



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

May 30, 2013

Request for Proposal

RFP # 2013-007

CEQA Analyses for Air Quality Plans and Rule
Development

SECTION I – SUMMARY 1
SECTION II – INSTRUCTIONS TO BIDDERS 3
SECTION III – SCOPE OF WORK 5
SECTION IV – PROPOSAL FORMAT, CONTENT, AND SUBMITTAL 6
SECTION V – PROPOSAL EVALUATION 9
SECTION VI – SAMPLE CONTRACT 9

SECTION I – SUMMARY

This Request for Proposals (RFP) solicits proposals from companies that would, under contract to the Bay Area Air Quality Management District (Air District), provide CEQA analyses for State air quality plans, federal air quality plans, and rule development projects.

The District is a regional governmental agency that regulates air pollution in the San Francisco Bay Area. The District includes Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, southwestern Solano, and southern Sonoma counties.

The California Clean Air Act (CCAA), adopted in 1988, requires the Air District to develop and periodically update a plan to achieve and maintain State ambient air quality standards for ozone, carbon monoxide (CO), sulfur dioxide (SO₂), and NO₂ by the earliest practicable date (Health & Safety Code § 40910). The Bay Area has attained the CO, SO₂ and NO₂ standards. Because the region violates the State one and eight-hour ozone standards, the Bay Area is considered a nonattainment area for the State standards. The CCAA requires regions that do not meet the State ozone standards to prepare plans for attaining the standards and to update these plans every three years. These plans must include estimates of current and future emissions of the pollutants that form ozone (ozone precursors) and a control strategy that includes “all feasible measures” to reduce these emissions. The plan must also include measures to reduce transport of ozone and ozone precursors to neighboring regions.

The most recent plan is the Bay Area 2010 Clean Air Plan, which is a multi-pollutant plan that includes state ozone planning requirements. The plan takes an integrated approach to air quality planning and includes measures to reduce emissions of four categories of

pollutants. In addition to the ozone precursors oxides of nitrogen (NO_x) and reactive organic gases (ROG), the plan also addresses particulate matter (PM) with particular emphasis on particulate matter of 2.5 microns or less in diameter (PM_{2.5}) and its precursors, toxic air contaminants (TAC) and greenhouse gases (GHG).

During this contract period, Air District staff anticipates preparing a revision to the 2010 Clean Air Plan to include a triennial update to the Bay Area strategy to achieve the State ozone standards. The Clean Air Plan includes stationary source control measures, mobile source measures, transportation control measures, land use and local impact measures and energy efficiency and climate measures. This revision may result in the development of new and revised control measures to satisfy State ozone planning requirements and reduce emissions of other pollutants. It is anticipated that an Environmental Impact Report (EIR) will be required for the update to the 2010 Clean Air Plan. To view a copy of the 2010 Clean Air Plan and EIR, go to the Air District website: <http://www.baaqmd.gov/Divisions/Planning-and-Research/Plans/Clean-Air-Plans.aspx>.

Local air districts are granted a general power to adopt rules and regulations to execute their various duties. They are also specifically authorized to develop measures to control TAC. Local air districts also adopt rules and implement programs to reduce emissions of PM and other air pollutants. Many of these rules are intended to implement measures included in air quality plans. Of the stationary source measures outlined in the 2010 Clean Air Plan, the District has, to date, adopted six of the listed measures:

- SSM 1: Metal Melting Facilities (Reg. 12-13 and Reg. 6-4)
- SSM 5: Vacuum Trucks (Reg. 8-53)
- SSM 9: Cement Kilns (Reg. 9-13)
- SSM 10: NO_x from Petroleum Refinery Boilers and Heaters (Reg. 9-10)
- SSM 17: New Source Review for Toxic Air Contaminants (Reg. 2-5)
- SSM 16: New Source Review for PM_{2.5} (Reg. 2-2)

Historically, negative declarations have typically been determined to be the appropriate CEQA document for most, but not all, rule development projects. Previous CEQA documents prepared for rules or rule amendments can be viewed on the Air District website at: <http://www.baaqmd.gov/Divisions/Planning-and-Research/Rule-Development/Current-Regulatory-Public-Hearings.aspx>.

This contract is for a four-year period, from FY 2013-14 through FY 2016-17.

The District's has currently allocated \$190,000 for CEQA analysis for planning and rule development. Additional funds may be added in subsequent fiscal years, depending on the CEQA analysis needs. Expenditures will be based on the number of rule development projects and plans that need environmental analysis during each FY, and the complexity of each analysis (negative declaration or environmental impact report). This contract will include services for developing initial studies, negative declarations, environmental impact reports or other CEQA related documents for planning and rule development projects as specified by Air District staff.

