



C o u n t y o f S a n L u i s O b i s p o

# GENERAL SERVICES AGENCY

Janette D. Pell, Director

Cody VanDorn, Department Administrator

## REQUEST FOR PROPOSAL # 1196 Radio Broadcast Services For the Board of Supervisor Meetings

November 9, 2012

The County of San Luis Obispo (County) is currently soliciting proposals for professional services for Radio Broadcast Services for the Board of Supervisors meetings.

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 Request for Proposal 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 Request for Proposal is posted on the County's Purchasing website at [http://www.slocounty.ca.gov/GSA/Purchasing/Current\\_Formal\\_Bids\\_and\\_Proposals.htm](http://www.slocounty.ca.gov/GSA/Purchasing/Current_Formal_Bids_and_Proposals.htm). Any changes, additions, or deletions to this Request for Proposal 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 Request for Proposal.

If your firm is interested and qualified, please submit seven (7) hard copies and one (1) electronic copy (on CD) of your proposal on December 3, 2012 by 3:00 p.m. to:

County of San Luis Obispo  
Phill Haley, GSA Purchasing  
1087 Santa Rosa Street  
San Luis Obispo, CA 93408

If you have any questions about the proposal process, please contact me. For technical questions and information contact Vince Morici at (805) 781-2020.

All questions pertaining to the content of this Request for Proposal must be made in writing via e-mail to Vincent Morici at: [vmorici@co.slo.ca.us](mailto:vmorici@co.slo.ca.us). All questions will receive a response within 2 business days. The question and its response will be posted (anonymously) on the County's Purchasing web site located at the link above. The County reserves the right to determine the appropriateness of comments/questions that will be posted on the website.

PHILL HALEY  
Buyer II – GSA Purchasing  
[phaley@co.slo.ca.us](mailto:phaley@co.slo.ca.us)

**Radio Broadcast Services For the Board of Supervisor Meetings**

**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: \_\_\_\_\_

**Radio Broadcast Services For the Board of Supervisor Meetings****PROPOSAL SUBMITTAL AND SELECTION**

1. All proposals, consisting of seven (7) hard copies and one (1) electronic copy (on CD) must be received by mail, recognized carrier, or hand delivered no later than 3:00 p.m. on December 3, 2012. Late proposals will not be considered and will be returned, unopened.

2. All correspondence should be directed to:

San Luis Obispo County  
General Services Agency  
1087 Santa Rosa Street  
San Luis Obispo, CA 93408  
ATTENTION: Phill Haley  
Telephone: (805) 781-5904

3. All costs incurred in the preparation and submission of proposals and related documentation will be borne by the proposer.

4. It is preferred that all proposals be submitted on recycled paper, printed on two sides.

5. Selection of qualified proposers will be by an impartial Selection Committee using an approved County procedure for awarding professional contracts. Selection will be made on the basis of the proposals as submitted, although the County reserves the right to interview applicants as part of the selection process. The proceedings of the Selection Committee are confidential, and members of the Selection Committee are not to be contacted by the proposers.

6. This Request for Proposal does not constitute an offer of employment or to contract for services.

7. The County reserves the option to accept or reject any or all proposals, wholly or in part, received by reason of this request, and make more than one award, or no award, as the best interests of the County may appear.

8. All documents submitted to the County in response to this Request for Proposal will become the exclusive property of the County and may be returned to the proposer or kept by the County, in the County's sole discretion.

9. All proposals shall remain firm for 90 days following closing date for receipt of proposals.

10. The County reserves the right to award the contract to the firm who presents the proposal which in the judgment of the County, best accomplishes the desired results, and shall include, but not be limited to, a consideration of the professional service fee.

11. Any contract awarded pursuant to this Request for Proposal will incorporate the requirements and specifications contained in this Request for Proposal. 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.

12. The successful proposer is expected to execute a contract with the County of San Luis Obispo. The terms of the contract will address the following:

- a. Agreement to broadcast all Board of Supervisors meetings without interruption.
- b. Agreement upon a set annual price to broadcast all the Board of Supervisors meetings. The price may be adjusted upward or downward on an annual basis upon negotiations between the County and the station management.

