



Established in 1938

STATE OF CALIFORNIA
California State Lands Commission

**STATEMENT OF QUALIFICATIONS SUBMITTAL INSTRUCTIONS
AND
GENERAL CONTRACT PROCESS INFORMATION**

I. REQUIREMENTS FOR STATEMENTS OF QUALIFICATIONS (SOQs)

- A. The requirements for SOQ submissions are listed both in the Request For Qualifications (RFQ) Notice and these submittal instructions.
- B. If an SOQ does not meet all the requirements, it may be considered non-responsive and eliminated from further consideration. To be responsive, the consulting firm must comply with all minimum proposal requirements set forth in this document and the RFQ Notice. The Commission may reject any SOQ if it is conditional, incomplete, or contains irregularities. The Commission may waive immaterial deviations and the SOQ may be evaluated based on the information provided when considered to be in the best interest of the State. Waiver of an immaterial deviation shall in no way modify the RFQ requirements or excuse the consulting firm from full compliance with the Agreement requirements. After the final filing date and time for submission of SOQ, each SOQ will be opened and examined to determine compliance with the submittal requirements.
- C. SOQs shall, at a minimum, contain the following information:

1. TRANSMITTAL LETTERS

- a) The prime consultant transmittal letter is limited to three (3) pages. Please list all firms (prime consultant and subconsultants); provide the percentage (best estimate) of utilization for each firm; and indicate whether each firm is subject to prevailing wage requirements by the California Department of Industrial Relations (DIR). An individual authorized to obligate the firm or joint venture must sign the prime's transmittal letter.
- b) The prime consultant shall provide a contact name, mailing address, email address, phone and fax numbers to which correspondence can be sent. The prime's authorized representative signature on the transmittal letter certifies that the information contained in the SOQ is truthful, accurate, and complete at time of submittal.

2. CONTRACT-SPECIFIC QUALIFICATIONS

- a) The Architect-Engineer Point of Contact
- b) The Proposed Team – Complete list for the prime consultant and all key subconsultants. List prime team members first.
- c) Organizational Chart: limited to one (1) page folded to 8-1/2" x 11", not to exceed 11" x 17".
- d) Resumes of Proposed Key Personnel listed on organizational chart – List no more than five (5) projects per resume, not to exceed 2 pages. For each example project listed in the resumes, include the length of time spent on each project (month/year to month/year) in the Brief Description section.
- e) Example Projects
 - (1) Five (5) example projects must be submitted to be deemed responsive to the solicitation requirements. Limit each example project to one (1) page. The example projects which best illustrate the proposed team's qualifications for the contract shall represent services performed by individuals from the prime consultant or subconsultant firm(s) available to do work on the contract and listed on the Organizational Chart.
 - (2) Relevant projects performed by key personnel, not included in the 10 example projects, and not performed by the current team, may be added with a brief description of the project and relevance to the required services.
- f) Additional Information: The Prime consultant is limited to four (4) pages and each subconsultant to two (2) pages. Subconsultants who have not previously worked with the prime may include additional project examples in this section; projects performed by key personnel that were not included in the 5 example projects may also be included in this section; however, page limits still apply.
- g) Authorized Representative: Prime consultant's authorized representative must sign and date the completed form. Signing attests that the information provided is current and factual, and that all firms on the proposed team agree to work on the project.

3. STAFF AVAILABILITY

The prime consultant must provide a table or graph (i.e. bar chart, pie chart) showing the percentage of staff availability of the team proposed to work on the contract.

4. COMMUNICATION PLAN

The prime consultant must show the accessibility of the team by providing a communication plan that outlines the chain of command including after hours and emergency situations that may arise during the term of the contract.

5. CALIFORNIA CIVIL RIGHTS LAWS

Any firm that submits a SOQ to, or otherwise proposes to enter into or amend a contract with, a state agency with respect to any contract in the amount of one hundred thousand dollars (\$100,000) or more shall certify, under penalty of perjury, at the time the SOQ is submitted or the contract is amended, that they satisfy all of the conditions set forth in California Public Contract Code Section 2010 and they shall execute the Certification. A blank form can be found as an exhibit to the SOQ.

