



San Gabriel Valley Council of Governments

Technical Consulting Services Related to the Development of the LA MS4 NPDES Permit

Request for Proposals

No. 11-02

Release Date: November 18th, 2011

Submittal Deadline: December 5th, 2011



San Gabriel Valley Council of Governments

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May 3rd, 2011

RE: LA Permit Group Plans Request for Proposals

Dear Sir or Madam:

Attached please find a copy of the San Gabriel Valley Council of Governments (SGVCOG) Request for Proposals (RFP) for technical and public relations services to assist the LA Permit Group negotiate the LA County MS4 National Pollutant Discharge Elimination System (NPDES) Permit. The LA Permit Group is comprised of approximately 50 municipalities in Los Angeles County working collaboratively to negotiate the upcoming Los Angeles County MS4 NPDES permit. Based on the technical nature of the MS4 NPDES Permit and TMDLs, extremely short permit development timeline and the potential costs and legal implication of the new permit, the SGVCOG is seeking a qualified individual or firm to work with the LA Permit Group to develop strategies and provide technical consulting to strengthen the municipalities' negotiations.

The firm(s) or individual(s) applying should have significant experience in working with Los Angeles Regional Water Quality Control Board, the MS4 NPDES permit program, and Total Maximum Daily Loads (TMDLs). All responses to this RFP are due to the SGVCOG offices by **12 noon on December 5th, 2011.**

Sincerely,

Nicholas T. Conway
Executive Director

EXECUTIVE DIRECTOR

Nicholas T. Conway

REQUEST FOR PROPOSALS

San Gabriel Valley Council of Governments

Table of Contents

1.0 OVERVIEW.....	1
2.0 BACKGROUND	2
3.0 GENERAL REQUIREMENTS.....	3
4.0 QUESTIONS AND ADDENDA	5
5.0 SUBMITTAL OF RESPONSES.....	5
6.0 VENDOR'S RESPONSIBILITIES	6
7.0 SCOPE OF SERVICE.....	6
8.0 RESPONSE FORMAT.....	7
9.0 EVALUATION CRITERIA	8
10.0 SELECTION PROCESS.....	8
11.0 PERIOD OF PERFORMANCE.....	8

1.0 Overview

The San Gabriel Council of Governments (SGVCOG) is a Joint Powers Authority created by the 31 cities within Los Angeles County, Los Angeles County Supervisorial Districts 1, 4 and 5, and the San Gabriel Valley’s water agencies to serve interregional interests of the 2 million residents living in the incorporated cities and unincorporated communities in the San Gabriel Valley. Founded in 1994, the organization’s mission is to serve as “a unified voice to maximize resources and advocate for regional and member interests to improve the quality of life in the San Gabriel Valley.” Please visit the SGVCOG’s website (www.sgvkog.org) for additional information.

SGVCOG is soliciting proposals from qualified and experienced firms (hereafter referred to as “Consultant” or “Firm”) to provide technical and public relations services to assist the LA Permit Group negotiate the LA County MS4 National Pollutant Discharge Elimination System (NPDES) Permit.

Proposals must be submitted in the following ways:

- 1) Electronically in Adobe Printable Document Format (pdf) and identified as “Response to Technical Consulting Services Related to the Development of the LA MS4 NPDES Permit” to Nicholas Conway, Executive Director, at sgv@sgvcog.org

and

- 2) Five (5) printed copies of the proposal received at one of the following addresses:

Mailing Address:

San Gabriel Valley Council of Governments
ATTN: LA Permit Group Consulting Services
1000 S. Fremont Ave., Unit #42
Alhambra, CA 91803

Delivery Address:

San Gabriel Valley Council of Governments
ATTN: LA Permit Group Consulting Services
1000 S. Fremont Ave.
Building 10
2nd Floor, Room 10210
Alhambra, CA 91803

Proposals must be received by **12:00 noon on December 5th, 2011.**

2.0 Background

In preparation for the new MS4 NPDES permit, the Los Angeles County cities and the County of Los Angeles have formed the LA Permit Group. The group was formed in an effort to conduct a collaborative negotiating process throughout the development of the next MS4 NPDES permit. The LA Permit Group has selected four key areas to collaborate on and has established technical working groups for each:

