



County of San Mateo

Request for Proposals (RFP) for Removal Defense Limited-Scope Legal Services

County Executive's Office - Office of Community Affairs

RFP No. 2026-RFP-00240

RFP Contact: Blanca Tapia
btapia@smcgov.org

1. Introduction and Schedule

The County of San Mateo (the “County” or “SMC”) covers most of the San Francisco Peninsula. The region covers 744 mi and is home to nearly 800,000 residents and 20 incorporated cities. The County provides for the health and welfare of all people within its borders and serves as the local government for the unincorporated areas. Innovation thrives here in industries including bioscience, computer software, green technology, hospitality, financial management, health care, education and transportation. The County prides itself on how that prosperity fosters its commitment to protecting and enhancing the health, safety, welfare and natural resources of the community.

1.1. Summary

The County of San Mateo Office of Community Affairs is seeking qualified firms and individuals to enter into a Master Agreement with the County to provide **Limited-Scope Removal Defense Legal Services** for San Mateo County residents facing deportation and removal proceedings before the Executive Office for Immigration Review (EOIR). In the County, we value every resident, whatever their birthplace, language spoken, or immigration status. Providing fair representation in immigration court proceedings is an effective way to ensure that an individual's right to due process is protected and provides education to the community. Office of Community Affairs (OCA) is looking to build and expand the ecosystem to provide immigration legal services. The County will be the administrator of the contract only; the coordination of legal services is expected to be provider-led. The OCA is currently inviting all proposers to review the three distinct RFPs for immigration-related legal services: (1) Affirmative Immigration Legal Services; (2) Rapid Response Services; and (3) Limited-Scope Removal Defense Legal Services. Interested parties are welcome to submit proposals for any or all of these three RFPs.

The proposer is expected to provide their services on a per matter^[1] basis, to allow a greater number of residents to receive assistance. All proposers must have an active membership, in good standing, with the State Bar of California and/or must be able to provide verification of such membership.

^[1] **Matters-based limited scope representation** (also known as "unbundled" or "discrete task" legal services) is a legal arrangement where an attorney handles only specific issues or portions of a client’s case rather than providing full representation from start to finish.

1.2. Background

The County is committed to protecting and enhancing the health, safety, welfare and natural resources of the community. Through resources and education, the County seeks to expand access to relief for individuals and families to address deportation risk and to support a coordinated legal services ecosystem.

1.3. Timeline

RFP Released	March 19, 2026
Deadline for Questions, Comments and Contract Exceptions	April 3, 2026, 3:00pm
Question Response Deadline	April 10, 2026, 3:00pm

Proposal Due Date and Time	April 20, 2026, 3:00pm
-----------------------------------	------------------------

2. Program Objectives and Scope of Work

2.1. Program Objectives

The OCA is accepting proposals for Removal Defense **Limited-Scope** Legal Services. Pursuant to this RFP for these services, the County may select proposer that meet the qualifications to provide such services to County residents currently in and or facing removal proceedings. Due to resource constraints, the County considers factors including the following in determining who will receive these services:

- A. Potential clients at imminent risk of removal;
- B. Unaccompanied minors;
- C. Elderly immigrants and those with special needs (e.g., medical, educational, etc.);
- D. Low income immigrants;
- E. Immigrants with strong claims for relief from removal;
- F. Immigrants with long standing history with and connection to San Mateo County

The key priorities of this RFP includes:

- A. Expand immigration legal services access to the San Mateo County communities that will be presented before the Executive Office for Immigration Review (EOIR).
- B. Provide matter (task) based representation through limited-scope models.
- C. Improve and sync coordination with Rapid Response Services and Affirmative Legal Services.
- D. Increase organizational capacity while reducing duplication.

