



SWEETWATER AUTHORITY

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December 9, 2019

Subject: Request for Qualifications for the Programmatic Permitting of the Property Operations and Maintenance Plan
SWA File: (Gen) Operations and Maintenance Plan

To Whom It May Concern:

Sweetwater Authority (Authority) is initiating an effort to programmatically permit operations and maintenance (O&M) activities, as described in the draft Property Operation and Maintenance Plan (Draft O&M Plan). To achieve this, the Authority is seeking an environmental consulting firm to assist with the preparation of environmental compliance documentation and the acquisition of programmatic regulatory permits for O&M activities (Proposed Project), as described in the Draft O&M Plan. The Proposed Project would allow the Authority to meet the following three objectives:

- Finalize and implement a comprehensive operations and maintenance plan for the Authority reservoirs and properties and obtain permits from regulatory agencies;
- Cost-effectively maintain facilities and infrastructure to optimize useful life and performance; and
- Inspect and maintain the Authority's easements throughout the service area to ensure access and minimize negative impacts to water system facilities.

The three objectives indicated above are part of the Authority's Strategic Plan Fiscal Year (FY) 2019-20 Detailed Work Plan. Meeting these objectives will help the Authority accomplish the following two strategic plan goals:

- Achieve an uninterrupted, long-term water supply through investment, maintenance, and innovation; and
- Provide core services while maintaining a balanced approach to human and environmental needs.

The Authority has allocated \$50,000 in its FY 2019-20 budget to initiate the process, with the understanding that additional budget allocations will be required to complete the Proposed Project, which may take up to three years.

A. BACKGROUND INFORMATION ON THE O&M PLAN

The Authority serves potable water to a population of approximately 190,000 in the City of National City, the unincorporated community of Bonita, and the western portion of the City of Chula Vista. Water is sourced from Sweetwater Reservoir, water wells located in numerous locations within the Authority's service area, and imported water purchased from the San Diego County Water Authority (SDCWA). Water supply and reliability are the main concerns of the Authority. To ensure that water delivered to its customers meets drinking water standards, the Authority maintains its water system as necessary, including distribution facilities, treatment facilities, properties owned in-fee, easements, and two source water reservoirs and their surrounding lands.

Certain O&M activities are subject to various laws and regulations, including but not limited to, the federal Clean Water Act (CWA), state Porter-Cologne Water Quality Control Act, federal and state Endangered Species Acts (ESAs), and the California Fish and Game Code (FGC). The Authority has historically approached permitting and mitigation for regulated projects or O&M activities on a project-by-project basis. However, preparing the necessary environmental compliance documentation and processing permits for routine O&M activities on a project-by-project basis may result in project delays, impacts to a project budget, and can add uncertainty to a project.

As part of a joint effort by a number of water agencies that formally began in 1996, the Authority participated in the preparation of a Joint Water Agencies (JWA) Natural Community Conservation Plan / Habitat Conservation Plan (NCCP/HCP). In addition to helping with regional conservation efforts, the JWA NCCP/HCP was meant to mitigate impacts resulting from certain capital improvements and O&M activities of the participating water agencies, including the Authority. However, the effort to permit the JWA NCCP/HCP was unsuccessful and ended in 2013. Subsequent to the JWA NCCP/HCP effort and in response to other significant efforts recently conducted to permit certain O&M-type projects, Authority staff regrouped and strategized on how to conduct O&M activities in a cost effective way, while remaining in compliance with regulatory requirements. In 2017, Authority staff presented a "programmatic permitting" strategy to management and, after multiple internal iterations, prepared the enclosed Draft O&M Plan. The Draft O&M Plan focuses on certain O&M activities that currently occur, or are proposed to occur, within Authority lands, including Authority properties and easements. For more detail information, please refer to the Draft O&M Plan (Attachment 1).

To meet the goals and objectives of the Draft O&M Plan and the Authority's strategic plan, the Authority is searching for a qualified consulting firm with proven expertise in the fields of natural resource management, environmental planning, and regulatory permitting, to support the Authority with the processing of the Proposed Project, which includes preparation of the necessary environmental compliance documentation and acquiring programmatic permits for the implementation of O&M activities, as described in the Draft O&M Plan¹. Programmatic permitting will ultimately streamline regulatory approvals, reduce O&M related costs and impacts to schedules, and remove uncertainties associated with the permitting of O&M activities on a project-by-project basis.

¹ It is anticipated that the Draft O&M Plan will change, as the Proposed Project will be subject to public and regulatory agency review.

