

CITY COUNCIL AGENDA: JUNE 17, 2014

SUBJECT: AWARD OF CONTRACT- ON-CALL ENVIRONMENTAL SERVICES

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION

COMMENT: In January 2013, the City Council authorized staff to enter into contract negotiations with three firms for the purpose of providing on-call consulting services. The three firms identified were Provost & Pritchard Consulting, LSA, and Quad Knopf.

On May 6, 2014, the City Council authorized staff to terminate the on-call consulting services contract with Quad Knopf due to the firm's staff turn-over as three of the original five members of the project team are no longer with the firm. The contract specifically addressed this matter in Section 7, where it stated that "the principals involved and identified in the proposal are integral to the performance of the scope of services and shall not change or be replaced without first obtaining prior written approval from the City of a replacement(s) in the completion of the work effort."



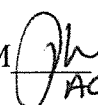
In addition to authorizing staff to terminate the on-call consulting services contract with Quad Knopf, staff requested and received authorization to distribute a Request for Qualifications for On-Call Consulting Services to backfill the vacant position on the list of available on-call consultants.

The Request for Qualifications (RFQ) was sent to thirteen (13) firms with offices throughout the Central Valley and the Los Angeles area. The City received one response. Although only one firm responded, staff reviewed the Statements of Qualifications and is requesting Crawford and Bowen Planning be added to the list of on-call consultants. Currently the firms include Provost & Pritchard Consulting Group and LSA. The original contracts had a term of three (3) years, with two (2) possible one (1) year extensions. Rather than have a separate timeline, staff is proposing Crawford and Bowen Planning, Inc. be added to the contract schedule set to expire January of 2016.

RECOMMENDATION: That City Council:

1. Authorize staff to negotiate an on-call contract with Crawford and Bowen Planning, Inc.;
2. Authorize the Mayor to sign contract documents;
3. Authorize the Community Development Director to sign task orders; and
4. Authorize staff to make payments up to 100% upon satisfactory completion of tasks.

ATTACHMENT: Staff report from May 6, 2014, authorizing distribution of Request for Qualifications

DD  Acting
Appropriated/Funded  CM  ACTING

Item No. 3

CONSENT CALENDAR

SUBJECT: AUTHORIZATION TO DISTRIBUTE REQUEST FOR QUALIFICATIONS (RFQ) FOR ON-CALL CONSULTING SERVICES

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: In January 2013, the City Council approved a request from the Community Development Department to enter contract negotiations with three firms for the purpose of providing on-call consulting services. The three firms identified were Provost & Pritchard Consulting, LSA, and Quad Knopf. A key factor in the selection of these three firms was the expertise of the staff identified for the team, and specifically the firm's project manager.

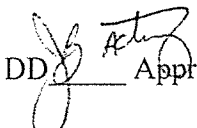


In the last year, one firm's project team has been affected by staff turn-over, and last month the project manager for the team left the firm. City staff understands and is sympathetic to staff transitions; however, the contract specifically addressed this matter in Section 7, where it stated that "the principals involved and identified in the proposal are integral to the performance of the scope of services and shall not change or be replaced without first obtaining prior written approval from the City of a replacement(s) in the completion of the work effort."

Including the project manager, three of the original five members of the project team are no longer with the firm. The remaining two provide specialty services, in more of a support role. The City has contacted the firm in question, but has not received a response as to who might make up a newly formed project team. For these reasons, staff would like to terminate the contract with Quad Knopf and distribute a Request for Qualifications (RFQ) for on-call consulting services. The two other firms have been responsive as required by the contract, and no change to their eligibility is proposed.

RECOMMENDATION: That City Council:

- 1) Authorize staff to terminate the on-call consulting services contract with Quad Knopf (signed March 13, 2013); and
- 2) Authorize staff to distribute a Request for Qualifications for On-Call Consulting Services to backfill the vacant position on the list of available on-call consultants.

ATTACHMENT: Request for Qualifications

DD  Appropriated/Funded  CM  ACTING

**ATTACHMENT
ITEM NO. 1**

May 7, 2014

Subject: Request for Qualifications (RFQ) – On-call Consulting Services

The City of Porterville is in the midst of a significant number of public and private improvement projects. A number of these projects require design, planning, and/or environmental evaluation efforts in excess of the current capacity of City staff. Subject projects may be privately initiated, designed in house, or derived from other programs with specified funding sources. Therefore, the City of Porterville is requesting qualifications for consulting services to assist staff in the preparation of the required environmental documents and studies and/or Engineering oriented projects and studies. The consulting services described in the attached RFQ will be performed upon request as projects are initiated by the City.

The City currently has contracts with two other firms, and intends to add one firm at this time, for a total of three firms- including, as needed, sub-consultant teams. If selected, the City will provide a Service Contract for two (2) years following the date of the signed service agreement. The contract may be extended by mutual agreement. Upon contract renewal, the cost for services must be agreed upon by both parties. Due to the volume of work needed, the City of Porterville reserves the right to place services, in addition to the services being performed by the selected firms, with other qualified firms.