The County prefers billing models tied to the amount of time and cost or level of effort necessary to perform the various client matters within the scope of this RFP. Examples:

- **Structure A — Fixed Fee per Matter (Task-Based).** Proposer shall invoice a fixed fee for each of the Matter-Based deliverables.
- **Structure B — Time & Materials with Not-To-Exceed (NTE) Amount per Matter.** Proposer shall invoice hours by category of service provider, up to the Matter’s authorized NTE amount. The work requires written pre-authorization.

All submitted billing models will require the County's approval.

2.2. Scope of Work

The purpose of this RFP is to find qualified Proposers to provide Removal Defense Limited-Scope Legal Services to SMC residents and individuals currently in or facing removal proceedings and ensure capacity to manage the expected number of cases receiving limited-scope removal defense immigration legal services. The intent of this RFP is that the proposer will provide a list of limited-scope legal services with industry-standard associated costs.

A. Limited-Scope Legal Services Matters

Limited-Scope Legal Services may include, but are not limited to:

- Master calendar hearings
 - Includes but is not limited to:
 - Explain the charges contained in the Notice to Appear (NTA) to the respondent in non-technical language
 - Set deadlines for filing applications for relief, briefs, motions, pre-hearing statements, exhibits, witness lists, and other documents
 - Schedule hearings to adjudicate contested matters and applications for relief
 - Advise the respondent of the consequences of failing to appear at subsequent hearings
- Pre-hearing preparation
 - Includes but is not limited to:
 - Explaining the hearing process
 - Addressing client questions
 - Explain the scope of the hearings
 - Legal Research, based on relief requested
 - Interview Client
 - Expert and Lay Witnesses
 - Review Documentary Evidence
 - Preparing Exhibits
- Bond Proceedings
 - Includes but is not limited to:
 - File Notice of Entry of Appearance
 - Appear on behalf of client
 - Accept service of process of documents
- Motions
 - Includes but is not limited to:
 - Motion to Reopen/Reconsider
 - Motion to Continue for Good Cause
 - Motion to Extend Filing Deadline
 - Motion to Change Venue
 - Motion to Sever/Consolidate
 - Motions to Terminate/Dismiss/Admin Close
- Evidence packets

- Includes but is not limited to:
 - Written and signed affidavits from sworn statements
 - Pre-Hearing Statement/Particular Social Group (PSG) Statements
 - Recordings and transcript of interviews
 - Expert and Opinion Evidence
- Brief Preparation (also known as Case Summary)
 - Pre-trial briefs
 - Trial briefs
 - Appellate briefs
 - Memorandum of Law
- Freedom of Information Act (FOIA) requests as related to a given matter, including but not limited to:
 - Request Department of State Records
 - Request Personal Information
 - Request Visa Records
- Pro Se Coaching
 - Proposer shall be a practitioner of record, or provide document assistance, to pro se noncitizens with drafting, completion, or filling in of blank spaces of a specific motion, brief, form, or other documentation that are intended to be filed with the immigration court.
 - Proposer is responsible for filing and submitting Form EOIR-61 for services provided.
 - Proposer must ensure that the pro se noncitizens understand what the limited services are and when representation begins and ends.
- Must follow California's Rules of Professional Conduct, including but not limited to:
 - Chapter 6. Public Service
 - Rule 6.5 Limited Legal Services Programs

B. Case Withdrawal

- Proposer may withdraw upon completion of assigned tasks or due to valid reasonings as stated in Rule 1.16.

C. Required Coordination

- Upon final award, the selected proposer will be expected to communicate and coordinate closely with the Rapid Response Provider and Affirmative Legal Services Provider, and other County designated community service providers to ensure alignment of services, delivery, referrals and information-sharing, which will include participating in reoccurring coordination meetings.
- Must participate in meetings with the County of San Mateo OCA team and communicate updates and status regarding the matters (tasks).

- Must provide monthly technical assistance and training regarding immigration legal updated policies and changes to the County’s designated Affirmative Legal Providers, Rapid Response Providers, and community-based organizations (CBOs) to ensure high-quality legal representation to SMC residents and individuals.