**Radio Broadcast Services For the Board of Supervisor Meetings**

- c. The areas that are to receive the broadcast will be identified in the contract. Reducing the broadcast coverage area will require advance notice of at least 90 days.
- d. Changes to program format will require advance notice of at least 90 days
- e. Methods to address and communicate technical interruptions will be incorporated into the contract.
- f. Changes to station ownership will require advance notice of at least 60 days.
- g. Other clauses as negotiated between the station and the County

Broadcast of The proposer must take exception in their proposal to any of the example clauses and indemnification clause they do not agree with. The County reserves the right, in its sole discretion, to add, delete, or modify, or negotiate additional terms and conditions to the contract. BEFORE BEGINNING ANY WORK OR SUBMITTING A PROPOSAL IT IS ADVISED THAT PROPOSERS READ THE COUNTY INSURANCE AND INDEMNIFICATION AND INSURANCE REQUIREMENTS SHOWN IN "PROPOSAL FORMAT SECTION 5 - FEES AND INSURANCE. The selected proposer will be asked to provide evidence that County insurance requirements have been met.

13. Under the provisions of the California Public Records Act (the "Act"), Government Code section 6252 et seq., all "public records" (as defined in the Act) of a local agency, such as the County, must be available for inspection and copying upon the request of any person. Under the Act, the County may be obligated to provide a copy of any and all responses to this Request for Proposal, if such requests are made after the contract is awarded. One exception to this required disclosure is information which fits within the definition of a confidential trade secret [Government Code section 6254(k)] or contains other technical, financial or other data whose public disclosure could cause injury to the proposer's competitive position. If any proposer believes that information contained in its response to this Request for Proposal 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 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 Request for Proposal 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.

14. An electronic copy of your proposal must be included. This electronic copy should include all documents being submitted combined into one Adobe Acrobat (pdf) file on a CD, using this convention for the file name: FIRM NAME + RFP NUMBER (e.g., if your firm is Acme Inc. and you are responding to RFP #1101, your Acrobat (pdf) file would be named: **ACME 1101.pdf**)

**Radio Broadcast Services For the Board of Supervisor Meetings**

Additionally, if you deem any part of your proposal as proprietary and not to be disclosed under the California Public Records Act as explained in item 13 above, please mark the CD with the phrase "**Proprietary Information Included**". This can be hand written or printed on the CD label.

**Radio Broadcast Services For the Board of Supervisor Meetings****PROPOSAL FORMAT**

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

**1. Project Title****2. Applicant or Firm Name****3. Firm Qualifications**

- a. Station number (AM – FM) and call letters
- b. Location of station broadcast facilities/offices
- c. Location of transmitter power output (TPO) and effective radiated power (ERP)
- d. Broadcast format (include listing of programs)
- e. Name and address of station ownership
- f. Type of ownership (private, partnership, publicly held company)
- g. Number of years station has been owned the current ownership
- h. Names, address, phone number and e-mail address of Station Manager, Program Director and Station Engineer
- i. Internet address for station website

**4. Understanding of and Approach to the Project**

- a. Describe how your station will implement the broadcast of Board of Supervisors meetings as it relates to other programming on the station.
- b. Description of the organization and staffing to be used for the project.
- c. Identify information and participation the proposer will require from County staff.
- d. Identify the time frame needed to implement Board of Supervisors Broadcasts for the Notice to Proceed is issued. Can you begin broadcasting at the beginning of January 2013?
- e. Please provide the information requested in the Section 6 - Station Information.

**5. Fees and Insurance**

- a. Propose total fixed fees to broadcast Board of Supervisors meetings as described in Project Scope.
- b. The selected Consultant will be required to provide insurance coverage in the amount of \$1,000,000 General Liability Insurance.
- c. The Consultant 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 its

**Radio Broadcast Services For the Board of Supervisor Meetings**

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.

- d. Example indemnification clause

**Indemnification:**

Consultant shall defend, indemnify and hold harmless the County, its officers and employees from all claims, demands, damages, costs, expenses, judgments, attorney fees, liabilities or other losses that may be asserted by any person or entity, and that arise out of or are made in connection with the acts or omissions relating to the performance of any duty, obligation, or work hereunder. The obligation to indemnify shall be effective and shall extend to all such claims and losses, in their entirety, even when such claims or losses arise from the comparative negligence of the County, its officers and employees. However, this indemnity will not extend to any claims or losses arising out of the sole negligence or willful misconduct of the County, its officers and employees.

