_and_Proposals.htm). Any changes, additions, or deletions to this RFP will be in the form of written addenda issued by the County. Any addenda will be posted on the website. Prospective proposers must check the website for addenda or other relevant new information during the response period. The County is not responsible for the failure of any prospective proposer to receive such addenda. All addenda so issued shall become a part of this RFP. Any proposer who has already submitted their proposal and desires to make corrections, may remove and replace their proposal on the Purchasing website up to the date and time for which this RFP closes.

### **D. COMMUNICATIONS**

All communications concerning this RFP shall be directed to Missy Viles, [mviles@co.slo.ca.us](mailto:mviles@co.slo.ca.us). All other communication is not binding and shall in no way modify the RFP or the obligations of the County.

The proceedings of the Selection Committee are confidential, and members of the Selection Committee are not to be contacted by the proposers. After the solicitation has closed, proposers can view the RFP on the Purchasing website where any available award information will be posted and updated within the solicitation. Any questions and requests for information must be addressed to the Buyer.

### **E. INSURANCE**

The selected proposer will be required to provide insurance coverage in the amount of Two Million Dollars (\$2,000,000) Commercial General Liability (CGL) Insurance and Four Million Dollars (\$4,000,000) Professional Liability Insurance. See Appendix B – Sample Contract for complete insurance and indemnification requirements.

INSURANCE REQUIRED	AMOUNT
CGL & Property Damage	\$ 2.0 Million per occurrence
Professional Liability	\$ 2.0 Million per occurrence / \$ 4.0 Million aggregate
Auto Liability /Property Damage/Bodily Injury	\$ 1.0 Million per occurrence
Workers Compensation & Disability Benefits	\$ 1.0 Million per occurrence

The selected proposer shall provide within five (5) days after the Notice of Award is issued a certificate of liability insurance naming the County of San Luis Obispo and the other GSAs and their employees and officers as additionally named insured. This shall be maintained in full force and effect for the duration of the contract and must be in an amount and format satisfactory to the County.

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**F. EXCEPTIONS & DEVIATIONS**

Any exceptions to or deviations from the requirements set forth in this RFP must be declared in the proposal submitted by the proposer. Such exceptions or deviations must be segregated as a separate element of the proposal under the heading “Exceptions and Deviations” as instructed below in section IV. The County may waive any immaterial deviation or defect in a proposal.

**G. AWARD AND STANDARD AGREEMENT**

The County reserves the right to make awards within one hundred eighty, (180) days after the date of the RFP closing. The successful proposer is expected to execute a contract similar to the contract in Appendix B. This sample contract is for reference to the anticipated terms and conditions governing the County and the successful proposer. The proposer must take exception in their proposal to any section of the attached contract they do not agree with. Failing to do so will be deemed as acceptance by the proposer to the terms spelled out in the sample contract. The County reserves the right, in its sole discretion, to add, delete, or modify, or negotiate additional terms and conditions to the attached contract. **BEFORE BEGINNING ANY WORK OR SUBMITTING A PROPOSAL IT IS ADVISED THAT PROPOSERS READ THE COUNTY INSURANCE AND INDEMNIFICATION REQUIREMENTS IN THE ATTACHED SAMPLE CONTRACT.** The selected proposer will be asked to provide evidence that County insurance requirements have been met.

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**IV. PROPOSAL FORMAT**

A qualifying proposal must address all of the following points and shall be in the format outlined in this section:

**A. Project Title**

**B. Applicant or Firm Name**

**C. Format and Firm Qualifications**

To respond to the RFP, a proposer must submit a proposal on or before the deadline. The proposal shall be limited to forty (40) pages in length, not including resumes, or the following forms which can be included in the appendices: Risk Assessment Questionnaire, Local Vendor Preference or the Proposer Checklist. The proposal must be signed by a person authorized to bind the proposing firm to the representations, commitments and statements contained in the proposal. The proposal must contain the following information and documents:

- a. A cover letter summarizing the key points of the proposal (2 pages max.)
- b. **Description of Firm.** A description of the firm's organizational structure, the jurisdiction in which the firm is organized and date of such organization. In addition, provide a description of the firm's qualifications and experience on projects of similar nature to those described in the proposal as well as projects/clients where consultant has performed as an extension of staff. Specifically include information focused on firm's / team's specific experience (citing examples) in providing similar services to agencies / entities engaged in the management of groundwater basins in California. Provide examples of successful and unsuccessful efforts.
- c. **Authorized representative of the proposer.** The name, address, telephone number, and email address of the person authorized to represent the proposer with respect to all notices, negotiations, discussions, and other communications relating to this proposal, to any negotiation relating to the contract.
- d. **Staffing.** Provide an organizational chart identifying: 1) the project manager for the work; 2) each key person who would be assigned to carry out the work, and their respective roles in performing the work. Provide a separate description of the experience and qualifications of such manager and key persons, including a summary of experience on similar projects to those described in this proposal. Resumes should be included for all key individuals as an appendix to the submittal.
- e. **References.** A list of no more than three references for the proposer and no more than three references for subconsultants, including the names, addresses and telephone numbers of recent clients, preferably other public agencies and a listing

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of the specific projects and key individuals that have participated in them. Include the dollar amount related to their participation. Identify how much experience the firm and sub consultant has had with public agencies.

- f. **Scope.** A clear concise description of the proposer's understanding of the nature and extent of the services required, scope of work, project goals, and a specific outline to demonstrate how personnel would be organized to handle these services.