D. Innovation Methodology (Optional)

Navigator and Shared Intake / Screening System:

Proposing to provide the services described in this section is optional for all proposers. A Navigator, if applicable, is being sought to coordinate all limited-scope legal services. If proposers would like to submit for this scope and services within such scope are needed based on the service design model being submitted by the proposer, Proposer should present a shared intake and screening process that will be able to be accessed by all selected collaborators (collaborators would include all selected legal service providers) and the County.

Navigation services include but are not limited to:

- Enabling improved triage and reducing duplication
 - Develop an organizational staff capacity to provide legal services under the matter-based assignments to mitigate immigration legal precarity and expand the number of qualified individuals that can provide high-quality legal services.
- Facilitate referrals within a network of services or service providers
- Evidence collection and document gathering
- Hearing reminders
- Documents all referrals and follow-ups

2.3. Deliverables

The County is looking for proposers to provide the following deliverables upon satisfactory completion of the services described in this RFP:

Limited-Scope Legal Services

- A. Number of limited-scope matters completed and who completed them (by firm or solo practitioner). The County seeks to identify a provider or providers who can complete a combined minimum total of 300 limited-scope matters per year. The intent of this RFP is that the proposer will provide a list of limited-scope legal services with industry-standard associated costs.
- B. Report on the total number of consultations and matters (tasks) addressed and outcomes.
- C. Collect and report aggregated data, including country and/or origin, race, ethnicity, age group, Zip Code, and primary language spoken, when applicable and in compliance with confidentiality and data privacy requirements.
- D. Submit reports on the number of active and closed cases, in a format prescribed by the County.
- E. Report descriptions of the types of limited-scope services provided (e.g., representation at one hearing, application preparation only).
- F. Report on the number of pro se cases with limited-scope legal assistance provided.

Case Withdrawal

- A. Give due notice of withdrawal.
- B. Deliver all papers and property to which the client is entitled to, and, after delivery, provide a checklist form of the items to the County.
- C. Must provide written letter confirming to the County that proposer has followed California's Rules of Professional Conduct, Rule 1.16 Declining or Terminating Representation.
- D. Provide copy of withdrawal motion filed with the court.

Required Coordination

- A. Collect and report the aggregated data of the number of referrals to other immigration relief legal services and programs for cases beyond the scope of services.
- B. Collect and report the aggregated data of referrals to pro bono services, when applicable and in compliance with confidentiality and data privacy requirements.
- C. Collect and report aggregate data on the type of assistance or information provided, where applicable.
- D. Language access metrics
 1. Report on the languages in which support was provided, when applicable.
 2. Report primary languages requested by individual's services, in aggregated.
- E. Report on the number of trainings and assistance provide to other providers and CBO's, including the material covered and provided during the trainings.

3. Submission Requirements

3.1. Submission Deadline

Proposals must be electronically received by 3:00 pm, on Monday, April 20, 2026, via eProcurement system.

Allow sufficient time for the upload to complete by the Due Date and Time. Partial uploads will automatically terminate, and proposals will be rejected. The eProcurement system submission time will be the official submission time. The County will not be responsible for and may determine not to accept proposals that are late due to slow internet connections or for any other failure of the eProcurement system.

NOTE: The County does not maintain the eProcurement system and is not liable for site failures or technical problems. To resolve technical issues, contact OpenGov Technical Support by using the real time chat located in the lower right hand corner of the screen, or via email at procurement-support@opengov.com

<https://procurement.opengov.com/portal/smcgov>

3.2. Pre-submission Registration

Organizations or individuals interested in responding to this solicitation must register online with the County of San Mateo [at](#):

- <https://procurement.opengov.com/portal/smcgov>

It is recommended that organizations complete this registration as soon as possible. The County will not be responsible for and may not accept proposals that are late due to a failure to register in the eProcurement system.

3.3. Submission via eProcurement Portal

Required Documents

Please refer to the [Technical Proposal](#) section for submittal documents and requirements.