The preceding paragraph applies to any theory of recovery relating to said act or omission, by the Consultant, or its agents, employees, or other independent contractors directly responsible to Consultant including, but not limited to the following:

1. Violation of statute, ordinance, or regulation.
2. Professional malpractice.
3. Willful, intentional or other wrongful acts, or failures to act.
4. Negligence or recklessness.
5. Furnishing of defective or dangerous products.
6. Premises liability.
7. Strict Liability.
8. Violation of civil rights.
9. Violation of any federal or state statute, regulation, or ruling resulting in a determination by the Internal Revenue Service, California Franchise Tax Board or any other California public entity responsible for collecting payroll taxes, when the Consultant is not an independent contractor.

It is the intent of the parties to provide the County the fullest indemnification, defense, and "hold harmless" rights allowed under the law. If any word(s) contained herein are deemed by a court to be in contravention of applicable law, said word(s) shall be severed from this contract and the remaining language shall be given full force and effect.

**Radio Broadcast Services For the Board of Supervisor Meetings****6. Project Scope and Station Information****A. General Information and Scope of Services**

The San Luis Obispo County Board of Supervisors meetings have been broadcast on KCBX FM 90.1 since the late 1970's. The County Board of Supervisors meetings are also broadcast (video and audio) on Charter Cable Channel 21. Board of Supervisors meetings (video and audio) are also broadcast via the internet through the County's internet web site.

KCBX will cease broadcasting Board of Supervisors meetings on January 1, 2013. San Luis Obispo County is seeking radio broadcast services to broadcast both regularly scheduled and special meetings of the San Luis Obispo County Board of Supervisors. Regularly scheduled meetings are generally scheduled on the first four Tuesdays of each month. In general, there are 38 to 44 regular Board meetings each year.

In addition, the Board of Supervisors holds hearings on the County Budget which are generally scheduled during the second or third week in June. These hearings are scheduled for three days, beginning on Monday and concluding on Wednesday. The actual duration of the hearings varies. The hearings on the budget may conclude on Monday. If this occurs, there is no hearing on the Tuesday, but there is a hearing addressing Contributions to Other Agencies during the morning on Wednesday.

The Board may also schedule special Board of Supervisors meetings. These may be held during any day of the week. Special meetings are uncommon, and generally used when the regular agenda does not allow sufficient time to address issues, or are for a specific purpose or project which may not fit within a regular meeting schedule.

The duration of the Board of Supervisors meetings is dependent upon the issues brought before the Board on any given agenda. Some meetings will conclude before the 5:00 PM time and some may extend beyond the 5:00 PM time.

The scope of services requires the station to broadcast all meetings of the Board of Supervisors for the duration of the meeting without programming interruption for advertising or otherwise, for both regularly scheduled meetings and any additional meetings which may be scheduled outside of those identified on the annual meeting schedule for the Board of Supervisors. The annual schedule of Board of Supervisors meetings for the 2013 is shown in Attachment A. The broadcast signal is required to effectively reach all major population centers situated in the north, central, south and coastal areas of the County. Ideally, the Proposer will provide broadcast of the Board of Supervisor meetings that will reach the widest possible broadcast service area in San Luis Obispo County, including rural areas.

Interruptions of the broadcast should not occur. If an interruption occurs, the broadcast should be restored as soon as possible with a goal of not more than 15 minutes of interruption. The Proposal should address the Proposer's plan of action when there is a broadcast interruption.

**B. Broadcast Signal from the County**

The Board Chambers audio/video environment sends out three broadcast streams. The broadcast are:

- 1) Cable - signal sent to Charter for broadcast on channel 21

**Radio Broadcast Services For the Board of Supervisor Meetings**

- 2) Internet - signal sent to Granicus for broadcast over the Internet
- 3) Low watt Radio - very low watt radio broadcast as KBOS that can be received on AM channel 90.9 within about 2 miles of the building

The audio from Charter Cable 21 can be re-broadcast over the radio station frequency. The station that is selected to broadcast the Board of Supervisor meetings must have the capability to obtain the Charter Channel 21 signal and re-broadcast the audio over their frequency.

