



Grand County, Utah Request for Proposal (RFP)

1st Amendment – Updated October 1, 2024

Professional Mountain Bike-Optimized Machine-Built Singletrack Trail Construction Services to Construct Phase 1 of the Mud Springs Trail System

Proposals are due by:

October 18, 2024

ELECTRONIC SUBMISSIONS:

Proposals may be submitted by emailing all required information to clerk@grandcountyutah.net with the subject line titled “Professional Mountain Bike-Optimized Machine-Built Singletrack Trail Construction Services to Construct Phase 1 of the Mud Springs Trail System”

Proposals submitted via email will not be reviewed until after the submission deadline.

OR

MAIL OR HAND DELIVER SUBMISSIONS:

Clerk/Auditor’s Office
Attn: Active Trails and Transportation
125 E. Center Street
Moab, UT 84532

For technical inquiries contact: Evan Smiley, esmiley@grandcountyutah.net

IMPORTANT NOTICE TO ALL RESPONDENTS: Grand County reserves the right to: disqualify incomplete solicitations, waive minor defects as it deems applicable in the written solicitations, request additional information from any respondent, change or modify the scope of the project at any time without penalty, negotiate terms with one or more of the respondents, reject any or all proposals without penalty, and take any steps necessary to act in the County’s best interest. The County also reserves the unilateral right to order, in writing, changes in the work



**PROFESSIONAL MOUNTAIN BIKE-OPTIMIZED MACHINE-BUILT SINGLETRACK TRAIL
CONSTRUCTION SERVICES
To Construct Phase 1 of the Mud Springs Trail System**

REQUEST FOR PROPOSALS (RFP) AMENDMENT 1

1. Scope of Services Change in Section 3.0

The total amount of machine-built mileage needed for the project has decreased. See updated map and trail information table below.

Group A: 4.30 miles total (Decreased from 5.10 miles)

1. Climbing Trail (1.98 miles, Beginner)
2. Perimeter Trail (2.32 miles, Beginner) (Decreased from 3.12 miles)

Group B: 1.93 miles total (Decreased from 2.01 miles)

3. Cauldron to Trailhead Trail (0.76 miles, Beginner/Intermediate)
4. Cauldron South (0.71 miles, Beginner/Intermediate)
5. Perimeter to Cauldron (0.46 miles of conversion from road to singletrack, Beginner/Intermediate) (Decreased from 0.54 miles)

Mud Spring Trail System Phase 1 Trail Information Table

Updated October 1, 2024

Phase 1 Trails

Construction Order	Construction Group	Builder	Trail Working Name	Miles	Feet	Construction Method	Rating	Width	Width corridor (no physical barriers taller than 12")	Notes
1	Group A	Contractor - RFP	Climbing Trail	1.98	10455	Machine	Beginner	36-48"	36" min.	Directional
2	Group A	Contractor - RFP	Perimeter Trail	2.32	12250	Machine	Beginner	36-48"	36" min.	Directional
3	Group B	Contractor - RFP	Cauldron to TH	0.76	4013	Machine	Beginner/Intermediate	36-48"	36" min.	Directional, primary direction East to West
4	Group B	Contractor - RFP	Cauldron South	0.71	3749	Machine	Beginner/Intermediate	36-48"	36" min.	Bi-directional, primary direction East to West
5	Group B	Contractor - RFP	Perimeter to Cauldron	0.46	2440	Machine	Beginner/Intermediate	36-48"	36" min.	Road to singletrack conversion Directional, primary direction North to South

Updated 10.1.2024.
Minus 0.8 miles for Isleys zone

Mileage of New Trail Construction	5.77
Mileage of Road-to-Singletrack Conversion	0.46
Total Mileage	6.23