II. POST-GOVERNMENT EMPLOYMENT RESTRICTIONS

- A. Former Commission employees, including former retired annuitants, are subject to post employment restrictions under Government Code Section 87406. Former designated Commission employees that have not been separated from the State for more than one (1) year starting on the later date of when the official permanently leaves state service, and are no longer authorized to perform the duties of their job, or they stop performing the duties of the job even if the official is still receiving compensation for accrued leave credits are prohibited from:
1. Entering into a contract with the Commission as an individual.
 2. Making any formal or informal appearances or oral or written communications to the Commission or to any of its officers or employees. This includes attendance or participation in:
 - a) Selection interviews.
 - b) Scoping meetings.
 - c) Contract and task order negotiations.
 - d) Direct involvement in cost proposal and audit activities.
- B. Former Commission employees, including former retired annuitants, may be subject to a lifetime post-employment ban under Government Code Sections 87400-87403.
- C. Violation by consultant(s) of any provisions found in the paragraphs above shall render every contract or other transaction entered into void unless the violation is technical or non-substantive.

- D. Information regarding post-employment ban as stated in above-referenced Government Codes may be viewed by visiting <http://www.fppc.ca.gov/learn/public-officials-and-employees-rules-/rules-on-leaving-government-service.html>.

III. CONFLICT OF INTEREST CONCERNING CONSULTANT(S)

Prospective consultants shall disclose any financial, business or other relationship with the State of California, especially the California State Lands Commission, that may have an impact upon the outcome of the contract. Prospective consultants shall also list current clients who may have a financial interest in the outcome of the contract.

IV. MISCELLANEOUS

A. MODIFICATION OR WITHDRAWAL OF SUBMITTALS

Any SOQ received may be withdrawn prior to the SOQ submittal date by written request to the Commission by the prime consultant. The prime consultant may elect to resubmit no later than the published due date and time.

B. PROPERTY RIGHTS

SOQs received become the property of the California State Lands Commission.

C. ADDENDUM TO REQUEST FOR QUALIFICATIONS/PROPOSAL

The Commission reserves the right to amend the Request for Qualifications (RFQ) Notice by addendum before the final SOQ submittal date and time.

D. NON-COMMITMENT OF THE COMMISSION

1. The RFQ Notice does not commit the Commission to award a contract, to pay any costs incurred in the preparation of an SOQ for the request, or to procure or contract for services.
2. All products used or developed in the execution of any contract resulting from the RFQ will remain in the public domain at the completion of the contract.

E. AMERICANS WITH DISABILITIES ACT

The consultant shall assure the Commission that it will comply with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA (42 U.S.C. Section 12101 et seq.).

V. CONSULTANT SELECTION PROCESS INFORMATION

The consultant will be selected by a means of a dual selection process (evaluation of SOQs followed by an interview of those short-listed). The evaluation process and forms

used for the evaluation are derived from Title 2, California Code of Regulations, sections 2980 et seq.

A. INITIAL EVALUATION:

The Consultant Selection Committee members will review and evaluate each SOQ, document the strengths and weaknesses, and score each SOQ independently. The criteria identified in the RFQ are the basis for the initial evaluation, scoring and ranking of consultant's SOQs to establish a short-list of firms to be interviewed.

B. FINAL INTERVIEW AND EVALUATION:

Short-listed firms will receive an invitation to interview. At the interview, short-listed firms will be required to discuss Project approaches, challenges, alternate solutions, key staff's availability and ability to deliver project receivables. For projects involving the hiring of an Environmental Consultant, standard form questions will be asked during each interview. The project approaches discussion and oral responses to each interview question will be evaluated and scored.