#### **D. Work Plan / Technical Services**

- a. This section should establish that the proposer understands the County's objectives and requirements, demonstrate the proposer's ability to meet those requirements and outline clearly and concisely the plan for accomplishing the specified work as outlined in Appendix A, Scope of Services.
- b. Clear evidence of elements of creativity, innovative approach, strategy, and completeness in the work plan.
- c. List of each of the Subject Matter Experts (SME) to be included on the Consultant team, with a description of discipline and practice area for each SME.
- d. Indication of information and participation the proposer will require from County staff.
- e. Project delivery schedule and milestones, and deliverables clearly defined.
- f. Staffing plan and manhour estimates by subject matter and discipline clearly defined.
- g. Project delivery schedule and milestones, and deliverables clearly defined (Include Schedule and Milestones in Proposal, i.e., not Fee Proposal)
- h. Staffing plan and manhour estimates by subject matter and discipline clearly defined (Include Staffing Plan and Manhour Estimates in Proposal, i.e., not Fee Proposal)

#### **E. Required Attachments Appendix**

- a. Resumes. In the Appendix, proposer shall include resumes for all key personnel, the specific projects and roles of the individuals, specialty licenses, certificates or relevant training. List all similar work.

#### **F. Fees**

Consultants shall propose total Not to Exceed (NTE) fees as described under Project Scope. The consultant contract is planned to be a "Time and Materials" based contract, with a NTE amount and the County shall pay to Consultant as compensation in full for all services performed at the rates specified in the Consultant's Rate Sheet (to be included in the Consultants Proposal). The Consultant's Rate Schedule shall detail the billing rates for each firm's key individuals, other position's overhead rates and other costs. Include any and all other costs for office, vehicle, cell phones, per diem, etc. Travel cost reimbursement rates must conform to the County's Travel Policy reimbursements; costs above these rates are not allowed. See Appendix E.

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**V. PROPOSAL SELECTION & CONTRACT AWARD**

**A. SELECTION PROCEDURES**

Proposals will be evaluated by a Selection Committee comprised of individuals from one or more of the following groups: County departments; Paso Basin GSA staff; and stakeholders. The Selection Committee will consider the completeness of a proposal and how well the proposal meets the needs of the County. Evaluations will be based on criteria as outlined in **Section B (Selection Criteria)** below. All proposals in response to this RFP will be evaluated using the same criteria.

The sole purpose of the selection procedure is to determine, from among the responses received, which one is the best qualified firm and compensation that the agency determines to be fair and reasonable. Any final analysis or weighted score does not imply that one proposer is superior to another, but simply that, in the Selection Committee's judgment, the selected proposer appears to be best qualified for the County's current and anticipated needs.

The County may require the proposers who receive top rankings during the initial evaluation phase to conduct an on-site interview or oral presentation of their proposal on the date specified in **RFP Schedule**. The County will provide a required agenda, for those proposers, specifying the items to be covered during the proposer's presentation.

**B. SELECTION CRITERIA**

The County will evaluate the proposals based on, but not limited to, the following criteria. The objective is to choose the proposal that offers the highest quality services and will achieve the project's goals and objectives within a reasonable budget. While cost is important, other factors are also significant and the County may not select the lowest cost proposal.

<b>Selection Criteria – RFP</b>	<b>Points Available</b>
<b>Understanding of scope of work and project goals</b>	<b>20</b>
<b>Demonstrated expertise in performing recent similar work</b>	<b>15</b>
<b>Qualifications and experience of subject matter experts and key staff (all disciplines and practice areas)</b>	<b>15</b>
<b>Elements of creativity, innovative approach, strategy, and completeness in work plan</b>	<b>50</b>
<b>Project delivery schedule and milestones, and deliverables clearly defined (Include Schedule and Milestones in Proposal, i.e., not Fee Proposal)</b>	<b>10</b>
<b>Staffing plan and manhour estimates by discipline clearly defined (Include Staffing Plan and Manhour Estimates in Proposal, i.e., not Fee Proposal)</b>	<b>10</b>
<b>Total Points Available Per Consultant</b>	<b>120</b>



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### **C. FINAL SELECTION**

The Selection Committee will formulate its recommendation for award of the Contract and forward its selection to the County Department of Groundwater Sustainability for consideration for Contract Award by the County.

### **D. CONTRACT AWARD AND EXECUTION**

The County reserves the right to enter into a contract without further discussion of the submitted proposal. Therefore, the proposal should be initially submitted on the most favorable terms the proposer can offer.

The County reserves the right to withdraw the RFP in whole or in part, at any time and for any reason. Submission of a proposal confers no rights upon a proposer and does not obligate the County in any manner. The County reserves the right to award no contract and to solicit additional offers at a later date.

Each proposer, by submitting a proposal, agrees that if the County accepts its proposal, such proposer will furnish all items and services upon the terms and conditions in this RFP and subsequent contract. Proposals that do not meet the mandatory requirements set forth in this RFP will be considered non-compliant. Proposers may be disqualified and the proposal may be rejected by the County for any of, but not limited to, the following reasons:

- Failure to properly respond to the RFP;
- Evidence of collusion among the proposers submitting the proposals;
- Failure to comply with the specification requirements of the RFP.

Terms, conditions, prices, methodology, or other features of the Contractor's proposal may be subject to negotiation and subsequent revision. As part of the negotiations, the Contractor may be required to submit additional financial information and other data to allow for a detailed evaluation of the feasibility, reasonableness, and acceptability of the proposal.

The RFP document and the successful proposer's proposal response, as amended by agreement between the County and the successful Contractor, including e-mail or written correspondence relative to the RFP, may become part of the contract documents. Additionally, the County may verify the successful proposer's representations that appear in the proposal. Failure of the successful proposer to perform as represented may result in elimination of the successful proposer from competition or in contract cancellation or termination.

The requirements listed in this RFP are not negotiable and will remain unchanged unless the County determines that a change in such requirements is in the best interest of the County.

The County expressly reserves the right, in its sole judgment, to accept or reject any or all proposals, with or without cause, modify, alter, waive any technicalities or provisions, or to accept the proposal which, in its sole judgment, is determined to be the best evaluated offer resulting

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from negotiation and taking into consideration other evaluation factors set forth in the RFP. The successful proposer will be expected to enter into a contract with the County. If the successful proposer fails to sign a contract within fifteen (15) business days, unless the County grants an extension, following the delivery of the contract documents, the County may elect to negotiate a contract with the next-highest ranked proposer.