Not on RFP - Other trails in system that will be built by local crew

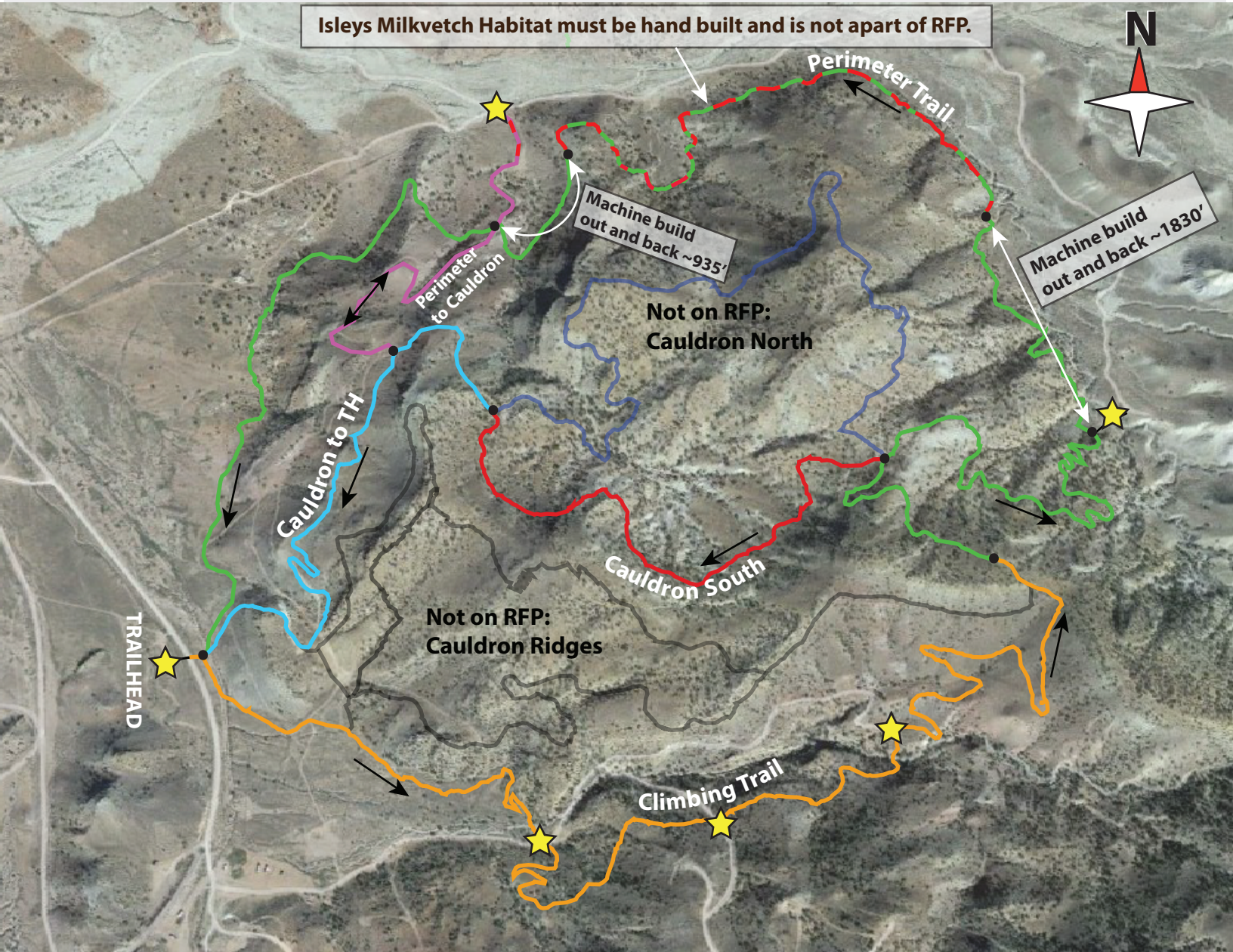
6	TBD	Grand County Trail Crew	Perimeter Isleys Zone	0.8	4224	Hand	Beginner	36-44"	36" min	Not included on RFP
7	TBD	Grand County Trail Crew	Cauldron North	1.31	6917	Hand	Intermediate	24-42"	36" min.	Not included on RFP
8	TBD	Grand County Trail Crew	Cauldron Ridges from C	0.34	1812	Hand	Advanced	18-32"	36" min.	Not included on RFP
9	TBD	Grand County Trail Crew	Cauldron Ridges North	0.58	3062	Hand	Advanced	18-32"	36" min.	Not included on RFP
10	TBD	Grand County Trail Crew	Cauldron Ridges North	0.32	1735	Hand	Advanced	18-32"	36" min.	Not included on RFP
11	TBD	Grand County Trail Crew	Cauldron Ridges North	0.47	2497	Hand	Advanced	18-32"	36" min.	Not included on RFP
12	TBD	Grand County Trail Crew	Cauldron Ridges South	0.8	4232	Hand	Advanced	18-32"	36" min.	Not included on RFP

Updated 10.1.2024.
Plus 0.8 mi for Isleys zone

Mud Springs Trail System

Phase 1

UPDATED October 1 2024



→ Designed Direction of Travel.