- Development Standards – addresses development planning (new and redevelopment) and post-construction stormwater run-off water quality standards. The existing permit requires that the first three-quarters of an inch of run-off from a project are treated prior to discharging to the stormdrain system. It is anticipated that the new permit will require that the run-off be contained on-site for treatment *and* infiltration. Several NPDES permits throughout the State and cities within Los Angeles County have already begun implementing the retention and infiltration standards, so the committee will be evaluating the various existing models to provide a recommended program model for the next permit.
- Monitoring – addresses the compliance monitoring program in the permit and TMDLs. There are various schools of thought on where monitoring should occur for compliance purposes, each with very significant implications (e.g. monitoring just before the stormdrain outlets to the flood control channel versus monitoring downstream in the river before it outlets to the ocean). The Monitoring group will be analyzing the permit

and TMDL compliance activities, as well as other MS4 NPDES permits throughout the State of California, to develop a recommended approach to compliance monitoring.

- **Reporting** – addresses the format in order to streamline and reduce administrative time compiling the Annual Report and TMDL compliance reports. The existing MS4 NPDES permit report format is over 40 pages and requires several detailed attachments. The group will provide recommendations to concentrate reporting based on compliance activities in order to reduce the administrative burden of the cities’ preparation and the LARWQCB staff’s review time.
- **TMDLs** – addresses how the TMDLs requirements will be incorporated into the MS4 NPDES permit. The TMDL group will be developing recommendations to advocate cost-effective TMDL implementation strategies with reasonable compliance schedules.

The LA Permit Group has also established a Negotiating Committee with the role of coordinating negotiations amongst other cities, the LARWQCB, water agencies, and non-governmental organizations. The LA Permit Group is currently chaired by the City of Monrovia; The LARWQCB will be holding the first public meeting related to the new MS4 NPDES permit on November 10, 2011, and has a goal of adopting a new permit in the early spring of 2012. Based on this schedule, a draft permit is expected in early 2012.

Official participating agencies of the LA Permit Group, as of November 8, 2011 include:

- | | | | |
|-----------------|-------------------|-------------------|-------------------------|
| * Agoura Hills | * Carson | * Inglewood | * Rolling Hills |
| * Alhambra | * Commerce | * La Verne | * Rolling Hills Estates |
| * Arcadia | * Covina | * Lakewood | * San Dimas |
| * Artesia | * Diamond Bar | * Malibu | * San Gabriel |
| * Azusa | * Duarte | * Manhattan Beach | * San Marino |
| * Bell | * El Monte | * Monrovia | * Sierra Madre |
| * Bell Gardens | * Glendale | * Monterey Park | * South Gate |
| * Bellflower | * Glendora | * Paramount | * Torrance |
| * Beverly Hills | * Hawthorne | * Pasadena | * Vernon |
| * Bradbury | * Hermosa Beach | * Pomona | * West Covina |
| * Burbank | * Hidden Hills | * Redondo Beach | * Westlake Village |
| * Calabasas | * Huntington Park | | |

Based on the technical nature of the MS4 NPDES Permit and TMDLs, extremely short permit development timeline and the potential costs and legal implication of the new permit, the LA Permit Group is seeking technical consulting services.

3.0 General Requirements

- 3.1** All firms are bound by the deadline and location requirements of this RFP.
- 3.2** Firms electing to respond to this RFP are responsible for all costs incurred in the preparation and submission of the proposals; demonstrations; interviews; preparation of responses to questions and requests for additional information; for contract

discussions; or for anything in any way related to this RFP. SGVCOG is not liable for any costs incurred by the firm in response to this RFP and the firms, including all related parties, disclaims and voluntarily and knowingly waives any and all rights to reimbursement for any such costs.