Electronic Submissions

Include the proposer name and the RFP title and number in each filename. Submit proposals via the eProcurement website, allowing sufficient time for the upload to complete by the Due Date and Time. As noted above, the eProcurement portal submission time will be the official submission time, and partial uploads will automatically terminate, and proposals will be rejected. Contact eProcurement Portal with technical questions regarding this site.

Conflicts between Certain Requirements

Prior to the submission deadlines and solely relating to a determination of the timeliness of questions, comments, and proposal submissions, information displayed on the eProcurement portal site will take precedence in the event of a discrepancy between that information and the information within the solicitation documents. For all other discrepancies, the information in the solicitation documents will take precedence.

Format

Documents should be created in the following format:

- Text should be Times New Roman (12-point minimum font size) and unjustified (i.e., with a ragged-right margin)
- Pages should have margins of at least one inch on all sides (excluding headers and footers)
- If the proposal is lengthy, a Table of Contents should be included.
- PDF format is preferred.

Errors in Proposals

The County will not be liable for any errors in proposals. Proposals may be rejected as unresponsive if they are late, incomplete, missing pages or information, or cannot be opened for any reason. The County may waive immaterial and minor irregularities, but such waiver will not modify any remaining RFP requirements.

3.4. Procurement Preference for Local Businesses and Local Non-Profits

The County of San Mateo has adopted a Procurement Preference for Local Businesses Ordinance (County Ord. Code Ch. 2.89.) The purpose of this Ordinance is to promote a strong local economy by giving preference to local businesses, local non-profits, local small and micro businesses, and local small and micro non-profits in County procurements, to the extent consistent with the law and interests of the

public. The County's process for applying local preferences to competitive procurements is set forth in County Ordinance Code Section 2.89.030. The Ordinance and exemptions (e.g. the ordinance will be exempt when all bids or proposals received are from Non-Profit Organizations) can be reviewed here:

[Chapter 2.89 - PROCUREMENT PREFERENCE FOR LOCAL BUSINESSES | Code of Ordinances | San Mateo County, CA | Municode Library](#)

The requirements for bidders to establish eligibility for a local preference for this solicitation are detailed below in Section III (Submission Requirements) The Ordinance does not apply if a procurement is determined to be exempt (County Ord. Code sec. 2.89.050), and the County reserves the right to waive application of the Ordinance to this procurement if determined to be in the best interests of the County (County Ord. Code sec. 2.89.060).

4. Minimum Qualifications, Local Preference Ordinance, and Technical Proposal

4.1. Minimum Qualifications

4.1.1. Has at least five (5) years of experience handling Removal Defense cases, with some portion of this work within the last seven (7) years.*

- Yes
 No

*Response required

4.1.2. Proposer must have an active membership, in good standing, with the State Bar of California and/or must be able to provide verification of such membership.*

- Please confirm

*Response required

4.1.3. Proposer is able to meet ethical withdraw requirements?*

- Yes
 No

*Response required

4.1.4. Please confirm your firm is registered with System for Award Management (SAM)*
[SAM.gov](#)

- Please confirm

*Response required

4.1.5. What is the registered Business Name and Unique Entity ID (UEI) No.??*

- UEI number can be obtained by registering your business through SAM.GOV
- Should you be in the process of obtaining your UEI number, please enter the digits '123' temporarily for your response below in order to proceed with proposal. This temporary number should be replaced with the correct registration number for submission of the proposal.

*Response required

4.2. Procurement Preference for Local Businesses and Local Non-Profits

4.2.1. Is the Proposer a "Local Business"?

As Defined by Chapter 2.89.020 of the San Mateo County Ordinance Code, a "Local Business" means any for-profit business which has its principal place of business, or is headquartered, in San Mateo County. If this designation applies to the proposer, a self-attestation form must be completed and provided with this response.

Please download the below documents, complete, and upload. If this designation is not applicable, please leave blank.

