



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

Helen McCann, Department Administrator

REQUEST FOR STATEMENTS OF QUALIFICATION PS- #1093 Environmental Services for the Arroyo Grande Creek Habitat Conservation Plan

July 15, 2010

The County of San Luis Obispo (County) is currently soliciting Statements of Qualifications (SOQ) for professional services for Environmental Services for the Arroyo Grande Creek Habitat Conservation Plan.

Each SOQ shall specify each and every item as set forth in the attached specifications. Any and all exceptions must be clearly stated in the SOQ. 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 SOQ's and to waive any irregularity or informality in any SOQ or in the Request for Statements of Qualification 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 SOQs submitted.

This Request for Statements of Qualification is posted on the County's Purchasing website at http://www.slocounty.ca.gov/GSA/Purchasing/Current_Formal_Bids_and_Proposals.htm. Any changes, additions, or deletions to this Request for Statements of Qualification 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 Statements of Qualification.

If your firm is interested and qualified, please submit eleven (11) hard copies and one (1) electronic copy (on CD or DVD) of your SOQ on August 25, 2010 by 3:00 p.m. to:

County of San Luis Obispo
Debbie Belt, GSA - Purchasing
1087 Santa Rosa Street
San Luis Obispo, CA 93408

If you have any questions about the SOQ process, please contact me. For technical questions and information contact Katie Drexhage at (805) 781-4469.

All questions pertaining to the content of this Request for Statements of Qualification must be made in writing via e-mail to Katie Drexhage at: kdrexhage@co.slo.ca.us. All questions will receive a response within four (4) business days. The question and its response will be posted (anonymously) on the site: http://www.slocounty.ca.gov/GSA/Purchasing/Current_Formal_Bids_and_Proposals.htm. The County reserves the right to determine the appropriateness of comments / questions that will be posted on the website.

Debbie Belt
DEBBIE BELT
Buyer – GSA - Purchasing
dbelt@co.slo.ca.us

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LOCAL VENDOR PREFERENCE

The County has established a local vendor preference. When quality, service, and other relevant factors are equal, responses to Requests for Statements of Qualification 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 Statements of Qualification.

SOQ's received in response to this Request for Statements of Qualification 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: _____

SOQ SUBMITTAL AND SELECTION

1. All SOQs, consisting of eleven (11) hard copies and one (1) electronic copy (on CD or DVD) must be received by mail, recognized carrier, or hand delivered no later than 3:00 p.m. on August 25, 2010. Late SOQs 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: DEBBIE BELT
Telephone: (805) 781-5903
3. All costs incurred in the preparation and submission of SOQs and related documentation will be borne by the proposer.
4. It is preferred that all SOQs 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 SOQs 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 Statements of Qualification 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 SOQs, 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 Statements of Qualification 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. The County reserves the right to award the contract to the firm who presents the SOQ 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.
10. Any contract awarded pursuant to this Request for Statements of Qualification will incorporate the requirements and specifications contained in this Request for SOQ. All information presented in a proposer's SOQ will be considered binding upon selection of the successful proposer, unless otherwise modified and agreed to by the County during subsequent negotiations.

11. 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 SOQ, 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 Statements of Qualification 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 SOQ as proprietary. If there is any dispute, lawsuit, claim or demand as to whether information within the response to the Request for Statements of Qualification 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.

SOQ FORMAT

A qualifying SOQ 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. Type of organization, size, professional registration and affiliations.
 - b. Names and qualifications of personnel to be assigned to this project.
 - c. Outline of recent projects completed that are directly related to this project. Consultant is required to demonstrate specific design and project expertise relating to the Project Scope.
 - d. Qualifications of consultants, subcontractors, or joint venture firm, if appropriate.
 - e. Client references from recent related projects, including name, address and phone number of individual to contact for referral.
4. Understanding of and Approach to the Project
 - a. Summary of approach to be taken.
 - b. Description of the organization and staffing to be used for the project.
 - c. Indication of information and participation the proposer will require from County staff.
 - d. Indication of time frame necessary to complete the plan review once a Notice to Proceed is issued.