The County shall not be bound, or in any way obligated, until both parties have executed a contract. The selected proposer may not incur any chargeable costs prior to final contract execution. The foregoing should not be interpreted to prohibit either party from proposing additional contract terms and conditions during the negotiation of the final Contract.

The supplies and services are to be provided in compliance with all applicable state and federal standards, rules and regulations. The County reserves the right to request additional written and/or oral information from proposers at any time before contract award, in order to obtain clarification of their responses.

#### **E. PROTEST OF AWARD**

Any objection to the County's final decision will be handled according to applicable state and local procurement laws.

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**VI. DEFINITIONS**

**Response:** The written, signed and sealed complete document submitted according to the proposal instructions. Response does not include any verbal or documentary interaction apart from submittal of a formal Response.

**Request/Proposal/Bid:** The completed and released document, including all subsequent addenda, made publicly available to all prospective proposers.

**We/Us/Our:** Terms that refer to the County of San Luis Obispo, a duly organized public entity. They may also be used as pronouns for various subsets of the County organization, including, as the context will indicate.

**Purchasing:** The Contracts and Purchasing Services Division of the Department of Central Services.

**Department/Division:** The department or division requesting the goods or services contained in this request, for which this PROPOSAL is prepared, and which will be the end user of the requested goods or services.

**You/Your:** Terms that refer to businesses/individuals submitting a response. The term may apply differently as the context will indicate.

**Supplier:** A business entity engaged in the business of providing services.

**Proposer:** A business entity submitting a Response to this proposal. Suppliers which may express interest in this proposal, but who do not submit a Response, have no obligations with respect to the proposal requirements.

**Contractor:** The proposer(s) whose Response to this proposal is evaluated as meeting the needs of the County. Contractor(s) will be selected for award and will enter into a contract(s) for provision of the services described in this proposal.

**Contractor's Employee:** All persons who can be offered to provide the services described in the proposal. All employees of the Contractor shall be covered by the insurance programs normally provided to persons employed by a company (ex: Worker's Comp, SDI, etc.).

**Mandatory:** A required element of this request/proposal/bid. Failure to satisfy any element of this request/proposal/bid defined as "mandatory" will disqualify the particular response.

**Default:** A failure to act as required by any contract resulting from this request, which may trigger the right to sue or may excuse the other party's obligation to perform under the contract.

**Cancellation/Termination:** A unilateral or mutual decision to not complete an exchange or perform an obligation under any contract resulting from this request.

**"Or Equal":** A statement used for reference to indicate the character or quality desired in a requested product or service. When specified in a proposal document, equal items will be considered, provided the response clearly describes the article. Offers of equal items must state the brand and number, or level of quality. When brand, number, or level of quality is not stated by the proposer, the offer will be considered exactly as specified. The determination of the Purchasing Agent as to what items are equal is final and conclusive.

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**APPENDIX A – SCOPE OF SERVICES**

**PROJECT SCOPE OF WORK:**

1. The scope of work required under the terms of this Request for Proposals (RFP), will include providing the necessary experienced staff and expertise as may be required to design and develop documentation of the Paso Robles Groundwater Basin Multi-Benefit Irrigated Land Repurposing (MILR) Program. The selected consultant team will design the MILR Program and develop a MILR Program Implementation Plan, including all plan elements to include (at minimum): Farming Unit Definition and Eligibility Criteria; Program Rules & Regulations; Enabling Ordinance; CEQA Documentation; Outreach Strategies; Projected Program Costs and Funding Mechanism; Legal Authority, and other elements as may be determined to be appropriate. In completing the work associated with the MILR Program Design and Implementation Plan Development / Documentation, the consultant team shall include the following work items:
  - a. Develop Farming Unit Definition and Eligibility Criteria
  - b. Identify Eligible Farming Unit Landowners and incorporate their contact information from the County Assessor's office and GSA membership registries into the Farming Unit database.
  - c. Develop a comprehensive spatially based dataset to be incorporated into a GIS-based tool for use by a Subject Matter Expert (SME) team to perform preliminary and supplemental Farming Unit Site Assessments and in the development of Farming Unit Groundwater Sustainability Profiles and Phase 1 / Final MILR Plans.
  - d. Identify the qualifications and expertise required for a pool of Subject Matter Experts who will participate in the initial assessment of Farming Units enrolled in the MILR Program and continue to work with Farming Unit landowners through the development, implementation, verification, and monitoring phases of the on-farm MILR Plan.
  - e. Develop MILR Program outreach materials, suitable for "direct mail" and web-based distribution and access. Create content to be included on a Paso Basin MILR Program website.
  - f. Coordinate with GSA staff to Outreach to Eligible Farming Unit Landowners, GSAs, and representative stakeholder groups (i.e. Paso Wine Country Alliance, Independent Grape Growers Paso Robles Area, SLO County Farm Bureau, etc.). Utilize Spatial Datasets to Identify and Solicit Preferred Farming Units for Enrollment.
  - g. Develop a Pre-Application (intake form) which will be used as an online web-based portal and serve as a Notice of Interest. The Pre-Application Submittal may differ by Eligible Landowner (Pre-App process may differ by applicant status (i.e. currently irrigated vs planned irrigation)).
  - h. Develop a Standard Operating Procedure (SOP) for establishing historic groundwater consumptive use baselines for Farming Units using information

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provided in the Pre-Application, MILR spatial database, and LandIQ provided Satellite-Based Evapotranspiration Methods.