- 3.3** Late proposals will not be considered.
- 3.4** SGVCOG reserves the right to reject any or all responses or any portion thereof and to select the response(s) which, in its sole discretion, it judges to be in the best interest of the cities.
- 3.5** SGVCOG reserves the right to cancel or modify this RFP. There is no guarantee that the SGVCOG will place the requested service under contract.
- 3.6** SGVCOG reserves the right to investigate the qualifications of any firm under consideration including proposed subcontractors and parties otherwise related to the firm and require confirmation of information furnished by a firm, or require additional evidence of experience and qualifications to provide the services or otherwise discharge the obligations required by this RFP.
- 3.7** SGVCOG is subject to the Public Records Act and reserves the right to disclose information contained in proposals to the public, subject to exemptions for certain records.
- 3.8** SGVCOG reserves the right to approve or disapprove of particular subcontractors, joint venture partners, or other proposed team members.
- 3.9** SGVCOG reserves the right to evaluate responses in terms of the best interests of the cities, applying criteria provided in this RFP and any other criteria SGVCOG, in its sole discretion, deems pertinent.
- 3.10** SGVCOG reserves the right to accept other than the lowest cost proposal based upon an evaluation of all aspects of the response.
- 3.11** By the submission of a proposal, each firm accepts and agrees to execute a written agreement.
- 3.12** All responses must remain valid for a minimum period of one hundred and eighty (180) days after the response due date. Responses may not be modified or withdrawn by the firm during this period of time except in accordance with this RFP and with written permission granted by SGVCOG.
- 3.13** Firms may withdraw their proposal prior to the date and time set for receipt of proposals provided a written request is submitted to SGVCOG prior to the date and time set for receipt of proposals.

4.0 Questions and Addenda

- 4.1 All questions or requests for clarification shall be submitted via email to Nicholas Conway at sgv@sgvco.org by 12 noon on November 28th. All questions received by this deadline will be addressed posted on the SGVCOG website (www.sgvco.org) by Wednesday, November 30th.
- 4.2 If it becomes necessary to revise any part of this RFP, an amendment will be posted on the SGVCOG website at www.sgvco.org. It shall be the sole responsibility of the firm to check for any amendments to the RFP that may be issued by SGVCOG.

5.0 Submittal of Proposals

- 5.1 Proposals should be simply developed and include the information requested in Section 7.0.—Scope of Services. All proposals must be submitted electronically in Adobe Printable Document Format (.pdf) format. When submitting a proposal via email, it must be identified as “Response to Technical Consulting Services Related to the Development of the LA MS4 NPDES Permit.” File size shall be limited to no larger than 5 MB. Proposals not meeting these criteria will not be accepted or considered.
- 5.2 Proposals must be submitted no later than 12 noon on December 5th, 2011, to Nicholas Conway, Executive Director at sgv@sgvco.org and five (5) printed copies of the proposal must be received at one of the following addresses:

Mailing Address:

San Gabriel Valley Council of Governments
ATTN: LA Permit Group Consulting Services
1000 S. Fremont Ave., Unit #42
Alhambra, CA 91803

Delivery Address:

San Gabriel Valley Council of Governments
ATTN: LA Permit Group Consulting Services
1000 S. Fremont Ave.
Building 10
2nd Floor, Room 10210
Alhambra, CA 91803

Proposals received after that time will not be accepted.

- 5.3 After the due date of the proposals, a firm may not correct, modify, or withdraw the price or any other provision of its response in a manner prejudicial to the interests of SGVCOG or fair competition. SGVCOG may waive minor informalities or allow the firm to correct them.

6.0 Firm's Responsibilities

- 6.1** It is presumed that each firm has read and is thoroughly familiar with the scope of services to be performed under this RFP.
- 6.2** The firm agrees that, if a contract is executed with SGVCOG, the firm shall make no claim against SGVCOG because of any estimate or statement made by any employees, agents, or consultants of SGVCOG which may prove to be erroneous in any respect.

7.0 Scope of Service

SGVCOG is seeking a qualified individual or firm to work with the LA Permit Group to develop strategies and provide technical consulting to strengthen the municipalities' negotiations for the LA MS4 NPDES permit. The scope includes technical and public relations services to assist the LA Permit Group negotiate the LA County MS4 National Pollutant Discharge Elimination System (NPDES) Permit. The LA Permit Group is comprised of approximately 50 municipalities in Los Angeles County working collaboratively to negotiate the upcoming Los Angeles County MS4 NPDES permit. The consultant will meet regularly with the LA Permit Group, its four sub-groups and the Negotiations Committee.