**SAN LUIS OBISPO COUNTY FLOOD CONTROL
AND
WATER CONSERVATION DISTRICT**

REQUEST FOR STATEMENTS OF QUALIFICATION (SOQ)

TO PROVIDE

**ENVIRONMENTAL SERVICES
FOR THE ARROYO GRANDE CREEK
HABITAT CONSERVATION PLAN**

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SECTION I – INTRODUCTION

Background

The San Luis Obispo County Flood Control and Water Conservation District (District) owns and operates Lopez Dam on Arroyo Grande Creek, east of the City of Arroyo Grande. Capable of storing up to 49,388 acre feet of water, the dam and associated facilities were constructed in 1969 for the purpose of providing a municipal water supply to the Cities of Arroyo Grande, Pismo Beach, and Grover Beach, and to the County unincorporated areas of Oceano and Avila Valley (water contractors). Water is diverted from the dam through a pipeline connected to a terminal reservoir and water treatment plant located approximately 3 miles downstream from the dam. Treated water is delivered to the water contractors via pipelines owned and operated by the District. Historically, dry-season instream releases were also made to provide recharge for agricultural irrigation wells, at the request of downstream farmers. The Dam and all associated water supply facilities are organized as Zone 3 of the Flood Control and Water Conservation District. Lake and lakeside recreational facilities are leased from the District and operated by the County of San Luis Obispo, through the Parks Division of the County General Services Agency.

Municipal water deliveries to the water contractors total 4,530 acre feet per year. Current downstream releases average 4,344 acre feet per year. Lopez Reservoir safe annual yield is estimated at 8,730 acre feet per year.

Prior to the construction of the dam and reservoir Arroyo Grande Creek supported a population of steelhead, a remnant of which still persists. However, the 125 foot high dam has no fish passage facilities, limiting steelhead to the portions of the creek below the dam. Beginning in the mid-1990's, the District has endeavored to address environmental issues related to the operation of the facility through the implementation of additional downstream releases and the preparation of a Habitat Conservation Plan.

Approach

The District's efforts on the Arroyo Grande Creek Habitat Conservation Plan since 1999 are the result of an interdisciplinary team approach involving both consultants and District staff members. The current team, composed of District staff from the Public Works' Utilities and Environmental Divisions, plus consultants preparing reservoir flow models and biological resource studies, has produced three versions of the draft HCP to support ongoing coordination with resource agencies. The District desires to expand this approach by adding a full-service environmental consultant with demonstrated experience in developing and negotiating Habitat Conservation Plans through the regulatory review process.

The consultant(s) will function as an integral part of the project team to further the project's goals and objectives. While engaged in this capacity, the consultant(s) will apply the Mission and Values Statement of the Department of Public Works' Environmental Programs Division:

Mission Statement:

Maintain and improve public facilities and safety while conserving and enhancing environmental resources for the benefit of the community.

Values:

<i>Teamwork</i>	We strive to work with other stakeholders to help achieve regulatory compliance, environmental stewardship, and on-time project completion.
<i>Integrity</i>	We seek to exemplify the spirit of full regulatory compliance.
<i>Stewardship</i>	We strive to protect the community=s natural resources.
<i>Service</i>	We strive to serve the best interests of the community with respect, responsibility, and efficiency.

Prospective consultants are no doubt aware that consulting firms have produced a large volume of work for the Arroyo Grande Creek HCP. The District believes this work is accurate and valuable to the current effort.

SECTION II – PROJECT DESCRIPTION

Project Purpose

The District is seeking a qualified and experienced consultant to assist in the preparation of a Habitat Conservation Plan (HCP) for the ongoing operation of Lopez Dam, including the Implementing Agreement. The consultant may also assist in the preparation of the appropriate documents pursuant to the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA). Preparation of the HCP, IA, NEPA and CEQA documents will be conducted in close cooperation with County staff, California National Marine Fisheries Service (NMFS), United States Fish and Wildlife Service (USFWS), and the California Department of Fish and Game.

The District is applying for a permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884) (Act), as amended, from the NMFS and USFWS for the incidental take of the threatened southern steelhead (*Oncorhynchus mykiss*), California red-legged frog (*Rana draytonii*), and tidewater goby (*Eucyclogobius newberryi*). The potential taking would occur incidental to the operation of Lopez Dam and associated releases into Arroyo Grande Creek, in addition to other operations and maintenance activities performed by the District. These activities have the potential to affect the quality and availability of habitat for steelhead, red-legged frogs and tidewater gobies, and may result in direct or indirect incidental take of these protected species. The Arroyo Grande Creek watershed contains a major reservoir, Lopez Lake, storing up to 49,388 acre-feet. The District operates and maintains Lopez Reservoir for municipal and agricultural water supplies. Facilities owned or managed by the District, such as the Arroyo Grande stream gage, are also impediments to steelhead migration. The purpose of the HCP is to minimize and mitigate adverse effects to the covered species, while providing the District with incidental take authorization for current and anticipated operations of the Lopez project.