B. ANTICIPATED SCOPE OF WORK

B.1. REVIEW OF EXISTING INFORMATION

Many of the ongoing O&M activities are the result of previously approved projects and actions taken by the Authority. Background environmental data and documents will be provided by the Authority, which may include those listed below².

- Selected California Environmental Quality Act (CEQA) documents and associated technical studies
- Relevant permits
- Draft O&M Plan and attachments
- Selected engineering drawings, maps, and technical documents
- Selected Standard Operating Procedures
- Selected Authority preserve areas or habitat management plans that will be pertinent to the development of a mitigation plan for the Proposed Project
- Geographic Information Systems (GIS) Data
- Other Information, as requested by the selected consultant and agreed to by the Authority

In addition to document and data review, the selected consultant is expected to meet with and interview Authority environmental staff, with the goal of obtaining information on areas of environmental and/or regulatory concern, other known resources, and to help identify the potential permitting mechanisms.

B.2. TECHNICAL DOCUMENT PREPARATION & CEQA INITIAL STUDY

The Authority anticipates that a significant portion of the environmental analysis for the Proposed Project can be prepared using existing information and data (see Section B.1 above). The selected consultant will coordinate with Authority environmental staff to identify data gaps, field surveys, and technical studies necessary to close those gaps.

Anticipated Technical Studies & Documents

- Biological and Jurisdictional Resources Report (field surveys may be necessary, including focused surveys)
- Cultural Resources Report
- Comprehensive Mitigation Plan³
- Other environmental topic analysis, as required by CEQA

² Other relevant environmental and planning documents, including documents not prepared by the Authority, may also need to be considered during the preparation of technical documents, CEQA process, and programmatic permits.

³ For habitat and species mitigation, Authority staff will inform the selected consultant where on-site (property owned in-fee) mitigation opportunities occur or can be developed.

Data⁴

- Appropriate GIS data resulting from technical studies and other analysis
- Other data, as required by CEQA and permitting agencies

CEQA Initial Study

- After the review of the existing information and preparation of technical studies, the selected consultant will assist the Authority with the preparation of a CEQA Initial Study. The CEQA Initial Study will be prepared consistent with the Authority's local CEQA guidelines, in close coordination with Authority staff, and will help determine the appropriate CEQA compliant document (e.g. EIR or MND).

B.3. COMPLETE CEQA PROCESS

Once the CEQA Initial Study is prepared, the selected consultant will continue to support the Authority during the CEQA process, including assisting with the preparation of the appropriate CEQA documents. Note that while the Proposed Project is programmatic in nature, it is anticipated that impacts associated with the implementation of O&M, as described in the Draft O&M Plan, will be mitigated to levels less than significant. Additionally, it is noted that many of the impacts have already occurred and were mitigated as part of previously approved projects or actions taken by the Authority⁵.

B.4. PROGRAMMATIC PERMITTING

Programmatic permitting is the ultimate goal and shall be the outcome of the Proposed Project. The selected consultant will support the Authority with the preparation of permit applications and during the negotiations of programmatic permits and agreements. The selected consultant is expected to support the Authority's efforts until all the anticipated permits are obtained.

Anticipated Programmatic Permits

- CDFG 1602 Agreement, Programmatic Routine Maintenance Agreement
- CWA Section 404 Permit, Regional General Permit
- CWA Section 401 Permit, Water Quality Certification for CWA 404 Permit
- Federal ESA compliance (possible mechanisms include a Section 7 Consultation or Habitat Conservation Program)
- California ESA and FGC compliance (possible mechanisms include Incidental Take Permit, NCCP, or State-Federal Consistency Determination).

C. REQUIREMENTS FOR STATEMENT OF QUALIFICATIONS

Statements of Qualifications (SOQ) submitted by potential consultants shall be concise, well organized, and demonstrate the responder's experience applicable to the requirements of this Request for Qualifications (RFQ). A SOQ submitted in response to this RFQ shall be in the following order and shall include:

⁴ Data shall be submitted to the Authority as requested.

⁵ Authority environmental staff will provide to the selected consultant necessary proof of such previous mitigation, as applicable, to avoid duplication of mitigation for O&M impacts.