- [SMC LocalBusiness self-atte...](#)

4.2.2. Is the Proposer a Non-Profit?*

A Non-Profit is defined as a tax-exempt public charity organization (within the meaning of section 501(c)(3) of the Internal Revenue Code) that is formed for purposes other than making a profit, is exempt from paying federal income taxes on the income generated for their exempt purposes.

- Yes
 No

*Response required

When equals "Yes"

4.2.3. Is the Proposer a "Local Non-Profit"

As Defined by Chapter 2.89.020 of the San Mateo County Ordinance Code, a "Local Non-Profit" means a tax-exempt public charity organization (within the meaning of section 501(c)(3) of the Internal Revenue Code) that is formed for purposes other than making a profit, is exempt from paying federal income taxes on the income generated for their exempt purposes, and has its principal place of business, or is headquartered, in San Mateo County. If this designation applies to the proposer, a self-attestation form must be completed and provided with this response.

Please download the below documents, complete, and upload. If this designation is not applicable, please leave blank.

- [SMC LocalBusiness self-atte...](#)

4.3. Technical Proposal

4.3.1. Introduction and Executive Summary *

Submit a letter of introduction and executive summary of the proposal. The letter must contain:

- Name, title and contact information (email, phone, and address) for representative of proposer that is responsible for communication related to this RFP.
- Name, title, contact information, and signature of person authorized to obligate firm to perform the commitment contained in the proposal.

Submission of the letter will constitute a representation by proposer that it is willing and able to perform the commitments contained in the proposal and has not violated the terms of this RFP.

*Response required

4.3.2. Statement of Minimum Qualifications *

Describe how the proposer meets the minimum qualifications as set forth in **Minimum Qualifications** of this RFP.

Submission of the Minimum Qualifications checklist is not a substitute for providing a detailed written response.

*Response required

4.3.3. Project Approach*

This section should correlate to the Scope of Work. Proposer should give a short summary describing how it will perform the relevant work

*Response required

4.3.4. Scope of Work tasks/milestones*

Describe your proposed approach to tasks/milestones

*Response required

4.3.5. Proposed schedule *

Attach proposed schedule reference ability to complete the project within the County's required time frame

*Response required

4.3.6. Performance Measures*

Describe a plan for achieving performance measures

*Response required

4.3.7. Firm Qualifications *

Attach information regarding background and qualifications, including the following:

- A brief description of the proposer.
- If subcontractors are anticipated, identify them (if known) and provide information on how they will be used.

*Response required

4.3.8. Team Qualifications*

Provide a chart identifying:

- Project team and reporting structure
- Lead project manager
- Role each person will play in the project

Provide a brief description of the experience and qualifications of the project team members, including short resumes if desired.

Written assurance that the key individuals listed and identified will be performing the work and will not be substituted or reassigned without the County’s prior approval

*Response required

4.3.9. References*

Provide 3 references for each of the following, including the name, address, and telephone number of recent clients (preferably other public agencies):

*Response required

4.3.10. Fee Proposal*

The Fee Proposal should be submitted as a separate PDF file from the Technical Proposals detailed in Required Documents.

The County reserves the right to accept other than the lowest priced offer and to reject any proposals that are not responsive to this request.

*Response required

4.3.11. Innovation Methodology

Provide Navigation Team and Shared Intake / Screening System innovations or improvements that you expect to provide (with respect to, for example, efficiency, technology, sustainability)

5. Evaluation and Selection Criteria

The proposals will be evaluated by a selection committee with relevant expertise. The County intends to evaluate the proposals generally in accordance with the criteria itemized below. Proposers with the highest scoring proposals may be interviewed by the committee to make the final selection.

No.	Evaluation Criteria	Scoring Method	Weight (Points)
1.	Limited-Scope Model Quality	Points Based	33 <i>(33% of Total)</i>
2.	Staffing and Qualifications	Points Based	28 <i>(28% of Total)</i>
3.	Coordination Plan	Points Based	22 <i>(22% of Total)</i>
4.	Budget and Cost Effectiveness	Points Based	17 <i>(17% of Total)</i>

6. Instructions to Proposers

6.1. Instructions

There will be no pre-proposal conference or site visit for this project.