C. FINAL EVALUATION:

1. The Consultant Selection Committee will use the criteria in forms SLC-6020, SLC-6021, and SLC-6022 as the basis for the evaluation, scoring and ranking of consultants interviewed.
2. Forms SLC-6020, SLC-6021, and SLC-6022 are available at: <http://www.slc.ca.gov/About/Contracting.html> or may be obtained by contacting the contract analyst named in the RFQ Notice. The final evaluation will include the following:
 - a) Work Presentation (from interview):
Short-listed firms will be required to demonstrate their approach to performing the work, challenges, alternate solutions, and key staff's availability and ability to deliver the services.
 - b) Oral response to Interview Questions (from interview):
Short-listed firms will be asked Interview Questions and allowed five (5) minutes each question to respond.

Or, for contracts involving the plug and abandonment of oil and gas wells:

- c) Sample Well Abandonment Program (from interview):
Short-listed firms will be asked to prepare a sample well abandonment program and present to the evaluation committee the firm's approach and methodology to performing a sample well abandonment.

- d) Initial Evaluation Score:
Will account for 25 percent of the final score.
3. The Consultant Selection Committee will evaluate the short-listed firms independently and submit their score to the Consultant Selection Committee Chair for compilation. The Consultant Selection Committee will then collectively document the strengths and weaknesses of each firm, prepare the Consensus Ranking form and certify the Final Evaluation.

VI. NEGOTIATIONS

The contract negotiation process includes assessment of financial documents provided by the prime consultant, obtaining documentation that adequately supports proposed costs, and reaching agreement on contract fees, escalation rates, and other costs, as necessary.

1. Financial Assessment. The most highly qualified consulting firm must submit financial documents no later than four (4) days after notification of selection in order for the Commission to have the information necessary to engage in negotiations. The prime consultant is solely responsible for timely and complete submission of financial documents on behalf of the entire proposed team; financial documents will not be accepted from proposed subconsultant firms. Failure to submit a complete financial documents package by the specified due date may result in termination of negotiations with the most highly qualified consulting firm.
2. The number and type of financial documents required is dependent upon both the anticipated contract value and the structure of the prime consultant and subconsultant firms. The documents must be sufficient to allow the Commission to confirm:
 - a) The prospective consultant maintains an accounting system capable of accumulating and segregating reasonable, allowable and allocable costs. Additionally, the prospective consultant is able to maintain adequate documentary support for costs billed under the Agreement.
 - b) The prospective consultant is financially capable of performing the work.
 - c) The costs proposed are fair and reasonable.
3. Contract Fee and Escalation Rates. Proposed costs, contract fee and escalation rates, if applicable, will be negotiated with the most highly qualified consulting firm under authority of the California Government Code Section 4528. A negotiation meeting with the most qualified consulting firm will occur within seven (7) calendar days of the prime consultant's submission of a complete financial documents package.
4. If agreement cannot be reached with the most highly qualified consulting firm, negotiations will be terminated, and negotiations will start with the next most highly qualified consulting firm for the contract. The Commission reserves the

right to negotiate a firm-fixed-price contract or a combination of specific rates of compensation for a specific phase of the project and firm-fixed-price for another phase. The Commission also reserves the right to entertain firm-fixed-price task orders or fixed rates of compensation (i.e. actual costs plus other direct costs) for any contract when the Commission's Contract Manager deems appropriate. Firm-fixed-price task orders may be negotiated for work resulting from the solicitation.

VII. CONTRACT EXECUTION

- A. Consultant firms are not required to obtain a business license until the time of contract signing.
- B. If the consultant is a corporation, the consultant must certify that the corporation is in good standing to do business in California. Pursuant to Revenue and Taxation Code 23101, "Doing business means actively engaging in any transaction for the purpose of financial or pecuniary gain or profit."
- C. If the consultant is selected for the contract and found to have an invalid corporate status with the California Secretary of State's Office, the contract will be voided unless the consultant can provide validity of corporate status within five (5) business days of notification of intent to cancel.
- D. The selected consultant must comply with Government Code Section 8355 in matters relating to providing a drug-free work place.
- E. All work shall be done in accordance with State standards, policies, procedures, regulations and laws.