★ Machine Access Points

1. Climbing Trail (from TH) (1.98 Miles, Machine Build, Beginner) **Group A**
 2. Perimeter Trail (2.32 Miles, Machine Build, Beginner)

Trail within Isley's Milkvetch Protected Habitat Zone - Hand Build. Not Apart of RFP.

3. Cauldron to TH (0.76, Machine Build, Beginner/Intermediate)
 4. Cauldron South (0.71 Miles, Machine Build, Beginner/Intermediate) **Group B**
 5. Perimeter to Cauldron (0.46 Miles, Machine Build, Road-to Singletrack Conversion),

Cauldron North* (1.31 Miles, Hand, Intermediate) *NOT part of this RFP, but will be constructed at the same time by a local crew
 Cauldron Ridges* (Hand, Advanced)

2. Bond Requirement

Payment and performance bonds are required for the full amount of submitted project cost. Proof of bond must be supplied prior to signing the contract.

3. Clarification and Definitions on Sections 4.0 and 5.0

4.0 Construction Activities and Responsibilities of the Trail Builder

Trail design has been completed and is not part of this RFP.

Trail Width: *All trails will be machine-built with a 48" maximum width except for pullouts for handcycles, which can have a maximum width of 72" on level ground and will be designated on a map.*

Clarification: The RFP contradicts Kootenay Trail design standards for Adaptive Mountain Bikes, which specifies that "green-rated" trails should be 72" wide and "blue-rated" trails should be 60" wide. Due to the slower, more cross country nature of the trails in the Phase 1 Muds Springs System, the tread does not need to meet the Kootenay standards.

Grand County wishes to have trails with a tread width no narrower than 36" and approximately 48" at the widest. Wider is allowable, especially on downhill grades if easily achievable. The builder should work to ensure the majority of the tread construction is near 48" or narrower, but additional tread modification is not required to narrow the tread to an exact measurement of 48".

Excavation and Earth: *Use machinery to excavate and shape the trail, ensuring proper drainage and sustainable grades per the provided trail design. Excess soil that is not used to shape, build up, or support the tread surface* needs to be removed from the project area or used on another part of the trail where additional soil is needed.*

*This refers to piles of loose soil adjacent to the trail that are leftover from excavation work and not serving a purpose such as supporting the downhill side of the tread. Leaving excess soil in piles is not common practice for trailbuilders.

Tread Construction: *Construct a durable and sustainable trail surface using native materials.*

Grade Reversals and Drainage: *Construct grade reversals and any necessary drainage features to promote water drainage according to the provided trail design.*

Trail Features: *Build trail features (berms, bumps, jumps, and switchbacks) in correspondence with the trail difficulty and adhering to provided trail design and to*

conform to modern “bike optimized” trail construction practices. Within the trail (48”) and pullouts (72”), there will be no physical barriers taller than 12” to accommodate adaptive cycles.

Final Grading and Finish Work: Conduct final grading and finish work to ensure a smooth and visually appealing trail surface and minimally disturbed surrounding slopes.

Clarification: Tread does not need to be sifted and free of rock. However, the tread surface is expected to be smooth, consistent, and free of loose rocks larger than 3” in size.

The tread backslope must be graded to 45 degrees, unless the angle is not possible on steep side slopes. Loose rocks that may fall onto the tread must be removed.

Impact Mitigation: Tree removal and tree limb cutting will be avoided as much as possible. This has been considered in the trail design. Removal of a tree over 10” in diameter at root crown/base of trunk must be requested and granted approval by the BLM botanist. Disturbed areas over 50” will be naturalized,* with the exception of planned 72” pullouts.

*It is understood that a trail with a tread width of 48” will have multiple feet of impact in the backslope and downslope areas. This section refers to naturalizing impacts outside of this immediate area, such as motorized tracks of any kind, borrow pits, rock holes, or other disturbances. Naturalization means raking out tracks and minimizing the visual impact with dispersed rocks, smoothing holes from borrow pits or removed rocks, ensuring that tree limbs are cut cleanly, and dispersing removed vegetation 20’ or further from the trail.

5.0 Construction Considerations

Design Adaptations

A 100’ corridor from the GIS center line (50’ on either side) is available to the builder to adapt the trail route as needed. Trails have been designed for directional travel and should be constructed to optimize travel in the recommended direction.

