

California State Lands Commission

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**SOLICITATION FOR
STATEMENTS OF INTEREST (SOI) FOR
ON-CALL CONTRACTOR – WATER
INFRASTRUCTURE PROJECTS**

September 16, 2016

Bid Log Number 2016-08

PROSPECTIVE ENVIRONMENTAL CONSULTANTS

Pursuant to Government Code section 4526, the California State Lands Commission (CSLC) announces its intention to hire a consultant to provide environmental services on as-needed basis. The purpose of this Solicitation is to initiate the process by which the CSLC will contract with a firm with the appropriate qualifications to perform small (less than \$250,000) projects that cannot be performed by CSLC staff (Contract). This shall be a task-based contract. No warranty is made, written or implied as to the total work to be conducted under this agreement. Consultant shall develop a schedule and final estimated cost for each task requested consistent with those cost rates provided during cost negotiations by the State's Project Manager. The following Description of Work provides further refinement and scope for each task that will be required. Additional tasks not listed below may also be requested as the projects become known.

I. TERM

The term of the Contract to be awarded under this Solicitation will be for 3 years.

II. DESCRIPTION OF WORK/DESIRED QUALIFICATIONS

The CSLC is seeking an on-call contractor to conduct environmental or Public Trust review of applications the CSLC has received, or anticipates will receive, for water infrastructure projects and programs that increase local water supplies—including water recycling facilities, reservoir improvement projects, surface water treatment plants, desalination plants, storm water capture, and greywater systems—for which CSLC staff seeks to prioritize review pursuant to Governor Brown's Executive Order B-29-15 (see stipulation 19) (https://www.gov.ca.gov/docs/4.1.15_Executive_Order.pdf).

During the course of this Contract, the CSLC Project Manager will issue Work Orders for the services as they become available and said work shall not exceed the allocated Work Order budget. As projects become available, the Consultant will develop task-specific Work Plans including cost estimates based on Work Orders issued by the CSLC Project Manager. Actual work for each Work Plan

for a task-specific project shall not begin until written notification to proceed is received from the CSLC Project Manager. All Contractor rates must be consistent with the rates specified in their rate schedule. Rates for personnel not listed in their rate schedule will be subject to approval by the CSLC Project Manager. Below are samples of the work to be performed.

- Preparation of documents under the California Environmental Quality Act.
- Review of potential impacts to Public Trust resources and values
- Provide expertise (or availability to bring experts on) in the following issue areas:
 - air quality
 - greenhouse gas emissions
 - marine biology
 - engineering (e.g., intake and outfall structure conditions and modifications such as screen and diffuser installations)
 - water quality and hydrology
 - sea-level rise
 - Public Trust resources and values
- Ability to conduct modeling or field studies to address issues related to:
 - intake impingement and entrainment
 - discharge shear and turbulence effects
 - brine dilution
- Ability to complete tasks expeditiously with superior quality assurance/quality control (QA/QC)

III. CONFLICT OF INTEREST DETERMINATIONS

Should the consultant be awarded the contract with the CSLC, entering into another contract with the Project Applicant(s) identified in a Work Order during the term of the contract with the CSLC, would be a potential conflict of interest. Therefore, while under contract with the CSLC, consultants will be precluded from entering into any contracts with the identified Applicant(s) without the written permission of the CSLC.

A conflict of interest may include any past, present, or currently planned circumstance, activity, or relationship that relates to the proposed work. Lead consultants should discuss the issue of conflict of interest with all members of their consultant team, including employees and subcontractors, before agreeing to perform a Work Order. Each proposed team member must sign the conflict of interest statement that is included in the Work Order. Conflicts of interest include, but are not limited to:

- Consultant has, or any of its subcontractors have, participated in collecting or preparing data for or in the development of the application submitted by a Project Applicant.

Determinations of potential conflict of interest will be addressed by the CSLC on a case-by-case basis with each firm. Questions regarding this issue, or requests for a specific determination should be sent in writing or via e-mail to Annabell Abeleda, CSLC Contract Officer, as noted in this Solicitation.

IV. MINIMUM REQUIREMENTS

A. DEADLINE TO SUBMIT SOI

The deadline to respond to this Solicitation, regardless of postmark, is **October 4, 2016**, no later than **3 PM, Pacific Time Zone**. SOIs shall be hand-delivered or sent via U.S. mail or overnight delivery service to the CSLC office listed below.

Annabell Abeleda, Contract Officer California State Lands Commission 100 Howe Avenue, Suite 100-South Sacramento, CA 95825-8202	Phone: (916) 574-1871 Email: Annabell.Abeleda@slc.ca.gov
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Each firm submitting a SOI has the burden of proof to confirm that its Proposal was actually received in accordance with this announcement, should there be any dispute about meeting the filing deadline.

B. SELECTION CRITERIA

The CSLC shall use the following criteria for selecting a firm under this Solicitation:

- (1) The firm's professional experience in performing similar services;
- (2) The quality and timeliness of the firm's recently completed or ongoing work;
- (3) The firm's reliability, continuity, and location;
- (4) The firm's staffing capability;
- (5) The education and experience of key personnel the firm intends to assign to the contract;
- (6) The firm's knowledge of applicable regulations and technology associated with the services required; and
- (7) Other factors the CSLC deems relevant to the specific task to be performed.

Firms that have not previously submitted a Statement of Qualifications (SOQ) to the CSLC must do so in order to be eligible for any contracts issued pursuant to this Solicitation. Any firm wishing to update an SOQ that has already been submitted to the CSLC to address the desired qualifications may also do so at this time. The certification process may be concurrent with the Solicitation consideration.