This contract is subject to thirty (30) day written notice of cancellation by either party except that City may cancel contract upon five (5) days written notice in the event of nonperformance by contractor. Nonperformance by contractor or repeated lack of response or attention to responsibilities and/or directions and requests of City shall be considered adequate cause for termination of contract and/or withholding of funds to contractor which City must pay to third party or parties to correct deficiencies due to lack of performance as determined by City.

The selected consultants must identify the principal project manager, and the consultant shall not substitute the project manager without prior approval by the Community Development Director of the City of Porterville

Four (4) copies of the proposals must be submitted, in accordance with the attached request by 5:00 PM, June 6, 2014 to:

City of Porterville, Planning Division
Attn: Jenni Byers
Acting Community Development Director
291 N. Main Street
Porterville, CA 93257

Award of contract should occur in July or August 2014, by the City Council.

Please contact me at (559) 782-7460 if you have any questions regarding this letter.

Sincerely,

Jennifer M. Byers
Acting Community Development Director

110
J. BYERS

CITY OF PORTERVILLE

REQUEST FOR QUALIFICATIONS (RFQ) FOR ON- CALL CONSULTANT SERVICES FOR PROJECTS WITH IDENTIFIED FUNDING SOURCES

The City of Porterville seeks the services of an environmental consultant or consulting firm to provide assistance to City Staff as necessary in the preparation of environmental documents for certificates of participation and other projects with identified funding sources. The services to be rendered under this contract would consist of the preparation of Initial Studies, Negative Declarations, Environmental Impact Reports and, where appropriate, Categorical Exclusions, Environmental Assessments and other documents as necessary to comply with state and federal environmental guidelines. It is anticipated that the majority of the work effort would be focused on CEQA compliance. The selected environmental consultant must have a substantial working knowledge of CEQA and NEPA, must possess strong writing and communication skills and have a flexible schedule that will allow for attendance at meetings as necessary. Although the consultant's work will be reviewed by the Community Development Director or Community Development Manager, the above-referenced skills are essential to meeting the objectives of this program.

In addition to the preparation of environmental documents and studies, it is anticipated that the City will have a number of projects requiring on-site biological and/or archaeological monitoring during construction. Other services typically rendered by the selected firm may also be utilized during the course of this agreement.

SCOPE OF ENVIRONMENTAL CONSULTANT SERVICES:

The consultant will respond directly to the Community Development Manager or her designee on a particular project. The selected consultant will perform, but not be limited to, the following tasks:

1. Compile background data necessary for the preparation of the appropriate environmental documents.
2. Prepare Initial Study checklists, technical studies, categorical exemptions, negative declarations, mitigated negative declarations, environmental impact reports, environmental assessments, categorical exclusions and environmental impact statements.
3. Develop timelines and work hour estimates necessary for the preparation of the environmental documents based on specific projects.
4. Identify key factors that need to be evaluated and that may require hiring a specialist in a particular area of analysis (i.e. air quality, noise, etc.). This may be addressed through services normally rendered by the consultant under this contract.
5. Coordinate early consultation and ongoing meetings with City staff and staff at other agencies.

6. Prepare appropriate forms associated with the applicable environmental document such as public hearing notices, notices of determination, negative declarations, notice of completion, etc.
7. Prepare requests for proposals for the preparation of technical studies to be utilized in the preparation of the environmental documents.
8. Provide biological and archaeological and other technical analysis staff or sub-consultants for project site monitoring during construction activities in response to project-specific mitigation measures.
9. Provide other consulting services as available through the selected firm.
10. Other Requirements:

- a) The selected firm will be required to carry and provide certificates of insurance for general and automobile liability insurance as follows:

General Liability	\$1,000,000 minimum per occurrence
Automobile Liability	\$1,000,000 minimum per occurrence
Workers Compensation	Statutory Limits

The General Liability is to contain or be endorsed to name the City, its officers, officials, employees and agents as Additional Insured as respects liability arising out of the activities performed in connection with this contract. The coverage shall be primary and shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability. Original endorsements, signed by a person authorized to bind coverage on its behalf, shall be furnished to the City by the successful firm.

- b) The selected consultant/firm shall indemnify and hold harmless the City, its officers, employees and agents from and against all claims, damages, losses and expenses caused in whole or in part by any negligent act or omission of the firm, its consultants, subcontractors, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, except where caused by the active negligence, or willful misconduct, by the City.
- c) Labor and material proposals submitted on this form shall be subject to the provisions of Section 1700, California Labor Code, as specified by Section 3700, California Labor Code, which requires Worker's Compensation insurance to be provided by the selected consultant/firm.
- d) Worker's Compensation policy(ies) are to be endorsed to include a waiver of subrogation against the City, its officers, officials, employees and agents.