6.2. Communications

- A. As of the issuance date of this RFP and continuing until it is canceled or an award is made, no proposer or person acting on behalf of a prospective proposer may discuss any matter relating to the RFP with any officer, agent, or employee of the County, other than through eProcurement portal, to the Authorized Contact Person, or as outlined in the evaluation or protest procedures.
- B. Proposers (including any agent, owner, employee, board members, or other such affiliates) shall not offer any gift, favor, or other personal benefit to any County officer or employee during the procurement process for this agreement, including during the solicitation period and contract negotiations.

Violation of the foregoing prohibitions may result in a proposer being found non-responsible and barred from participating in this or future procurements.

6.3. Contract Award

A. Award Procedure

Contract negotiations are neither an offer nor guarantee that a contract will be executed. A contract award, if any is made, will be to the responsive, responsible proposer offering the overall best value to the County for the services and goods described in this solicitation, or as applicable, for a specific portion of the services and goods described. Any agreement reached will be memorialized in a formal agreement using the attached template, executed by the appropriate authority.

B. Notice of Intent to Award

If a decision is made to take steps to enter into an agreement with one or more proposers, the County will post a Notice of Intent to Award or otherwise notify proposers the remaining proposers of their non-selection. Notice may instead be provided by including approval of the agreement as an item on an agenda for a meeting of the Board of Supervisors.

C. Commencement of Performance

After all parties have signed the agreement, the County will notify the contractor and performance may proceed. Prior to execution of the agreement by the County, no County employee may authorize work under the agreement. Any work performed prior to the full execution of the Agreement may not be compensated.

- D. **Levine Act Disclosure**The Levine Act (California Government Code Section 84308) imposes certain requirements on parties contracting with the County of San Mateo related to campaign contributions to County “officers,” including elected County officers and candidates seeking elective office, who may participate in making a decision on certain County contracts. Elected County officers in San Mateo County include: the San Mateo County Board of Supervisors, Assessor-County Clerk-Recorder, County Controller, Coroner, District Attorney, Sheriff, and Tax Collector-Treasurer. Generally, under current County policy, approval by the Board of Supervisors is required for any agreement for services above \$200,000, and agreements for

services below that threshold may be approved by Department heads. **If your proposal is selected, you will be required to certify compliance with the Levine Act.** As part of this process, you will need to certify and warrant that you have fully complied, and will remain in full compliance, with all applicable requirements of the Levine Act in connection with the Agreement, including making any required disclosures of campaign contributions to County Officers, which includes but may not be limited to elected County Officers. Elected County Officers include members of the San Mateo County Board of Supervisors, as well as the Assessor-County Clerk-Recorder, Controller, Coroner, District Attorney, Sheriff, and Tax Collector-Treasurer. Any campaign contribution required to be disclosed under the Levine Act in connection with this Agreement shall be disclosed on the County of San Mateo Levine Act Disclosure Form, a copy of which is available from the County upon request. Parties are solely responsible for accurate certification and disclosure. The Levine Act is complex, and this brief description is not legal advice. For example, certain contributions must be aggregated when determining whether contributions have exceeded the \$500 threshold. If your proposal is selected, you are urged to review the Levine Act and consider consulting an attorney.

6.4. Term

County Executive's Office - Office of Community Affairs is issuing Request for Proposal (RFP) No. 2026-RFP-00240 for Removal Defense Limited-Scope Legal Services.

The agreement shall have a term of two (2) year. In addition, the County shall have one (1) option to extend the term for an additional period not to exceed three years, which the County may exercise in its sole, absolute discretion. To exercise this option, the County shall provide written notice to the Contractor at least thirty days before the end of the agreement's term.