Clarification: The recommended direction of travel for the Climbing and Perimeter Trails is counter-clockwise. The direction of South Cauldron Trail is east to west. The direction of the Perimeter to Cauldron Trail, which is a road-to-trail conversion, is dual-directional. Directionality has been added to the updated map in section 1 of this document.

While it is preferred that trails are constructed in the direction that they will be ridden, due to the complex access of the Cauldron South Trail, this trail can be built in any direction.

4. Notes from September 24, 2024 Site Visit

Mud Springs Site Visit Notes

September 24, 2024

On site:

Grand County Active Transportation and Trails (GCATT):

Tyson Swasey

Sophia Fisher

Dirt Tek:

Brandon Arce

Candice Kozark

Andrew

Team Harmony Worldwide:

Dante Harmony

Surface Trails:

Dan Black

Key:

- Anything not highlighted was talked about and answered on site by Tyson Swasey (GCATT).
- Questions answered after the site visit by the BLM are highlighted in yellow.
- Questions answered after the site visit by Grand County are highlighted in blue.

Project specs:

- The area: Trails are all on BLM land. Trailhead and NICA venue area was chosen because it's already been highly impacted by three previous paths of the old highway. Perfect for NICA expansion. The BLM highlighted the Mud Springs area in its 2008 Resource Management Plan as a mountain bike focus area. It's in San Juan County, but Grand County is managing the project. The main TH is on BLM, the possible NICA parking is primarily on SITLA lands.
- Phase 1 is on/around a large hill/mountain with a central caldera that drains north. Around this hill/mountain is flat terrain. All the trails are up on the hillside, not in the flats as the surrounding areas are webbed with CCC check dams that are considered historic. All clearances are done and the CCC dams have been avoided.
- We (GCATT) haven't built in this area yet; interesting geology, in an alluvial fan.

Build logistics:

- Camping for build crew
 - What are BLM regulations regarding the 14-day camping limit? (Is it a limit on the person, the vehicle, the site, etc?). How far away does the individual need to go from the area and long before the person/vehicle can return to camp there?
 - 14 day limit per person within a consecutive 28 day period, then must relocate outside of a 30 mile radius.

trails as they are built. No impacts outside of the trail building area may occur.

- Who is adding infrastructure at the trail entrance points to close it to other motorized use?
 - The BLM will. We will need communications when this is ready to occur.
- Are there fire restrictions for machine work?
 - Not unless there are applicable fire ban restrictions in place at the time of construction.
- Grand County's role
 - Grand County will be the project manager. Tyson will be the main contact for questions and check in and will be very reachable/available and on-site each week.
 - GCATT will be in the area hand-building other trails in the same system at the same time as the contractor machine-builds.
- Nearby areas
 - Gun range (0.25 mi North of trail system): We will work with the BLM to get signs posted around the gun range to ensure people aren't shooting toward the trails.
 - Dispersed camping (by south trailheads): Need to check on how dispersed camping will work during trail construction.
 - Does BLM plan to have dispersed camping sorted out prior to next fall build window? (Do we need to flag/sign in the area?)
 - Yes, the BLM plans to implement the designated camping prior to next Fall.
- Utilities
 - Does the contractor need to get a utility check – Blue Stakes?
 - Does something need to be done ahead of time for contractors working underneath powerlines?
 - I would suggest the contractor call Blue Stakes, but it is not required. It is free so there really isn't a reason not to.
 - Rocky Mountain Power would need to be contacted pre-work about the powerlines. I am pretty sure they have minimum clearances that need to be followed.
- Bonding
 - Is there a bid bond or a performance bond? County and BLM?
 - BLM - Nothing required from the BLM
 - County - Yes, a bond is required. This has been added to Amendment 1.

Tread work:

- Road-to-trail
 - Perimeter to Cauldron; Half-mile from the northern trailhead is a road-to-trail conversion. Doesn't need too much; not decommissioning of the road entirely since it could be good for future SAR access. Just putting in drains and narrowing it with rock lining.
- Specs