C. COST PROPOSAL

No cost information shall be submitted at this time. The most qualified firm by ranking will be asked to submit a detailed rate schedule after selection.

D. SMALL BUSINESS PARTICIPATION AND CERTIFICATION

Work Orders will have a participation goal of twenty five percent (25%) of the total contract price for qualifying small businesses. This 25% goal may be achieved by a combined effort of the Consultant and subcontractors. Any small business used to meet this requirement must be certified by or have certification pending with the Department of General Services (DGS), Office of Small Business Certification and Resources (OSBCR). If awarded the Contract, the Consultant will be required to submit evidence that it has either met these participation goals or made a good faith effort to meet the Small Business Participation goal. The State reserves the right to accept a participation level lower than 25% subject to firm evidence and acceptance of "good faith effort" documentation. The Consultant shall be deemed to have made "good faith efforts" upon submittal of documentary evidence that all of the following actions were taken:

- Contact was made with the CSLC to identify potential Small Business firms;
- Contact was made with other State agencies to identify potential Small Business firms;
- Invitations to Bid were submitted to potential Small Business firms; and
- Available Small Business firms were considered.

E. DISABLED VETERAN'S BUSINESS ENTERPRISE (DVBE) PARTICIPATION AND CERTIFICATION

Work Orders will have a mandatory participation goal of at least seven percent (7%) of the total contract price for qualified DVBEs. This 7% goal may be achieved by a combined effort of the Consultant and subcontractors. Any business used to meet the DVBE requirement must be certified by or have certification pending with the DGS OSBCR. The consultant will clearly identify within its proposal those subcontractors that are certified DVBEs, and list the contract price amounts allocated to each subcontractor.

F. SUBMITTAL REQUIREMENTS

1. Letter of Interest. Letter of Interest should focus on providing information related to water infrastructure projects, particularly those involving seawater desalination and why they believe their qualifications fulfill the requirements of this Solicitation. Consultants shall specify and briefly describe the relevant experience of the proposed Project Manager or Principal, proposed Deputy Project Manager, and major team members. Care should be taken to limit resumes to only those personnel specialist who will have major responsibilities (e.g., Marine Biology, Air Quality, Water Quality, and Engineering).

Each resume must include:

- a) Name of each key person and title.
 - b) Project assignment or role, which that person will be expected to, fulfill in connection with Work Orders.
 - c) Name of the firm or organization with whom that individual is presently associated.
 - d) Years of relevant experience with present firms and other firms.
 - e) Highest academic degree achieved and the discipline covered (if more than one highest degree, such as two PH.D's list both), the year received and the particular technical/professional discipline which that individual will bring to the project.
 - f) Synopsis of experience, training, or other qualities.
2. Small Business participation documentation and certifications and/or "good faith effort" documentation; and DVBE compliance forms (IMPORTANT: Please see enclosure, "Disabled Veteran Business Enterprise Participation Requirements." *Compliance will require immediate action on the part of the Contractor before contract can be awarded.*)

V. CONTRACT ADMINISTRATIVE PROCESS

One or more firms will be selected on the basis of responses to this request and their SOQ. This is a competency-based selection process in accordance with Government Code section 4525 et seq. and CSLC regulations as described in California Code of Regulations, title 2, division 3, chapter 1, article 13. All SOIs will be reviewed by a Selection Committee appointed by the Executive Officer. Upon receipt and review of all Proposals, staff may contact one or more firms by telephone to clarify areas where the staff has questions, and answer questions. Upon conclusion of the review, the firms will be ranked.

Negotiations shall be initiated with the highest ranked firm that includes the DVBE and Small Business participation requirements. The CSLC reserves the right to review and specify a maximum administrative fee charged by the Contractor for subcontractors. In the event that a satisfactory agreement cannot be negotiated within 5 days, the CSLC will terminate negotiations with the highest ranked firm and begin negotiations with the next ranked firm and so on. After successful negotiations, a contract will be awarded and executed. SOIs submitted by bidders that are not selected pursuant to the CSLC's contracting process will not be retained, but can be returned to the bidder upon receipt, with the proposal, of a postage-paid/self-addressed envelope and a written request that the proposal be returned.

The CSLC reserves the right to terminate the selection proceedings at any time where it determines it is in the best interests of the State. The CSLC is not required to award the agreement and reserves the right to terminate in whole or in part at its sole discretion any contract award at any time upon giving written notice.

After the Contract is executed, the Contractor shall be the environmental consultant on an as-needed basis for applicant proposals to the CSLC for water infrastructure projects and programs that increase local water supplies—including water recycling facilities, reservoir improvement projects, surface water treatment plants, desalination plants, storm water capture, and greywater systems that are projected to cost less than \$250,000.

Upon the submission of an initial project Work Order by the CSLC to the Consultant, the Consultant shall have five (5) business days in which to accept or decline to perform work on the project. If the Consultant declines to perform work on a project, it shall submit in its response the reasons for its decision. Declining an initial project Work Order based on a reasonable business justification or due to a conflict of interest, within the notice period, shall excuse the Contractor's obligation to perform work on that project. The Contractor shall not be excused under this provision from performing work under a subsequent project Work Order once a Contractor has accepted work on that project.

Where a Contractor declines to perform work on a project, as specified above, or has not accepted or declined a project within the notice period, the CSLC shall have the right to solicit and seek the hiring of another qualified contractor to perform work on that project pursuant to the provisions of Government Code section 4525 et seq.

For more information, or to submit questions regarding the content of this request for Statements of Qualification, please contact Annabell Abeleda, Contracts Officer, at (916) 574-1871 or by e-mail at Annabell.Abeleda@slc.ca.gov.