1. *Introductory Letter:* Describe firm's expertise on CEQA and programmatic permitting, in light of the information provided in the Draft O&M Plan, this RFQ, and the Authority's strategic plan goals and objectives. This letter should also contain an expression of the firm's commitment in assisting the Authority during this entire process, a statement regarding the qualifications of the firm, and any summary information that may be useful or informative to the Authority.
2. *Identification of Responder:*
 - a. Provide legal name and address of company.
 - b. Provide legal form of company (partnership, corporation, joint venture, etc.).
 - c. Identify any parent companies and sub-consultants.
 - d. Provide addresses of office(s) and number of employees.
 - e. Provide name, title, address, telephone number, and email of a person to contact concerning the SOQ.
3. *Financial Relationships Disclosure(s):*
 - a. Identify all existing and past financial relationships between consultant's firm and current members of the Authority's Governing Board and staff and entities for which said members are employed or have an interest, both past and present. If there are none, clearly state this.
 - b. Identify all existing and past financial relationships between consultant's proposed sub-consultants and current members of the Authority's Governing Board and staff and entities for which said members are employed or have an interest, both past and present. If there are none, clearly state this.
 - c. For a list of the Authority's Governing Board members, see the following link:
<http://www.sweetwater.org/35/Governing-Board>
4. *Required Qualifications:* The following are the minimum required qualifications for proposers. Interested parties should not submit a SOQ if they do not meet these required qualifications:
 - a. The consultant's primary business or the primary business of a department within the consultant's firm shall be natural resource management, environmental planning, and regulatory permitting, and shall have been in the business of natural resource management, environmental planning, and regulatory permitting for at least 5 years.
 - b. The consultant shall provide a single Project Manager as the primary point of contact with the Authority. This Project Manager must have at least 5 years (total, with current firm or other employers) of project management experience in the fields of natural resource management, environmental planning, and regulatory permitting.
 - c. Preference will be given to consultants experienced with natural resource management, environmental planning, and regulatory permitting in southern and

coastal California, demonstrated by the consultant's list of qualifying projects of a similar nature to the Proposed Project.

- d. Provide a list of past and on-going qualifying projects for which the consultant's services were or are similar to those described in this RFQ. Limit the list to no more than 10 projects the consultant feels are most relevant to the RFQ. For each project, include the following:
 - A brief description of the project, date initiated, date completed (if applicable).
 - Name of owner and owner's project manager with contact information (e-mail and/or phone).
 - Identify role of the key personnel proposed for the Authority's proposed project.
 - e. Present the experience of any sub-consultants in the same manner.
 - f. Provide evidence of the experience and competence of the consultant's team proposed to work on the Proposed Project.
 - g. Provide a tentative strategy (i.e. scope of work) and schedule to complete the Proposed Project, which includes processing CEQA and obtaining programmatic permits. Assume the Proposed Project begins April 1, 2020.
5. *Consultant's Organization and Key Personnel:* Provide an organizational chart showing the relationship and titles of key personnel. Describe proposed consultant's organization, including identification, experience, and responsibilities of key personnel and sub-consultants. For each of the key personnel, identify their function, project-related experience, and main work location. Identify the Project Manager who will be responsible for the direct supervision and coordination of all work activities.
 6. *Costs:* Attach a separate, sealed envelope marked "Confidential – Billing Rates" to the SOQ. Include a list of all individuals who are expected to work on the Proposed Project with name, position, and hourly billing rate.
 7. *Exceptions to the RFQ:* The proposer shall certify that it takes no exceptions to this RFQ, including but not limited to the Authority's Professional Services Agreement (Agreement), which is attached (see Attachment 2). If the respondent does take exception(s) to any portion of the RFQ or Agreement, the specific portion of the RFQ or Agreement to which exception(s) is taken shall be identified and proposed alternative language shall be provided and explained in the SOQ.
 8. *SOQ Authorization:* The SOQ shall be signed by an individual authorized to bind the consultant and shall contain a statement to the effect that the submittal is in effect for ninety (90) days.
 9. *SOQ Submittal:* Provide one electronic copy of the SOQ in PDF in a compact disc, Universal Serial Bus (USB) flash drive, or by email to imarquez@sweetwater.org. In addition, provide six (6) hard copies of the SOQ.

SOQs, including printed hard copies, must be received by the Authority's Engineering Department NO LATER THAN 5:00 P.M. on January 22, 2020. SOQs shall be delivered to the Authority's Administration Office located at the following address:

Sweetwater Authority
Attention: Israel Marquez, Environmental Project Manager
505 Garrett Avenue
Chula Vista, CA 91910

D. CONSULTANT SELECTION PROCESS

The Authority will evaluate all SOQs based on the evaluation criteria presented in this section, as well as other information obtained through background information and references.