- i. Develop a Standard Operating Procedure (SOP) and Templates for the preparation of Farming Unit Preliminary Assessment and On-Site inspections; Farming Unit Groundwater Sustainability Profiles; and Phase 1 and Final MILR Plans. The SOP will include a procedure for developing a catalog of On-Farm Groundwater Sustainability and Land Repurposing Measures to be considered for use in future MILR Plans, including consideration of permitting and CEQA requirements. The catalog of measures will allow the Farming Unit Assessment Team to quickly and efficiently prepare future Farming Unit Groundwater Sustainability Profiles and Phase 1 / Final MILR Plans. The catalog of measures will be incorporated into the MILR Automated Assessment and Plan Development Tool which when fully developed will provide for the rapid and efficient Farming Unit assessment, Sustainability Profile Development, and Phase 1 / Final MILR Plan Preparation, along with a platform to monitor the implementation and performance of all MILR projects put in-place.
- j. Develop a MILR Program Application Submittal (intake form) which will be used as an online web-based portal and serve as a Notice of MILR Plan Submittal. The MILR Plan Application Submittal may differ by Eligible Landowner (Plan Submittal Application process may differ by applicant status (i.e. currently irrigated vs planned irrigation)).
- k. Develop a Standard Operating Procedure (SOP) for the design, installation and implementation of a Monitoring, Measurement and Verification Plan to be implemented after the approved MILR Plan is fully implemented. The SOP will clearly describe the process whereby the landowner will prepare and submit periodic post-installation monitoring reports to the Paso Basin GSA Governing Body, in accordance with an approved Post-Installation Monitoring Plan. The SOP will also describe the process in which the Paso Basin GSA Governing Body may request that a team of SME perform periodic site inspections, with the approval and coordination of the landowner. In addition, the SOP will describe the process that the Paso Basin GSA Governing Body will follow to perform regular estimates of the consumptive use of groundwater on the Farming Unit utilizing satellite based Et methodology and compare those usage estimates to the baseline usage data to assist in quantifying the impacts of the implemented MILR Plan.
- l. Develop a Standard Operating Procedure (SOP) for the preparation of MILR Program annual financial reports, including independent auditing, which detail all program expenditures, revenues, and financial considerations for the current fiscal year. This SOP shall also include a procedure for preparing proposed budget for the subsequent fiscal years, including a detailed description of proposed program expenditures and anticipated revenues.
- m. Develop a Standard Operating Procedure (SOP) for performing periodic inspections on actively enrolled MILR Program Farming Units to assess conformance with the approved plan. In situations where it is determined that the approved groundwater sustainability measures are not present and / or not

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performing in accordance with the provisions of the approved plan, the Paso Basin GSA Governing Body may consider undertaking enforcement measures and / or assessing penalties, in accordance with the provisions of the approved Farming Unit MILR Plan.

- n. Develop a Standard Operating Procedure (SOP) for development and assignment of groundwater consumptive use allocations to all Farming Units in the Basin. The SOP shall describe the mechanism for implementing guidelines developed by the GSAs pertaining to recommendations for mandatory pumping reductions by those Farming Units that are determined to be consuming more groundwater than the amount allocated. The details of the allocation and mandatory pumping reduction phase of the MILR Program shall be developed at such time that the Paso Basin GSA Governing Body deems appropriate.
  - o. All work performed in Task 8 shall be documented in a Final Technical Memorandum to be reviewed and approved by the Paso Basin GSA Governing Body.
2. Prepare a document that describes the recommended MILR Program Rules and Regulations.
  3. Prepare DRAFT MILR Program Enabling Ordinance(s), including enforcement provisions. The ordinances to be developed shall include, at minimum, an ordinance that the Paso Basin GSA governing body enacts adopting the MILR program, and also an ordinance that the County adopts amending the offset ordinance.
  4. Prepare appropriate and applicable CEQA Documentation for adoption of the MILR Program Enabling Ordinance.
  5. Coordinate with County Planning & Building Department staff to identify needed modifications to the Ag Offset Ordinance and Williamson Act Program Rules of Procedure.
  6. Prepare a document that describes the recommended MILR Program Funding Mechanism.
  7. Prepare a document that identifies MILR Program Legal Considerations and recommended strategies to comply with applicable laws and regulations.
  8. Prepare a document that describes the recommended MILR Program Management Structure and Administration Policies and Procedures.

In addition to the work described above, the project scope will include, at a minimum, the following tasks:

**PROJECT MANAGEMENT:** Consultant will provide overall project management services during the term of the Project. The services will include overall project and task coordination, scheduling, progress reporting, coordination of sub-contractors, budget tracking and oversight, communication with PBCC staff, and other activities as may be required to ensure that the Project is successfully completed. Progress reporting shall include furnishing a written monthly progress report outlining status of each task, an updated budget including billings and remaining budgeted amount for each task, and discussion of any other challenges encountered.

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**MEETINGS AND PROGRESS REPORTING**

The Consultant will work with County staff and supporting consultants, GSA staff, industry stakeholders, and potential identified participants in the MILR Program. In addition, the Consultant shall work closely with County and Basin GSA legal counsel(s) and work closely with rate consultant that is working on developing a rate structure to fund the program. For the purposes of developing the project fee estimate, the Consultant should anticipate attending a project “kick-off “meeting, eight (8) monthly meetings with the County, Paso Basin GSA, GSA legal, and rate consultant staff, six (6) meetings / workshops with stakeholders / interested landowners, and four (4) meetings with the Paso Basin Cooperative Committee (PBCC) and two (2) Public Hearings. The Consultant should plan to prepare written progress report in advance of each of these meetings and provide the progress reports to the County’s project manager a minimum of 1-week prior to each meeting so that the reports can be distributed in the respective meeting agenda packets. Additionally, the Consultant shall prepare and deliver presentations summarizing the project status during each of the four (4) PBCC meetings and two (2) Public Hearings.

**PROJECT DELIVERABLES, SCHEDULE AND CLOSE-OUT**

The Consultant shall develop and include in the proposal a complete list of project deliverables that are anticipated to be developed and provided during the course of the project. A project schedule, including all key milestones and deliverables delivery dates shall also be included in the proposal.

Consultant shall coordinate project close-out, including providing a log of communications, and copies of correspondence including letters and emails, and provide certification that the project was completed in substantial conformance with the contract documents, DWR Grant Terms and Conditions, and applicable regulations.