The District has been involved in the preparation of an HCP to balance Lopez Dam water releases into Arroyo Grande Creek with the continued existence and survival of federally

listed species for several years. The HCP is necessary to comply with the Act and is a prerequisite of a State-required amendment to the project's water rights permit. Once the HCP is approved the District will implement a downstream water release program designed to provide on-going water supplies to Zone 3 agencies as well as avoid adverse impacts to listed species.

The HCP development process has taken some 10-plus years to date. Currently, the District, consultants, and the NMFS are working through issues raised by the first draft HCP, in a manner that avoids substantial annual budget impacts. The 2004 draft HCP served to highlight some of the key issues, and moved the process of study and negotiation forward, but did not meet all of the permit issuance criteria. Since 2004, regular coordination with the agencies has guided and bolstered the evaluation of the details of downstream release scenarios, winter time attraction flow options, flow monitoring and release trigger methods, and climate monitoring and prediction methods.

Every group involved in the HCP process is anxious to move to the implementation phase, anticipating that implementation will better benefit both the resources affected as well as the community served by the Lopez project.

SECTION III – ANTICIPATED ENVIRONMENTAL SERVICES

The following preliminary environmental scope generally describes the project's environmental requirements and areas of environmental expertise needed on the project team. It is the intent of the District to move the project through the Habitat Conservation Plan process and the CEQA/NEPA process using the same consultant team. Environmental work to initiate construction (if any), including the preparation of all mitigation plans, construction monitoring plans, and post construction mitigation monitoring, maintenance, and reporting plans is anticipated to be under separate contract.

SECTION IV – ANTICIPATED SCHEDULE

The District anticipates completing a review of all submitted statements of qualification within 60 days of receipt, followed by the issuance of a request for proposal (RFP) to the top-ranked consultant. Scope, schedule and cost negotiations leading to a contract are expected to require 60-90 days to complete.

SECTION V - EVALUATION

The District will evaluate qualifications based on but not limited to the following criteria:

Experience with Similar Habitat Conservation Plans and Projects

The District has prepared and issued this Request for Qualifications in an effort to seek a partner with demonstrated and successful experience in producing HCP's and Implementation Agreements for anadromous fish. While the District understands that many firms can bring a wide range of environmental analysis experience to the effort, the focus of

this RFQ is on firms that not only understand the requirements of the species involved, but are expert in applying the requirements of the law to the situation at hand.

The existing team has produced accurate and valuable information that supports the District's approach to the HCP. The District believes that the HCP is at a point where expanding the team and bringing additional experience to the effort will result in an earlier completion of the HCP process. In addition, the District is seeking independent and experienced advice concerning the costs and benefits of various approaches to the details of the HCP, together with partners who can navigate the intricacies of section 10 of the Act, related federal guidance documents, and case law.

List of Similar Completed Projects

- Provide a list and description of projects of similar scope and complexity completed within the last fifteen years.

List of References

- Provide references from recent related projects, including name, address and phone numbers of primary client contact(s).

Understanding of and Approach to the Project:

- Provide a summary of your approach to the project.
- Provide a description of the organizational structure and staffing to be used for the project. Describe the project contribution of each key person and approximate amount of time to be devoted to the project. Identify the specific individual(s) that the District would interface with on the various facets of the project. Include a resume for each of the key personnel detailing their special qualifications applicable to the project.
- Describe the firm's qualifications in relationship to the required services. Summarize past projects of a similar nature that the consultant's firm has completed. If subcontractors are to be used, describe the methods that will be used to assure their cooperation and performance.
- Provide resumes of any significant consultants or sub consultants proposed to be used on the project.

Form

- Proposals and supporting materials shall be submitted in seven (7) copies suitable for evaluation. Legibility, clarity and completeness are essential. Proposals should provide assurance that the firm has the professional capability to satisfactorily complete all tasks as described in this RFQ. Proposals should also be put on a CD as a PDF file.

Coordination

- Describe the process for maintaining a close working relationship between the consultant and the County project manager, NMFS, USFWS and CDFG. Considerable merit will be placed on a relationship in which County Staff is frequently and completely briefed on all work in process.

Task Timetable and Cost Estimates

- The proposal shall contain the tasks required to complete the project with a completion target date for each task. The consultant shall estimate the costs per task. The proposal shall include a table which specifies the following for each task: assigned personnel, number of hours to be spent, rate/hour, total cost. Proposal amounts will be considered a factor in selecting a consultant.

Objectivity

- The Arroyo Grande Creek Habitat Conservation Plan is to be an independent, objective, and unbiased work product. Proposals shall certify that the consultant, principals, and subcontractors (if used) have the capacity to submit a neutral and unbiased document.