- The recommended riding and construction direction of the Climbing Trail from TH and Perimeter is counterclockwise.
- The Cauldron South recommended direction of travel is east to west but it can be built either way, .
- Lots of work was done during the design process to minimize needs for bermed turns, however some especially on the east side of Perimeter may be needed.
- Some rocky spots are present and may require mobe-ing around or building up with rock wall and soil.
- Grade
 - Generally hope to keep grade as low as possible on long stretches – like 5-8%. Short pitches can be steeper, ~20-25%.
- Angle
 - **What is the maximum tread angle?** Probably will be higher than Kootenay Adaptive Mountain Biking Trail Standards – this is slow tech/desert terrain
 - **Outslope: 3-12% where outslope is applicable. Corners and in sloped turns should of course be flat or in sloped.**
- Features
 - Wood features: Ideally there won't be any, because we would need to maintain them (This was a question about if more rock is present in an area and machines are not able to build the tread wide enough could a boardwalk type structure be built to get the required width). **But if they're necessary, you would probably need an engineering stamp from the BLM**
 - **Yes, we will need to work with our engineers.**
- Compaction
 - We aren't expecting any compaction, ie plate compactor type. Bucket and machine pack is sufficient.
- Culverts
 - The culverts *could* involve actual pipes but preferably not, because they need to be cleaned out regularly.
- Tread corridor
 - The crew gets a 100-foot corridor (50 feet on either side of the GPS line) around the trail. Flagging/GPS line are at center line. GCATT will flag the center line ahead of the contractor as needed.
 - It's terrain; it will change. Creativity and flexibility within the corridor is welcome.
- Disturbance area
 - BLM has requested we not pull lots of material into washes and to minimize erosion. Technically some of the trail runs through a sensitive plant area for Isley's Milkvetch, but because the tread runs about 50-80 feet above those plants (which are in washes) it's OK. Do as clean of a bench-cut through this area as possible(in the area of the Isleys Milkvetch). Minimize downhill disturbance. **Clarification post-site visit: the 0.8 section of trail that is in Isley Milkvetch habitat has been removed from the RFP, as detailed in Amendment 1.**

- The design has few berms; just need to re-naturalize as you go. Anything disturbed outside the 50-inch disturbance area needs to be cleaned up. Doesn't need to be seriously re-naturalized or reseeded – this is mainly to avoid leaving big impacts, such as borrow pits, off-trail machine tracks, etc.
 - **“Disturbed areas over 50” will be naturalized.** It is understood that a trail with a tread width of 48” will have multiple feet of impact in the backslope and downslope areas. This section refers to naturalizing impacts outside of this immediate area, such as motorized tracks of any kind, borrow pits, rock holes, or other disturbances. Naturalization means raking out tracks and minimizing the visual impact with dispersed rocks, smoothing holes from borrow pits or removed rocks, ensuring that tree limbs are cut cleanly, and dispersing removed vegetation 20’ or further from the trail.
- The RFP does not specify a frequency for the 72-inch pullouts. Just do it wherever it makes sense without a ton of building (ie, use flatter areas)
- Tread width
 - We are not expecting a 60-70 inch tread width for adaptive standards; we want tread near 48” and not narrower than 36”. The RFP currently contradicts Kootenay Adaptive Mountain Biking Standards.
 - The RFP contradicts Kootenay Trail design standards for Adaptive Mountain Bikes, which specifies that “green-rated” trails should be 72” wide and “blue-rated” trails should be 60” wide. Due to the slower, more cross country nature of the trails in the Phase 1 Muds Springs System, the tread does not need to meet the Kootenay standards.
 - Grand County wishes to have trails with a tread width no narrower than 36” and approximately 48” at the widest. Wider is allowable, especially on downhill grades if easily achievable. The builder should work to ensure the majority of the tread construction is near 48” or narrower, but additional tread modification is not required to narrow the tread to an exact measurement of 48”.
 - No chokes narrower than 40”, corners just need to be wide enough to get a handcycle around (tread can be as narrow as 36-40”).
 - **“Chokes” pertain to handcycle use. Chokes are barriers over 12” high that would require spotters to lift a handcycle over to get the user through. Two sided obstacles lower in height or near 12” within a 40” width should be rollable (not have vertical faces) by a handcycle.**
 - Hand cyclists won't be going too fast because it's cross-country (compared to downhill trails like what would be found at a resort), which is why the trail doesn't have to be super wide. (Kootenay Green and blue rated widths)
- Tread features
 - No protrusions over 12 inches. Can be lenient in some cases – for example, if there's something on the outside edge that would lean a handcyclist into the hillside rather than downhill. But nothing major that would stop a handcycle.
 - If a protrusion isn't breakable or removable, covering it up is allowed; Please compact it as much as possible with bucket and machine.