The Authority's Governing Board may convene a Committee for this RFQ. The Committee is made of three Governing Board Members assisted by Authority staff key to land management and environmental compliance. Using the established evaluation criteria, the Governing Board or Committee will evaluate the SOQs based on the firms' personnel and organization, experience, and other information included in the SOQ, except for the cost data provided. To determine the firm(s) deemed most qualified to perform the requested service, the Governing Board or Committee will evaluate responses to ensure the consultant meets all required qualifications. Responses that do not meet all required qualifications may be rejected and not reviewed further. Those SOQs that clearly show the firm meets all required qualifications will be evaluated further and scored based on the criteria listed below.

The Governing Board or Committee may choose to select a short list from the SOQs received based on SOQ evaluation, and conduct interviews of the short-listed firms. After the interviews, short-listed firms may be re-evaluated and ranked based upon the combined SOQ/interview process. The Authority reserves the right to eliminate the interview step of the procurement process and reserves the right to cancel the RFQ process.

The evaluation criteria that will be used by the Governing Board or Consultant Selection Committee are as follows:

Category	Maximum Points
Experience of lead consulting firm on preparing CEQA and CEQA-supporting documents, completing the CEQA process, and acquiring regulatory permits for projects similar to the proposed.	30
Qualifications and experience of assigned personnel, including sub-consultant personnel.	30
Proposed method to accomplish the Proposed Project.	25
Completeness in addressing requested information.	15

After final selection by the Governing Board or Consultant Selection Committee, the Authority will enter negotiations with the selected firm, which will include development of a scope of work and fee. If negotiations fail, the Authority may enter negotiations with the second ranked firm. After negotiating an agreement that is fair and reasonable, the contract award will be considered by

the Authority's Governing Board. The Authority's Governing Board has the final authority to award the contract.

E. AGREEMENT EXECUTION

Following award, an Agreement between the Authority and the selected consultant will be executed. The selected consultant will be expected to execute the Authority's standard Agreement without modification. A copy of the Agreement is provided in Attachment 2. If the selected consultant does take exception(s) to any portion of the Agreement, the specific portion of the Agreement to which exception(s) is taken shall have been identified and proposed alternative language shall have been provided and explained in the SOQ.

All services shall be performed on a time and materials basis in accordance with the standard hourly rates as submitted by the consultant and the terms of the Agreement. The Agreement will be in effect for one year and renewed if necessary at the Authority's discretion. Once the Agreement is executed by both parties, the consultant's work will be authorized via a Notice of Award (NOA) letter and then a Notice to Proceed (NTP) letter.

The Authority's Engineering Department will serve as the administrative lead on the proposed Agreement, and consultant's work shall be coordinated with the Engineering Department's Project Manager.

F. CONSULTANT PROVIDED ITEMS

The items listed below are to be provided by the selected consultant after negotiations:

1. Insurance documentation before Agreement is executed. Refer to the sample Agreement in Attachment 2 for insurance requirements.
2. Once work on the Project begins, the selected consultant is required to provide quarterly progress reports detailing activity since last progress report and upcoming activity.

F. DISCLAIMER

This RFQ does not commit the Authority to enter into an agreement for services, to pay any costs incurred in the preparation of a SOQ, or to procure or contract for services or supplies. The Authority reserves the right to accept or reject any or all SOQs received as a result of this request, to negotiate with any qualified source, or to cancel in part or in its entirety this RFQ, if it is in the best interest of the Authority to do so. The Authority shall not be obligated to contract any or all of the requested services to the selected consultant. Further, even upon execution of the Agreement, the selected consultant will not be guaranteed any work under the Agreement until a NOA and then a NTP letter is issued by the Authority.

Thank you for your interest in assisting the Authority with the preparation of environmental compliance documentation and programmatic permitting for O&M activities, as described in the O&M Plan. If you have any questions regarding this RFQ, please contact Israel Marquez, Environmental Project Manager, at (619) 409-6759 or imarquez@sweetwater.org.

Sincerely,

SWEETWATER AUTHORITY



Ron R. Mosher, P.E.
Director of Engineering

Enclosures: Attachment 1 – Property Operations and Maintenance Plan (Initial Draft)
Attachment 2 – Professional Services Agreement

Attachment 1

**SWEETWATER AUTHORITY
PROPERTY
OPERATIONS AND MAINTENANCE PLAN
INITIAL DRAFT**

Attachment 2

PROFESSIONAL SERVICES AGREEMENT