Scope Revisions and Process

- The consultant is encouraged to contribute creative ideas to this scope of work or the administrative process that will lead to a timely and successful outcome. If the consultant identifies areas of concern or alternative methodologies not mentioned in this request, they should be described in the consultant's statement of qualifications.

SECTION VI - CONDITIONS OF CONTRACT AWARDS

The District's current indemnification and liability insurance requirements are as follows;

Indemnification

Consultant shall defend, indemnify and hold harmless the District, 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 District, 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 District, 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 District 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.

Insurance

The selected consultant will be required to submit proof of general commercial liability insurance coverage by an insurance carrier that is admitted to do business in California in the amount of \$1,000,000. Proof of professional liability insurance is not required.

SECTION VII – AVAILABLE INFORMATION

The following is a partial list of existing information which consultants may wish to review in order to gain a better understanding of the project, the processes completed to date, and depth of analysis prepared on various topics:

Web resources:

HCP handbook

<http://www.fws.gov/endangered/hcp/hcpbook.html>

Updated HCP template

<http://www.fws.gov/ventura/endangered/hconservation/hcp.html>.

2004 draft of the HCP

<http://www.slocountywater.org/site/index.htm>

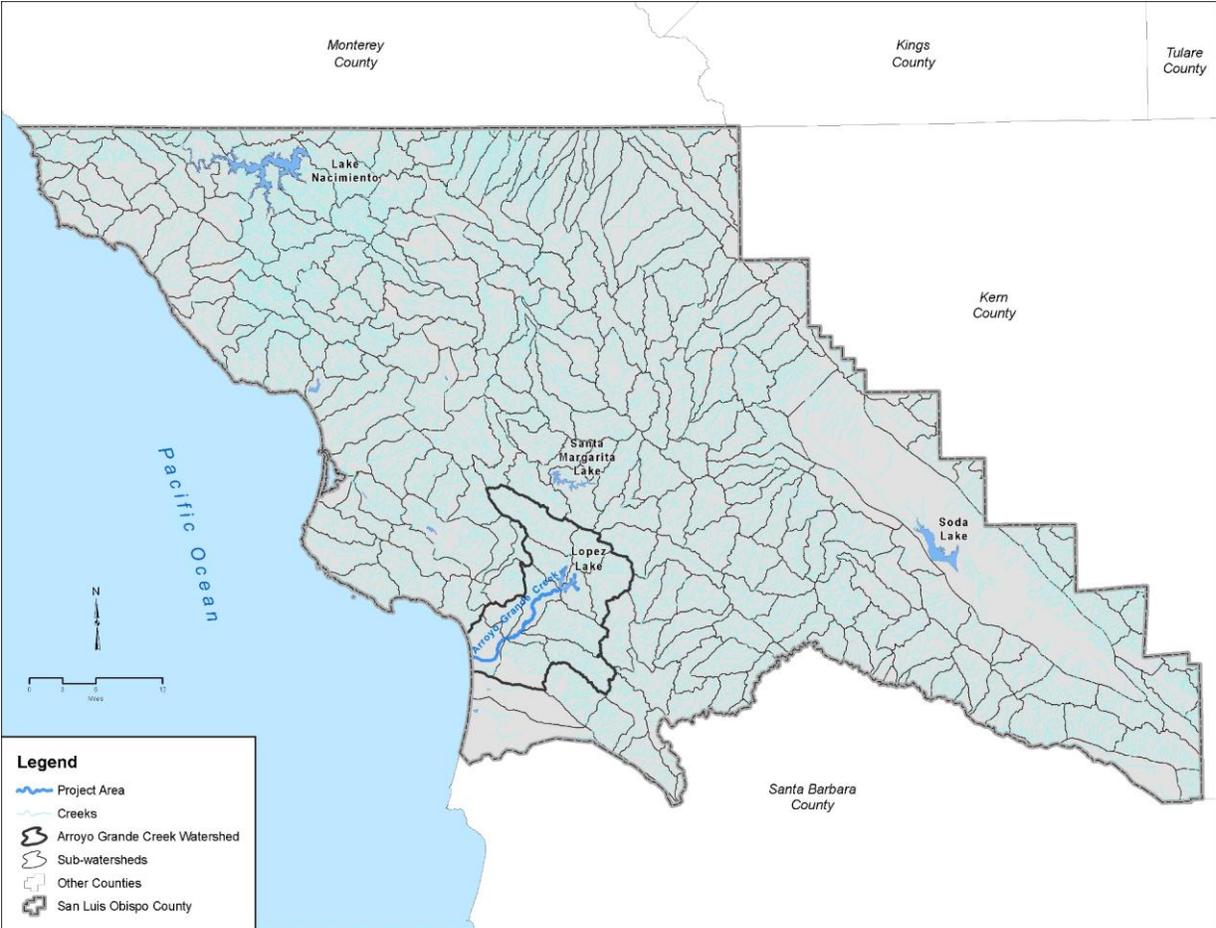
Attachments:

- San Luis Obispo County Location Map (Attachment A)
- Regional Location Map (Attachment B)
- Arroyo Grande Creek Dam and Water Shed (Attachment C)

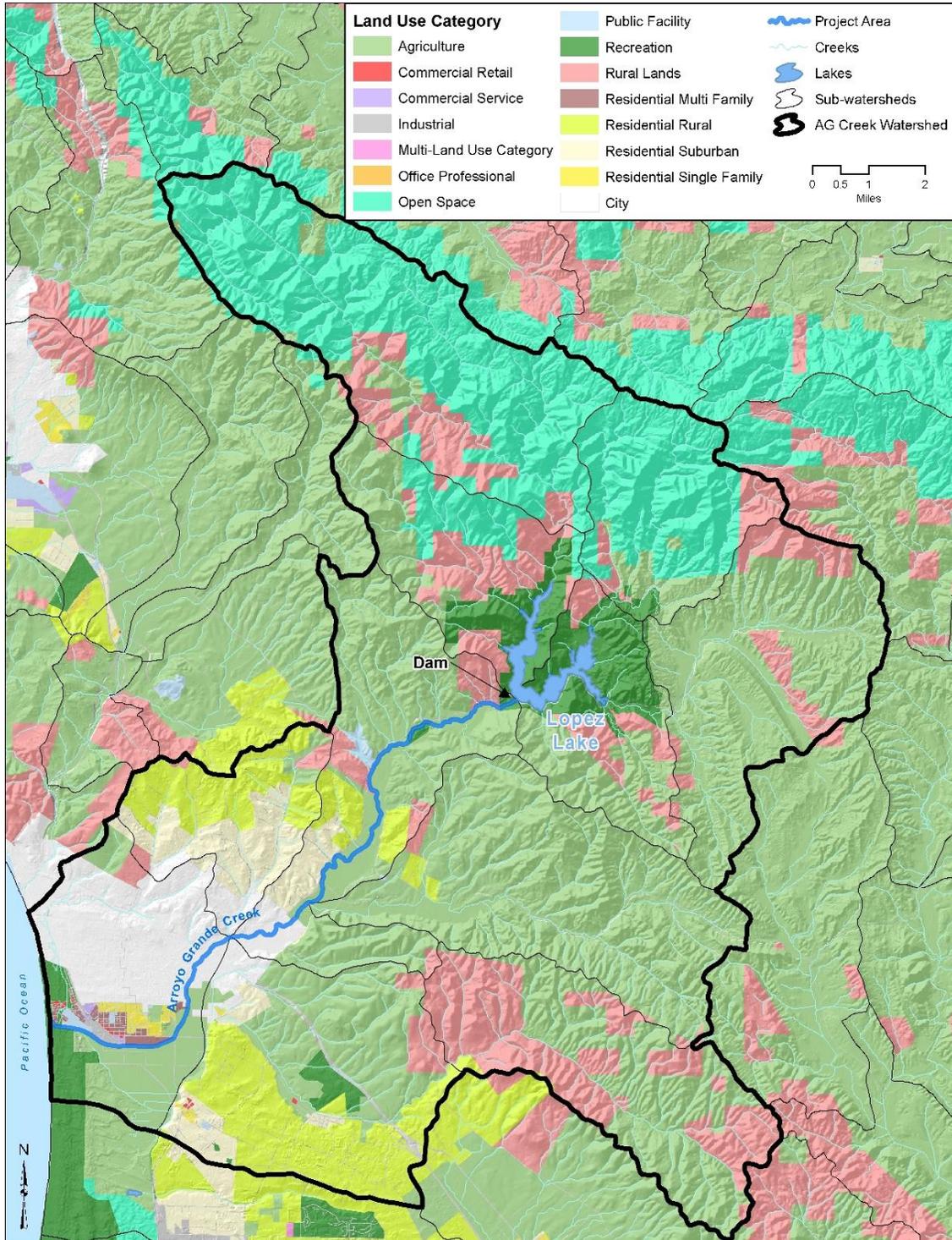
ATTACHMENT A – SAN LUIS OBISPO COUNTY LOCATION MAP



ATTACHMENT B – REGIONAL LOCATION MAP



ATTACHMENT C – Figure 1
LAND USE MAP FOR THE ARROYO GRANDE CREEK WATER SHED



ATTACHMENT C – Figure 2
ARROYO GRANDE CREEK WATER SHED MAP