- Large berms are not expected and for the most part the trails are XC. One exception is the Perimeter Trail descending down to the Machine Access Point on the east side of the system. This area has a series of turns that will be higher speed and require some insloping and minor berming. We ask the builder to do what is right for the speeds they estimate a user will have.
- RFP does not include specs on the tread surface. Just make it clean.
 - RFP states “Conduct final grading and finish work to ensure a smooth and visually appealing trail surface...” We ask the tread surface is raked smooth, holes are filled in, and rocks larger than 3” have been removed.
- Erosion
 - Do contractors need to provide erosion control?
 - We do not have any specific stipulations on erosion control.
- Tree removal
 - The regulation (i.e., BLM approval needed to remove trees with a 10-inch-plus diameter) is only for junipers. It’s a federal regulation. You can limb the trees – clean undercut at the trunk – but generally the regulation is meant to ensure minimal removal. Clarification: This regulation applies to both Pinon Pine and Junipers. The regulation does not apply to dead trees.
- Machines
 - Bigger mini excavators (over 48” wide) will have a hard time in many spots (ex. rocky areas).
- Hammering - Rock Breaking
 - There could be some necessary. We’re hoping the rocks mostly break apart or can get built out. We’re open to rerouting to avoid crews getting stuck on jackhammering.
- Exposed rock
 - Many areas of embedded rock at surface, most appear to be breakable or are broken. One 20’ section of solid sandstone with about a 15 degree outslope that will need building up to cross. We’re open to creative solutions to get through it – rebar pins build up with rocks or cedar logs, or cutting into the rock. Doesn’t think it’ll need to be mobed-out.
- Isley’s milkvetch protected habitat zone
 - This 0.8 section of trail is now excluded from the RFP, as detailed in Amendment 1.
- South Caldron Trail
 - Tricky to access for building because of how it ties into the other trails. Its primary direction is east to west. Building uphill wouldn’t be the end of the world. Or could leave it as a travel route and build it last as your exit. Or, build it in rough (uphill) and clean up on the way out (downhill). Can’t really bushwhack in the area to get equipment in or out. The perimeter trail is higher-priority.
- Alternates/side hits features
 - If a side hit is easy to build that’s great, but don’t go out of your way to add them. If there are cool rock slabs, can place them adjacent to trail for future use.

5. Signed Addenda Acknowledgement

A signed "Addenda Acknowledgement" form must be submitted with proposals. This form is below.

ADDENDA ACKNOWLEDGMENT

The bidder or proposer must complete and sign this form and submit it with each bid or proposal.

REQUEST FOR BID OR PROPOSAL NUMBER: _____

PROJECT NAME: _____

Addendum Number (Can be listed on one line or separate lines):

Amendment 1

The undersigned hereby acknowledges receipt of the addenda listed above and has taken the information contained therein into full consideration in the formulation of each bid or proposal. Failure to acknowledge receipt of each addendum may be cause for rejection of the Proposal.

Company Name: _____

Printed Name: _____

Title: _____

Signature: _____ Date: _____

within the scope of the contract and changes in the time of performance of the contract that do not alter the scope of the contract work. Proposals will not be considered for award if received by Grand County after the official closing date and time.

Requirements/Standards Governing RFP

SCOPE: The following terms and conditions, included in this section shall govern the submission of proposals. Any conflict with the terms and conditions contained in this section shall be controlled by the stricter term or condition. The County reserves the right to reject any proposals, which takes exception to the terms or conditions in this document.

COMPLETING PROPOSALS: Proposals must be submitted with the required forms herein and all forms must be completed in accordance with the instructions. Any and all corrections and/or erasures must be initialed and dated by the respondent. Each proposal must be manually signed in ink by an authorized respondent and all required information must be provided. Each respondent may submit only one (1) proposal. The contents of the proposal submitted by the successful respondent will become part of any contract awarded as a result of this request.

ADDENDUM: All changes in connection with this request for proposals will be issued by the County's in the form of a written addendum. Signed acknowledgment of receipt of each addendum should be submitted with the proposals response.

TAX EXEMPT: Grand County is exempt from federal and state taxes. DO NOT include taxes in the proposal.