As of November 2011, the LA Permit Group and the sub-groups meet on average 2-3 times per month. The Negotiations Committee will be meeting with the LA Regional Water Quality Control Board on a bi-weekly basis and will have internal meetings/conference calls on average 2-3 times per month. The consultant will not be expected to chair any of the meetings, rather will be there to coordinate with the chair of each group to provide technical and strategic advisement.

The firm(s) or individual(s) applying should have significant experience in working with Los Angeles Regional Water Quality Control Board, the MS4 NPDES permit program, and Total Maximum Daily Loads (TMDLs) to assist the LA Permit Group with the following:

1. Technical Assistance
 - 1.1. Help to tie the technical sub-committees' proposals together
 - 1.2. Provide technical back-up (legal and examples of other permits) to substantiate negotiation points.
 - 1.3. Provide draft permit language based on negotiation points.
 - 1.4. Advise on negotiation and packaging strategy.
2. Outreach and Consensus Building –
 - 2.1. Outreach Plan
 - 2.2. Assist the LA Permit Group to engage stakeholders to build consensus and identify partnerships/supporter
 - 2.3. Assist the Negotiations Committee to develop talking points and provide advisement on how to approach the Regional Board, stakeholders, city management/elected officials, and area elected officials.

2.4. Assist with outreach to other permittees to help build consensus.

8.0 Proposal Format

All proposals must be submitted electronically in Adobe Printable Document Format (.pdf) format.

All proposals shall include the following information and comply with the associated page limit restrictions. Note that 1 page includes the front side of an 8.5x11 sheet of paper and the cover does not constitute a page.

- 1) **Cover Letter** – 1-page cover letter signed by an officer of the firm, binding the firm to all of the commitments made in the submittal
- 2) **Firm Background** – 1-page background on the firm and its associated specialties. An additional 1-page may be included to highlight the background of any proposed sub-consultants.
- 3) **Previous Experience** – 5-page summary of the firm's and each individual proposed to work on the project's experience in working with the LA Regional Water Quality Control Board, the MS4 Permit Program, and TMDLs implementation plan development. References should be included
- 4) **Project Approach** – Maximum 7-page summary of the proposed approach to Assisting the LA Permit Group with the MS 4 Permit negotiations.
- 5) **Proposed Personnel** – 1-page resumes for each of the 3 leading staff members that will be performing the majority of the work on the project. Resumes for corporate leadership should not be included unless said individuals will be performing substantial work on this project.
- 6) **Schedule** – 1-page schedule detailing how the tasks will be completed within the required timeframe.

9.0 Cost Estimate

1-page cost estimate. This contract will be based on a time and materials basis (which shall include all overhead and profit) subject to an overall contract cap. The proposal should estimate the number of hours per staff member by proposed task and clearly identify an hourly rate schedule for the proposed staff. Firm rates for clerical, reproduction, and any proposed reimbursables shall also be included. Proposals should include a breakdown of hourly rates for each position, showing base salary, fringe benefits, overhead and profit.

10.0 Evaluation Criteria

Each firm's response will be evaluated upon the following criteria:

- 1) **Experience & Staffing (45%)** – The firm's previous experience with similar work in similar fields and qualifications and depth of the staff that will perform the work on this project.
- 2) **Project Approach (25%)** – The firm's responsiveness in developing a comprehensive approach.
- 3) **Cost (30%)** – The firm's fees and expenses for proposed level of effort

11.0 Selection Process

A selection committee, comprised of representatives from the LA Permit Group negotiating committee will review the proposals. Proposals will be ranked on qualifications and the selection committee may choose to interview several of the top ranked firms. However, at its sole discretion the selection committee may dispense with interviews and select a firm to perform the work.

Contract negotiations will occur subsequent to firm selection. Should SGVCOG be unable to successfully negotiate a contract with the highest qualified proposer, SGVCOG shall enter into negotiations with the next highest qualified proposer (and so on) until an agreement is reached. The anticipated pro forma contract for this assignment is included in Exhibit 1 of this RFP. Each prospective contractor is expected to review the general terms and conditions and acknowledge their acceptance, or material exceptions, in the proposal cover letter.

It is anticipated that the SGVCOG Governing Board will consider a recommendation of award of contract at its December 15th Governing Board meeting.

12.0 Period of Performance

It is anticipated that all work on this project will be completed by June 30, 2012.