**ADDITIONAL CONSIDERATIONS**

Funding for the project will be from a California Department of Water Resources (State) Grant Agreement No. 4600014639, which is included as an attachment to the Sample Agreement (See Appendix B). The Consultant shall be subject to the terms and conditions of the referenced grant agreement.

All work will be completed in accordance with the County and other applicable local, state, and federal agency regulatory and code requirements.

**MILR PROGRAM PROCESS DESCRIPTION (PRELIMINARY / DRAFT)**

An example of a potential implementation strategy for the MILR Program is included in the following pages. This example is provided for informational purposes only and for use by the consultant team for consideration in performing the scope of work described herein.

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**Paso Robles Groundwater Subbasin  
Multibenefit Irrigated Land Repurposing (MILR) Program**

**Process Description**

**(PRELIMINARY / DRAFT – For Discussion Purposes Only)**

1. Identify and delineate eligible agricultural lands and incorporate them into a GIS-based spatial data base and mapping application. Eligible lands shall be identified as Farming Units. A Farming Unit shall be a collection of contiguous or semi-contiguous agricultural properties, which are greater than 5 acres in total, that are managed as a single irrigated farming operation (or planned for irrigation in the future). It is understood that there may be multiple categories of eligible farming units, including the following:
  - a) Owners of commercially irrigated agricultural lands (> 5 acres), or agricultural lands that have been commercially irrigated within the previous 5-years and are not currently subject to groundwater pumping restrictions under the County of San Luis Obispo Ordinance 3484, referred to as the Paso Basin Agricultural Offset Ordinance (Ag Offset Ordinance). Participation of this landowner group may require an exemption from some requirements of the Williamson Act.
  - b) Owners of currently non-irrigated lands, greater than 5-acres, that are subject to restrictions in groundwater pumping under the Paso Basin Ag Offset Ordinance but may plan to pump groundwater for commercial agricultural irrigation purposes in the future. Participation of this landowner group will require modification or repeal of the Ag Offset Ordinance.
2. Secure a funding source for the MILR Program. It is assumed that collectively the GSAs will implement a fee program that will generate revenue through the assessment of groundwater fees, which are assessed at rates based on an estimate of groundwater consumptive use. The rate-based charges to be assessed on an individual Farming Unit shall be based on an estimate of groundwater consumptively used and computed using LandIQ provided Satellite-Based Evapotranspiration Methods with the option to use an equivalent alternative (e.g. groundwater well metering and reporting).
3. Construct a comprehensive spatially based dataset to be incorporated into a GIS-based tool for use by a Subject Matter Expert (SME) team to perform preliminary and supplemental Farming Unit Site Assessments and in the development of Farming Unit Groundwater Sustainability Profiles and Phase 1 / Final MILR Plans.
4. Assemble a team of SMEs who will be available to participate in the initial assessment of Farming Units enrolled in the MILR Program and continue to work with Farming Unit landowners through the development, implementation, verification, and monitoring phases of the on-farm MILR Plan. The SMEs shall provide experience and expertise developing and implementing applicable groundwater sustainability measures to be categorized into the following areas:
  - a) On-Farms storm water capture / recharge measures.
  - b) Repurposing irrigated land to land uses that require zero or significantly reduced groundwater use.



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- c) Irrigation efficiency measures that reduce groundwater use.
  - d) Farming best management practices that reduce groundwater use.
  - e) Other Measures as may be determined.
5. Identify Eligible Farming Unit Landowners and incorporate their contact information from the County Assessors office into the Farming Unit database.
6. Develop MILR Program outreach materials, suitable for “direct mail” and web-based distribution and access. Create and host a Paso Basin MILR Program website.
7. Outreach to Eligible Farming Unit Landowners, GSAs, and representative stakeholder groups (i.e. Paso Wine Country Alliance, Independent Grape Growers Paso Robles Area, SLO County Farm Bureau, etc.). Utilize Spatial Datasets to Identify and Solicit Preferred Farming Units for Enrollment.
8. Pre-Application Submittal by Eligible Landowner (Pre-App process may differ by applicant status (i.e. currently irrigated vs planned irrigation). Pre-Application (intake form) will be online web-based portal and serve as a Notice of Interest.
9. Establish historic groundwater consumptive use baseline for Farming Unit using information provided in the Pre-Application, MILR spatial database, and LandIQ provided Satellite-Based Evapotranspiration Methods (Performed by SME).
10. Perform Preliminary Assessment of Farming Unit by MILR SME Review Team (Desktop assessment using available Spatial Datasets)
11. Preliminary Site Assessment / On-site inspection of Farming Unit w/ Owner Representatives. (Project specific SME Team)
12. Based on the results of the Preliminary Assessment and On-Site inspection, the SME team will prepare a Farming Unit Groundwater Sustainability Profile and Phase 1 MILR Plan. (Project specific SME Team). The work will be performed in consultation with the owners / managers of the Farming Unit and all recommendations included in the final plan shall be subject to the approval of the landowner. The Sustainability Profile and Phase 1 MILR Plan will identify potentially applicable groundwater sustainability measures to be categorized into the following areas:
  - a) On-Farms storm water capture / recharge measures.
  - b) Repurposing irrigated land to land uses that require zero or significantly reduced groundwater use.
  - c) Irrigation efficiency measures that reduce groundwater use.
  - d) Farming best management practices that reduce groundwater use.
  - e) Other Measures as may be determined.
13. Over time, develop a catalog of On-Farm Groundwater Sustainability and Land Repurposing Measures to be considered for use in future MILR Plans. The catalog of measures will allow the Farming Unit Assessment Team to quickly and efficiently prepare future Farming Unit Groundwater Sustainability Profiles and Phase 1 / Final MILR Plans. The catalog of measures will be incorporated into the MILR Automated Assessment and Plan Development Tool which

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when fully developed will provide for the rapid and efficient Farming Unit assessment, Sustainability Profile Development, and Phase 1 / Final MILR Plan Preparation, along with a platform to monitor the implementation and performance of all MILR projects put in-place.