- e) The firm and its employees are independent contractors and not employees of the City of Porterville. The firm and/or its insurers are responsible for payment of any liability arising out of worker's compensation, unemployment, or employee benefits offered to its employees.
- f) Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the City.
- g) Endorsements are to be received and approved by the City before work commences.
- h) The successful consultant/firm shall obtain a City of Porterville business license. Fee is based on gross receipts for all business transactions in the City of Porterville. For information, contact the Business License clerk at (559) 782-7457.
- i) A service contract will be provided by the City to the selected contractor.
- j) All work performed by the consultant under this contract shall be under the ownership of the City of Porterville.
- k) All work performed under this contract shall be researched, prepared and executed in a professional and competent manner for which the consultant will be responsible.
- l) In accordance with City of Porterville and Caltrans policy, disadvantaged business enterprises (DBE), including qualified small minority and woman-owned firms, are encouraged to submit a proposal or otherwise participate in the completion of the work covered by this request. No DBE participation goals have been established for this project.
- m) The employee(s) identified in the proposal as performing the duties under this contract shall not be replaced without the prior written approval of the Community Development Director of the City of Porterville.

DESIRABLE QUALIFICATIONS OF THE CONSULTANT

The City is seeking a qualified consultant to provide on-call consulting services for the preparation of environmental documents, studies, related notices and mitigation monitoring for compliance with the applicable environmental regulations and other consulting services. The desired consultant shall have the following qualifications:

- 1) Extensive experience in the preparation of environmental documents in compliance with CEQA and NEPA.
- 2) The Consultant's proven ability to expeditiously and accurately produce the required product in a concise and useable format.

- 3) Knowledge of the City of Porterville development and environmental review process is highly desirable.
- 4) The consultant must possess strong writing skills and be proficient using Microsoft Word and other standard software programs.
- 5) Be equipped with qualified biologists available for construction monitoring for project-specific mitigation measures, and to provide site specific project reviews for non-discretionary projects as needed.
- 6) Provide archaeological services either in house or through a subconsultant that is listed on the Southern San Joaquin Valley Information List of qualified consultants.

CONTENTS OF STATEMENTS OF QUALIFICATIONS TO BE SUBMITTED TO CITY

Environmental Consultants/Consulting firms wishing to be considered for selection to provide the services to the City described herein should submit Statements of Qualifications in their proposals containing the following information:

- 1) A description, including background, size and orientation of the firm.
- 2) A summary of the qualifications of the firm to perform the services described herein, including, but not necessarily limited to:
 - a. the firm's previous experience in preparing environmental documents/studies; and
 - b. the firm's previous experience in performing similar services for other agencies; and
 - c. the firm's previous experience with the City of Porterville and familiarity with the community; and
 - d. the firm's ability to produce the required product in a timely fashion, within budget and ability to present such reports to elected officials and the general public.
- 3) Prospective consultants shall describe the qualifications of all professional personnel to be assigned to this project, including a summary of similar work or studies each member has performed and a resume of each professional involved with this contract.
- 4) Prospective consultants shall designate by name the project planner/manager to be employed in this effort. The selected consultant shall not substitute the project planner/manager without prior approval by the Community Development Director of the City of Porterville.

The proposal shall contain the fee(s) the firm proposes to charge for the services to be provided. The fee(s) shall be in the form of hourly rates which consider all billable expenses such as mileage, materials, insurance, phones, etc. Time will be of the essence in completing the services described in relation to this project. It is anticipated that this effort may require significant staff resources at times, particularly for mitigation monitoring during construction projects. It is also important that when services are requested, that the consultant will return to the City for work within five (5) working days in the event a lapse in service occurs.

Four (4) copies of the proposal should be submitted by not later than 5:00 P.M., June 6, 2014 to:

City of Porterville
Planning Division
Attn: Jenni Byers
Acting Community Development Director
291 North Main Street
Porterville, CA 93257

The proposals must be submitted in an envelope clearly marked with the proposer's name and "Qualifications for Consulting Services." Late or incomplete proposals will not be considered by the City.

SELECTION PROCESS:

Proposals will be evaluated using the attached Exhibit "A," the Consultant Selection Rating Form.

INQUIRIES REGARDING THIS RFQ:

Any inquiries regarding this RFQ or the project described herein should be directed to Julie Phillips, Community Development Manager, by calling (559) 782-7460.

RESPONSE TO REQUEST FOR QUALIFICATIONS FOR
ENVIRONMENTAL CONSULTING SERVICES

TO: City of Porterville

FROM:

Name/Company

Address

City, State, Zip Code

Telephone No. Fax No.

Proposal Amount: Hourly Rate Availability/hours per week

Project Manager/Principal _____

Project Planner _____

Clerical (if applicable) _____

Notice prior to commencing work on particular project _____ hours/days.

(Summary of qualifications, references and relevant experience must be attached.)

Signature Date

Name and Title (Printed)