The County's standard contract template has been included with this solicitation. The awarded contractor will be expected to sign an agreement prepared by the County using this template. Please ensure that your firm has completed legal review of these contract terms. If your firm wishes to request exceptions to these standard terms, submit a Contract Exceptions Request by the Deadline for Questions, Comments and Contract Exceptions listed in the Solicitation Schedule below. The County will consider Contract Exceptions Requests but reserves the right to reject requested modifications to its standard terms.

7. Terms and Conditions for Receipt of Proposals

7.1. Errors, Omissions and Inquiries regarding the RFP

Proposers are responsible for reviewing all portions of this RFP. Proposers are to notify the department, in eProcurement portal, if the proposer discovers any ambiguity, discrepancy, omission, or apparent error in the RFP. Such notification should be made promptly after discovery, but in no event later than five business days prior to the deadline for receipt of proposals. Modifications and clarifications will be made by addenda as provided below.

Inquiries regarding the RFP should be lodged in eProcurement portal.

7.2. Objections to RFP Terms

Should a proposer object on any ground to any provision or legal requirement set forth in this RFP, the proposer must, not more than ten calendar days after the RFP is issued, provide written notice to the department, via eProcurement portal, setting forth with specific grounds for the objection.

7.3. Addenda

The County may cancel, revise, or reissue this RFP, in whole or in part, for any reason. Revisions will be posted as Addenda on eProcurement portal. No other revision of this RFP is valid. Proposers shall be responsible for ensuring that their proposals reflects any and all Addenda issued by the County prior to the proposal due date regardless of when a proposal is submitted. Therefore, the County recommends that proposers consult eProcurement portal frequently, including shortly before the proposal due date, to confirm that all Addenda have been downloaded.

7.4. Term of Proposal

Submission of a proposal signifies that the proposed services and prices are valid for the duration of the proposed agreement term and that the quoted prices are genuine and not the result of collusion or any other anti-competitive activity.

7.5. Revision or Withdrawal of Proposal

A proposer may revise a proposal on the proposer's own initiative at any time before the deadline for submission of proposals. The proposer must submit the revised proposal in the same manner as the original on or before the proposal due date.

A proposer may withdraw a proposal at any time before the deadline for submission of proposals. After that time, whether or not a new RFP is issued for the same subject matter, withdrawal of a proposal may preclude the proposer from participating in the procurement as a proposer or subcontractor, except that an original equipment manufacturer may participate indirectly through a reseller.

7.6. Errors and Omissions in Proposal

The County will not be liable for any errors in proposals. Proposals may be rejected as unresponsive if they are incomplete, are missing pages or information, or cannot be opened for any reason. The County may waive minor irregularities, but such waiver will not modify any of the remaining RFP requirements.

7.7. No Commitment

Neither submission of a proposal nor the County's receipt of proposal materials confers any right to the proposer nor any obligation on the County. This RFP does not commit the County to award a contract.

7.8. Financial Responsibility

The County shall have no financial responsibility for any costs incurred by a firm in responding to this RFP or participating in any presentations or negotiations.

7.9. Estimated Quantity

If the RFP results in an indefinite quantity or a requirements agreement, the goods and services actually requested by the County may be less than the maximum value of the agreement and there is no guarantee,

either expressed or implied, as to the actual quantity of goods and services that will be authorized under the agreement.

7.10. Public Record

A. General

1. All proposals, protests, and information submitted in response to this solicitation will become the property of the County and will be considered public records. As such, they may be subject to public review.
2. Any contract arising from this RFP will be a public record.
3. The County is not seeking proprietary information and will not assert any privileges that may exist on behalf of the proposer.
4. Submission of any materials in response to this RFP constitutes:
 - Consent to the County's release of such materials under the Public Records Act without notice to the person or entity submitting the materials; and
 - Waiver of all claims against the County and/or its officers, agents, or employees that the County has violated a proposer's right to privacy, disclosed trade secrets, or caused any damage by allowing the proposal or materials to be inspected; and
 - Agreement to indemnify and hold harmless the County for release of such information under the Public Records Act; and
 - Acknowledgement that the County will not assert any privileges that may exist on behalf of the person or entity submitting the materials.