14. Upon completion of the Farming Unit Groundwater Sustainability Profile and Phase 1 MILR Plan, the landowner will be given the opportunity to review the documents and consult with the SME team to request additional information and / or make any revisions to documents that the landowner deems appropriate. The landowner and SME team will collaboratively prepare a DRAFT version of the Final MILR Plan for the Farming Unit which will be submitted to the Paso Basin GSA Governing Body for review. The Final MILR Plan will include as description of the following:
  - a) Baseline Estimates of Groundwater Consumptive Use.
  - b) Description / Design / Specifications of Groundwater Sustainability Measures to be Implemented of the Farming Unit.
  - c) Required permits and description of permit acquisition strategy.
  - d) Implementation Cost (by measure)
  - e) Annual and Project Lifetime Operation and Maintenance Cost (by measure)
  - f) Implementation Schedule by Measure.
  - g) Duration that each Measure will remain installed.
  - h) Estimate of the resulting reduction in groundwater consumptive use (by measure).
  - i) Description of Environmental and / or Community Benefits to be achieved (by measure)
  - j) Description of Installed Measure Verification Plan
  - k) Description of Post-Installation Monitoring Plan
  - l) Land-Owner Conditions for MILR Plan Enrollment, including any incentive / performance payments requested.
15. Upon completion of the DRAFT version of the Final MILR Plan, the landowner will have the opportunity to request additional information and / or make any revisions to documents that the landowner deems appropriate. At the landowner's direction, the FINAL version of the MILR Plan will be prepared and submitted to the Paso Basin GSA Governing Body for review. The submittal of the FINAL MILR Plan shall be submitted via the MILR Program online web-based portal.
16. Upon submittal, the FINAL MILR plan will be reviewed by the Paso Basin GSA Governing Body, who will evaluate the submitted plan to determine the potential impacts and benefits to the long-term sustainability of the Paso Robles Groundwater Basin. Specific consideration will be given to the plan's predicted effectiveness in avoiding undesirable results, as defined by SGMA and described in the GSP. Undesirable Result means one or more of the following effects caused by groundwater conditions occurring throughout the basin:
  - a) Chronic lowering of groundwater levels resulting a significant and unreasonable depletion of supply if continued over the planning and implementation horizon. Of

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particular concern is the lowering of groundwater levels in areas where rural residential landowners rely on private domestic wells for their sole supply of groundwater to meet their drinking and household water demands.

- b) Significant and unreasonable reduction of groundwater storage.
  - c) Significant and unreasonable degraded water quality, including the migration of contaminant plumes that impair water supplies.
  - d) Significant and unreasonable land subsidence that substantially interferes with surface land uses.
  - e) Depletion of interconnected surface water that has significant and unreasonable adverse impacts on beneficial uses of the surface water.
17. On a periodic basis (annually?), the Paso Basin GSA Governing Body will perform a competitive review of all FINAL MILR Plans submitted and score / rank all submitted plans to determine which plans offer the maximum benefit to the long-term sustainability of the Basin. The evaluation criteria will be developed by the Paso Basin GSA Governing Body, but will include factors such as the following:
- a) Effectiveness in addressing and avoiding undesirable results as defined in the GSP.
  - b) Potential to address groundwater level declines in areas where “At-Risk” rural residential wells are located.
  - c) Potential Benefits to areas within the Basin where interconnected surface water and groundwater may exist.
  - d) Repurposing of irrigated agricultural lands on Non-Prime Farmland.
  - e) Maximum benefit to cost ratio for any incentives requested by a landowner to implement a Farming Unit MILR Plan.
  - f) Minimize negative impacts to the economy of the agricultural economy of the Basin.
18. Based on the results of the competitive review and ranking of the submitted MILR Plans, the Paso Basin GSA Governing Body will make a recommendation to select those MILR Plans that meet the objectives and resources of the GSAs. Draft notifications of MILR Plan acceptance will be prepared for the selected plans, which will be provided to the PBCC for review and consideration. Pending PBCC concurrence, the approved MILR Plans will be provided to each of the Basin GSAs for consideration and approval.
19. Upon GSA approval, the applicants will be notified that their MILR Plan, as submitted, was approved and ready for the implementation phase. A contract setting forth the terms and conditions of the agreement between the landowner and the Paso Basin GSA Governing Body (on behalf of the GSAs) will be executed and a Notice to Proceed issued. Implementation of the MILR Plan can proceed immediately after.
20. Implementation of the groundwater sustainability measures that are identified in the approved MILR Plan shall be the responsibility of the landowner. SME's will be available to the landowner to provide technical support and assistance, as appropriate, during the implementation phase, including assisting with final design of the measures and the acquisition of the necessary permits. All costs and expenses associated with the services provided by the SME's shall be borne by the Paso Basin GSA Governing Body. If during the

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implementation phase, elements of the plan are determined to need modification or elimination, the landowner will coordinate with the SMEs and the Paso Basin GSA Governing Body. These conditions will also apply should additional measures be added to the plan.