**C. Station Staffing**

Please describe the station staffing. Include the following:

- 1) The hours when there are personnel present at the broadcast facility. Please be specific as to whether station personnel are or will be present on all days, primarily Tuesdays, when Board of Supervisors meetings are in session.
- 2) The availability of the station engineer. What is the time frame for station engineer response to address technical problems at the broadcast facility? To the transmitter site?
- 3) Will a station staff person, not an answering service, be available if questions or problems arise during the broadcast of Board of Supervisors meetings.
- 4) Identify the number of station personnel who are involved in the operation of this station, excluding sales staff.

**D. Coverage Area**

The radio broadcast must have the capability to reach all major population centers in the northern, southern and coastal areas of the county. The intent is that the areas identified below should have a clear and interference free radio broadcast signal. Please identify which of the following areas receive a clear and interference free signal and identify where coverage may not provide a clear interference free signal using the rating system described below.

- 1) Please use the following ratings to identify signal strength for each area.

Strong	All listeners in this area will have no difficulty accessing the radio broadcast
Moderate	Most all listeners will have no difficulty accessing the radio broadcast but some listeners in fringe areas may have difficulty accessing the radio broadcast
Weak	Most listeners in this area will have difficulty accessing the radio broadcast
No Coverage	Listeners in this area will have no or very weak access the radio broadcast

**Radio Broadcast Services For the Board of Supervisor Meetings**

## San Luis Obispo Area

- The City of San Luis Obispo and surrounding rural area
- Edna Valley
- Chorro Valley

## North County

- Santa Margarita
- Atascadero City and surrounding rural area
- Templeton and surrounding rural area
- Paso Robles City and surrounding rural area
- San Miguel City and surrounding rural area
- Shandon and surrounding rural area

## South County

- Shell Beach
- Pismo Beach City and surrounding rural area
- Grover Beach City
- Arroyo Grande City and surrounding rural area
- Oceano and surrounding rural area
- Nipomo and surrounding rural area

## Central and North Coastal Areas

- Avila Beach and surrounding rural areas
- Los Osos/Baywood Park and surrounding rural area
- Morro Bay and surrounding rural area
- Cayucos and surrounding rural area
- Cambria and surrounding rural area

## Other areas (it is desirable for coverage to reach these areas if feasible)

- San Simeon and surrounding rural area
- California Valley

## 2) Please provide the following:

- Day time broadcast coverage map showing effective reach of radio station overlaid on County map
- Night time broadcast coverage map showing effective reach of radio station overlaid on County map
- Data showing listenership numbers within San Luis Obispo County

**Radio Broadcast Services For the Board of Supervisor Meetings****E. Station History and Equipment**

Please provide information about the following:

- 1) Number of years the station has been in operation
- 2) Changes to the station program format (ie.. all news, music – pop, music classical, conservative talk shows, liberal talk shows, religious programing) that have occurred in the past five years
- 3) Provide listing of programs, ads and advertisers that the station have been broadcast over your station in the past six months
- 4) Number of times the station has experienced outages in the past year
- 5) Average duration of outage (approximate time frame is acceptable)
- 6) Primary reasons for outages (list most common reasons)
- 7) Age of transmitter site and equipment at transmitter site
- 8) Age of broadcast equipment
- 9) Do you have a regular maintenance schedule for equipment? How frequently is preventative maintenance done?
- 10) Is the station planning on replacing equipment? If yes, what equipment and when?
- 11) Is the station planning on changing format? If yes, when and to what format?

**F. Other Information**

Does the station have other contractual or informal arrangements that have the potential to conflict with the requirement to broadcast all Board of Supervisor meetings? If yes, please explain.

Please provide a brief written summary describing how the station intends to communicate with the County regarding the oversight and management of Board of Supervisors broadcasts as well as how the station intends to address technical and other issues that may arise.

Can your station commit to broadcasting all Board of Supervisors meetings for a five year time frame? If not, what is the minimum time frame your station can commit to broadcasting Board of Supervisors meetings?

Can your station broadcast Board of Supervisors meetings if they extend past 5:00 PM?

Please provide any other information that you feel will help us understand your station's operation as it relates to this request for proposals.