7.11. Confidential Information

- A. Proposers are responsible for asserting any applicable privileges or reasons why a document should not be produced in response to a public record request.
- B. If submitting information protected from disclosure as a trade secret or any other basis, identify each page of such material subject to protection as "CONFIDENTIAL." If requested material has been designated as confidential, the County will attempt to inform the proposer of the public records request in a timely manner to permit assertion of any applicable privileges.
- C. Failure to seek a court order protecting information from disclosure within ten days of the County's notice of a request to the proposer will be deemed agreement to disclosure of the information and the proposer agrees to indemnify and hold the County harmless for release of such information.
- D. Requests to treat an entire proposal as confidential will be rejected and deemed agreement to County disclosure of the entire proposal and the proposer agrees to indemnify and hold the County harmless for release of any information requested.

- E. Trade secrets will only be considered confidential if claimed to be a trade secret when submitted to the County, marked as confidential, and compliant with Government Code Section 6254.7.

7.12. Reservations of Rights by the County

The issuance of this RFP does not constitute an agreement by the County that any contract will actually be entered into by the County. The County expressly reserves the right at any time to:

- Waive or correct any defect or informality in any response, proposal, or proposal procedure;
- Reject any or all proposals;
- Reissue an RFP;
- Prior to submission deadline for proposals, modify all or any portion of the selection procedures, including deadlines for accepting responses, the specifications or requirements for any materials, equipment or services to be provided under this RFP, or the requirements for contents or format of the proposals;
- Procure any materials, equipment or services specified in this RFP by any other means; or
- Determine that no project will be pursued.

7.13. No Waiver

No waiver by the County of any provision of this RFP shall be implied from any failure by the County to recognize or take action on account of any failure by a proposer to observe any provision of this RFP.

7.14. Cooperative Agreement (Piggyback)

This competitive solicitation is being conducted as a Cooperative Procurement. The services, terms and conditions of any agreement resulting from this solicitation may be used by other organizations as a Cooperative Agreement.

This provision in no way commits any affiliate to procure services from any awarded contractor, nor does it guarantee that any additional orders will result. At their discretion, and subject to their own procurement policies, interested organizations may make use of this competitive procurement and contract directly from the awarded contractor.

8. Protest Procedures

8.1. Protest of Non-Responsiveness Determination

Within five (5) working days of the County's issuance of a notice of non-responsiveness, any firm that has submitted a proposal and believes that the County has incorrectly determined that its proposal is non-responsive may submit a written notice of protest. Such notice of protest must be received by the County on or before the fifth working day following the County's issuance of the notice of non-responsiveness. The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to represent the

proposer, and must cite the law, rule, local ordinance, procedure or RFP provision on which the protest is based. In addition, the protestor must specify facts and evidence sufficient for the County to determine the validity of the protest.

8.2. Protest of Contract Award

Within five (5) working days of the County's issuance of a notice of intent to award the contract, any firm that has submitted a responsive proposal and believes that the County has incorrectly selected another proposer for award may submit a written notice of protest. Such notice of protest must be received by the County on or before the fifth working day after the County's issuance of the notice of intent to award.

The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to represent the proposer, and must cite the law, rule, local ordinance, procedure or RFP provision on which the protest is based. In addition, the protestor must specify facts and evidence sufficient for the County to determine the validity of the protest.

8.3. Delivery of Protests

All protests must be received by the due date. If a protest is mailed, the protestor bears the risk of non-delivery within the deadlines specified herein. Protests should be transmitted by a means that will objectively establish the date the County received the protest. Protests or notice of protests made orally (e.g., by telephone) will not be considered. Protests must be delivered to:

Protests@smcgov.org

Subject: Removal Defense Limited-Scope Legal Services, 2026-RFP-00240