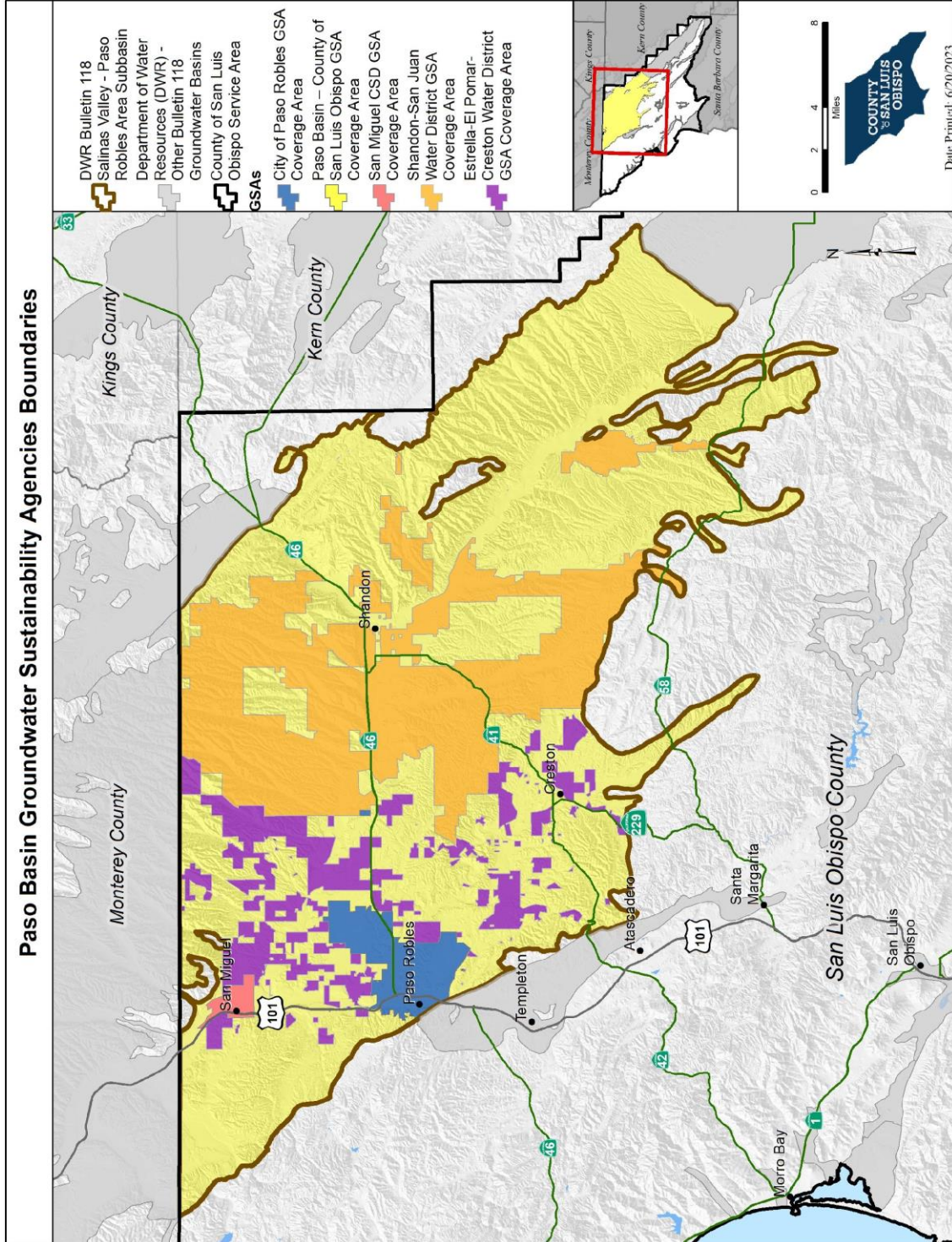
21. Upon completion of the implementation phase, or as each measure is individually completed, the landowner will notify the Paso Basin GSA Governing Body. Upon notification, the Paso Basin GSA Governing Body will coordinate a site inspection, with the appropriate SMEs, to confirm that the approved measures, including any required monitoring systems, have been properly installed and are operational. Pending the completion of the final inspection and verification, the MILR Plan will be certified as being installed and operational by the Paso Basin GSA Governing Body.
22. Once the MILR Plan is fully implemented and installed the monitoring, measurement and verification phase will begin. The landowner shall prepare and submit periodic post-installation monitoring reports to the Paso Basin GSA Governing Body, in accordance with an approved Post-Installation Monitoring Plan. The Paso Basin GSA Governing Body may request that a team of SME perform periodic site inspections, with the approval and coordination of the landowner. The Paso Basin GSA Governing Body will perform regular estimates of the consumptive use of groundwater on the Farming Unit utilizing satellite based Et methodology and compare those usage estimates to the baseline usage data to assist in quantifying the impacts of the implemented MILR Plan.
23. If incentive payments were requested as part of the approved MILR Plan, the Paso Basin GSA Governing Body will assess the performance of the implemented MILR Plan measures and compute the amount of incentive payments to be paid, in accordance with the terms and conditions of the approved plan.
24. All Groundwater Sustainability Profiles and Phase 1 / Final MILR Plans, including approved / enrolled plans, will be incorporated into a spatially based dataset to be built into a GIS-based tool. In addition, this database will serve as host for all post-installation monitoring data and groundwater sustainability performance data. As the monitoring and performance database expands, it will be used to periodically update the catalog of On-Farm Groundwater Sustainability and Land Repurposing Measures to be considered for use in future MILT Plans.
25. The Paso Basin GSA Governing Body will prepare an annual progress report that describes program activity for the previous Water Year (Oct 1-Sep 30), including a summary of the following:
  - a) Outreach Activities
  - b) Pre-Applications Submitted
  - c) Farming Unit Groundwater Sustainability Profile and Phase 1 MILR Plan Prepared
  - d) Final MILR Plans Prepared and Submitted to Paso Basin GSA Governing Body for Review
  - e) Final MILR Plans Approved by Paso Basin GSA Governing Body
  - f) MILR Plans In-Progress and Fully Implemented / Verified Installation
  - g) MILR Plans in Post-Implementation Monitoring Phase
  - h) Estimated Reductions in Consumptive Groundwater Use