LATE PROPOSALS AND MODIFICATIONS OR WITHDRAWALS: Proposals received after the date and time indicated on the cover sheet shall not be considered and shall be returned (unopened if sealed) if the respondent is identified on the proposal envelope. Proposals may be withdrawn or modified in writing prior to the proposal submission deadline. Proposals that are resubmitted or modified must be sealed and submitted to the County prior to the proposal submission deadline. After proposal opening no changes in proposal prices or other provisions of proposals prejudicial to the interest of the County or fair competition shall be permitted.

NEGOTIATION: The County reserves the right to negotiate any and all elements of this proposal.

TIME LIMIT TO EXECUTE CONTRACT: The respondent must successfully execute a contract within the specified time after the County's notification to enter into contract. If the respondent fails to execute a contract within the required time, award to that respondent may be withdrawn and award made to the next highest rated respondent.

CODES AND REGULATIONS: All deliverables and work within the scope of this request shall be completed by the respondent in conformance with all applicable codes and regulations.

ASSIGNMENT OF CONTRACTUAL RIGHTS: Successful respondent shall not assign, transfer, convey or otherwise dispose of any contractual rights derived from this quotation request or its right, title or interest in or to the same, or any part thereof, without the previous written consent of Grand County.

COLLUSIVE PROPOSALS: The respondent certifies, by submission of a proposal, that their proposal is made without any previous understanding, agreement or connection with any person, firm or corporation making a proposal for the same products or services with prior knowledge of competitive prices, and is in all respects fair, without outside control, collusion, fraud or otherwise illegal action. Any evidence of collusion among respondents and prospective respondents acting to illegally restrain freedom of competition by agreement to offer a fixed price, or otherwise, will render the proposals of such respondent void.

CONFLICT OF INTEREST: The award hereunder is subject to provisions of Utah State Statutes and Grand County ordinances and policies. All respondents must disclose with their proposal the name of any officer, director, or agent who is also an employee of Grand County, Utah. Further, all respondents must disclose the name of any Grand County employee who owns, directly or indirectly, any interest in the respondent's firm or any of its branches.

No person involved in making the award decisions may have personal investments in any business entity that will create a substantial conflict between their private interests and their public duties. Any person involved in making procurement decisions is guilty of a felony if the person asks, receives, or offers to receive any emolument, gratuity, contribution, loan, or reward, or any promise thereof, either for the person's own use or the use of benefit of any other person or organization from any person or organization interested in selling to the County.

DISCLAIMER OF LIABILITY: Grand County or any of its agencies will not hold harmless or indemnify any respondent for any liability whatsoever.

HOLD HARMLESS: The respondent agrees to protect, defend, indemnify, and hold the Grand County, and its officers, council members, commissions, employees and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities of every kind and character resulting from the error, omission, or negligent act of the respondent, its agents, employees or representatives, in the performance of the respondent duties under any agreement resulting from award of this proposal. The respondent further shall agree to investigate, handle, respond to, provide defenses for and defend any such claims, etc., even if such claim is groundless, false or fraudulent.

ANTI-DISCRIMINATION CLAUSE: No respondent on this proposal request shall in any way, directly or indirectly, discriminate against any person because of age, race, color, handicap, sex, national origin, or religious creed.

PUBLIC RECORD: Grand County is governed by the Governmental Record Management Act (except from exemptions allowed by state law). Information or data pertinent to the respondent's proposal and of a confidential nature must be bound and placed in a separate sealed envelope and included with each copy of the respondent's proposal. Grand County requests that a minimum amount of confidential material be used by the respondent in preparing responses to the proposal. Materials consisting merely of general descriptive information will not be considered confidential under any circumstances.

INCURRED EXPENSES: This proposal does not commit Grand County to make an award, nor shall the County be responsible for any cost or expenses which may be incurred by any respondent in preparing and submitting any offer, or expenses incurred by any respondent prior to the execution of a purchase order or contract agreement.

NO WAIVER OF FUTURE RIGHTS: No provision in this document or in the respondent's proposal shall be construed, expressly or by implication, as a waiver by Grand County of any existent or future right and/or remedy available by law in the event of any claim or default or breach of contract.

RFP DISCLAIMER. Grand County reserves the right to disqualify incomplete proposals, waive minor defects, as it deems applicable, in the written proposals, to request additional information from any respondent, change or modify the scope of the project at any time, without any penalty, negotiate terms with one or more of the respondents, reject any or all proposals, without a penalty, and take any steps necessary to act in the County's best interest. The County also reserves the unilateral right to order, in writing, changes in the work within the scope of the contract and changes in the time of performance of the contract that do not alter the scope of the contract work.