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- i) Estimated Program Implementation Cost
  - j) Other Benefits and Concerns
26. The Paso Basin GSA Governing Body shall prepare an annual financial report, including an independent audit, which details all program expenditures, revenues, and financial considerations for the current fiscal year. This report shall also include a proposed budget for the following fiscal year, including a detailed description of proposed program expenditures and anticipated revenues. This report shall be submitted to the PBCC for their review and approval. Subsequently, the reports shall be forwarded to each of the GSAs for their review and approval.
27. The Paso Basin GSA Governing Body shall periodically perform inspections on all actively enrolled MILR Program Farming Units to assess conformance with the approved plan. In situations where it is determined that the approved groundwater sustainability measures are not present and / or not performing in accordance with the provisions of the approved plan, the Paso Basin GSA Governing Body may consider undertaking enforcement measures and / or assessing penalties, in accordance with the provisions of the approved Farming Unit MILR Plan.
28. The Paso Basin GSA Governing Body shall make a determination annually regarding the progress towards sustainability in the Basin. If the Paso Basin GSA Governing Body determines that progress is not adequate, then the Paso Basin GSA Governing Body may consider triggering a subsequent phase of the MILR Program which will provide for the assignment of groundwater consumptive use allocations to all Farming Units in the Basin. The Paso Basin GSA Governing Body shall develop recommendations for consideration by the GSAs for mandatory pumping reductions by those Farming Units that are determined to be consuming more groundwater than the amount allocated. The details of the allocation and mandatory pumping reduction phase of the MILR Program shall be developed at such time that the Paso Basin GSA Governing Body deems appropriate.

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## Figure 1 Paso Robles Groundwater Basin Location Map



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**APPENDIX B – SAMPLE CONTRACT**

Includes:  
Sample Contract  
4600014639 Grant Agreement

(Attached as a separate document.)

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**APPENDIX C – LOCAL VENDOR PREFERENCE**

The County has established a local vendor preference. When quality, service, and other relevant factors are equal, responses to Requests for Proposals will be evaluated with a preference for local vendors. Note the following exceptions:

1. Those contracts which State Law or, other law or regulation precludes this local preference.
2. Public works construction projects.

A "local" vendor preference will be approved as such when, 1) The vendor conducts business in a fully staffed office with a physical address within the County of San Luis Obispo; 2) The vendor holds a valid business license issued by the County or a city within the County; and 3) The vendor has conducted business at the local address for not less than six (6) months prior to the due date of this Request for Proposal.

Proposals received in response to this Request for Proposal will be evaluated by the Selection Committee considering the local vendor preference described above when quality, service and other relevant factors are equal. The burden of proof will lie with proposers relative to verification of "local" vendor preference. Should any questions arise, please contact a buyer at (805) 781-5200.

	YES	NO
Do you claim local vendor preference?		
Do you conduct business in an office with a physical location within the County of San Luis Obispo?		
Business Address: _____		
Years at this Address:		
Does your business hold a valid business license issued by the County or a City within the County?		
Name of Local Agency which issued license: _____		

Business Name: \_\_\_\_\_

Authorized Individual: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Dated: \_\_\_\_\_



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**APPENDIX D – RISK ASSESSMENT QUESTIONNAIRE**

**Required Submittal**

- List the full names of any partners, owners, officers or other persons occupying a position of authority or responsibility in your organization, as well as their Unique Entity ID (SAM) number.

Unique Entity ID (SAM) Number	Organization

**NOTE:** A Unique Entity ID (SAM) number is not required but must be listed if the entity has one.

- Have the individual(s) in item #1 been subject to bankruptcy, insolvency or receivership proceedings in the last five (5) years? Yes  No  If yes, please enclose details.
- Has your business/company/organization filed for bankruptcy within the last five (5) years? Yes  No  If so, please enclose details.
- Has your business/company/organization/individual(s) in item #1 ever had a contract for the general type of services/product sought by the County terminated for non-compliance or inadequate performance? Yes  No  If yes, please enclose details.
- Has your business/company/organization/individual(s) in item #1 ever defaulted on a contract for the general type of services/product being sought by the County? Yes  No  If yes, please enclose details.
- Has there been, in the last five (5) years, or is there now pending or threatened, any litigation, arbitration, governmental proceeding or regulatory proceeding involving claims in excess of \$100,000 with respect to the performance of any services or the provision of any product by your business/company/organization/individual(s) in item #1? Yes  No  If yes, please enclose details.

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7. Has your business/company/organization/individual(s) in item #1 ever defaulted in fulfilling all of its obligations relating to the payment of county taxes, fees, or other obligations?  
Yes  No  If yes, please enclose details.
8. In the last five (5) years, has your business/company/organization/individual(s) in item #1, been or currently involved in any action, audit or investigation brought by any federal government agency or authority or by any state or local governmental agency? Yes  No  If yes, please enclose details.
9. In the last five (5) years, has your business/company/organization/individual(s) in item #1 been debarred or suspended for any reason by any federal, state or local government or refrained from bidding on a project due to an agreement with such governmental agency? Yes  No  If yes, please attach a full explanation.
10. In the past five (5) years, has your business/company/organization/individual(s) in item #1 had its surety called upon to complete any contract, whether government or private sector? Yes  No  If yes, please enclose details.
11. In the past five (5) years, has your business/company/organization/individual(s) in item #1 had a revocation, suspension or disbarment of any business or professional permit and/or license? Yes  No  If yes, please enclose details.
12. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?  
Yes  No  If "yes," identify on a separate signed page the person or persons convicted, the court (the county if a state court, the district or location of the federal court), the year and the criminal conduct.

**Signature**

THE UNDERSIGNED HEREBY CERTIFIES THAT THE RESPONSES PROVIDED ARE CORRECT AND TRUTHFUL TO THE BEST OF MY KNOWLEDGE AND FOR THOSE RESPONSES GIVEN WHICH ARE BASED ON INFORMATION AND BELIEF, THOSE RESPONSES ARE TRUE AND CORRECT BASED ON MY PRESENT BELIEF AND INFORMATION.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ of the year \_\_\_\_\_

Name of organization: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name and title: \_\_\_\_\_

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**APPENDIX E – COUNTY TRAVEL POLICY**

(Attached as a separate document)

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**APPENDIX F – PROPOSER CHECKLIST**

Please check all documents in which you have included with your submittal.

**Technical Proposal (Required)**.....   
(Including resumes)

**Cost Proposal (Required)** .....

**Local Vendor Preference** .....

**Risk Assessment Questionnaire (Required)** .....