Bidding and Award Process: The Air District is seeking bids from firms(s) that can demonstrate extensive experience with CEQA analysis as related to air quality planning and regulation. Air District staff will score the proposals in before taking a recommendation to its Board of Directors. A contract between the Air District and the selected contractor(s) will be executed as soon as possible following authorization by the

Air Districts' Board of Directors and will commence on completion of the contract. The contract will continue through FY 2016-17.

To respond to this RFP, interested parties should submit two hard (2) copies and one (1) electronic copy (in Microsoft Office or Adobe format) of its proposal to:

Rebekah Davies, Administrative Analyst, rdavies@baaqmd.gov
Bay Area Air Quality Management District
939 Ellis Street San Francisco, CA 94109

**Proposals must be received at the Air District offices at
939 Ellis Street, San Francisco, California, 94109 by 4:00 p.m. on
June 21, 2013.**

Late proposals will not be considered.

Proposals must address all information requested in this RFP. A proposal may add information not requested in this RFP, but the information should be in addition to, not instead of, the requested information and format. Minority business enterprises, women's business enterprises, veteran's business enterprises, and Certified Green Businesses are encouraged to submit proposals. **Any questions regarding this RFP should be directed to Rebekah Davies at: rdavies@baaqmd.gov.**

SECTION II – INSTRUCTIONS TO BIDDERS

A. General

1. All proposals must be made in accordance with the conditions of this RFP. Failure to address any of the requirements is grounds for rejection of this proposal.
2. All information should be complete, specific, and as concise as possible.
3. Proposals should include any additional information that the respondent deems pertinent to the understanding and evaluation of the bid.
4. The Air District may modify the RFP or issue supplementary information or guidelines during the proposal preparation period prior to the due date. Please check our website for updates.
5. Proposals shall constitute firm offers. Once submitted, proposals cannot be altered without the written consent of the Air District, but proposals may be withdrawn.
6. The Air District reserves the right to reject any and all proposals.
7. Quotations for this project should be based on time and materials, and should include an estimate of total costs anticipated for initial studies, negative declarations and environmental impact reports.
8. The Air District may revise the scope of work for the project at any time.

9. The Air District may select multiple contractors to perform CEQA analyses of plans and rules based on bidders' unique abilities. The Air District may also ask respondents to form collaborative teams (combine proposals) in order to leverage the greatest knowledge base and expertise to complete the required tasks.
10. All questions must be in written form and directed to Rebekah Davies and arrive no later than two weeks prior to RFP due date. All questions will be answered in writing and posted on the BAAQMD RFP webpage as soon as possible but at least five calendar days prior to the due date.
11. The cost for developing the proposal is the responsibility of the bidder, and shall not be chargeable to the Air District.

B. Submittal of Proposals

All proposals must be submitted according to the specifications set forth in Section IV (A) – Proposal Format, Content and Submittal and this section. Failure to adhere to these specifications may be cause for the rejection of the proposal.

1. Due Date – All proposals are due no later than 4:00 p.m., June 21, 2013, and should be directed to:

Rebekah Davies, Administrative Analyst, rdavies@baaqmd.gov
Bay Area Air Quality Management District
939 Ellis Street San Francisco, CA 94109

2. Proposals received after the time and date provided previously specified will not be considered.
3. Signature – All proposals should be signed by an authorized representative of the bidder.
4. Submittal – Submit two hard (2) copies and one (1) electronic copy (in Microsoft Office or Adobe format) of the proposal in a sealed envelope. Electronic submissions will be acknowledged with a return email. Plainly mark the upper, left-hand corner with the name and address of the bidder and the RFP number. Late proposals will not be accepted. Any correction or re-submission of proposals will not extend the submittal due date.
5. Grounds for Rejection – A proposal may be immediately rejected at any time if it arrives after the deadline; is not in the prescribed format; or is not signed by an individual not authorized to represent the firm.
6. Disposition of the Proposals – All responses to this RFP become property of the Air District and will be kept confidential until a recommendation for award of a contract has been announced. Thereafter, submittals are subject to public inspection and disclosure under the California Public Records Act. If a respondent believes that any portion of its submittal is exempt from public

disclosure, it may mark that portion “confidential.” The District will use reasonable means to ensure that such confidential information is safeguarded, but will not be held liable for inadvertent disclosure of the information. Proposals marked “confidential” in their entirety will not be honored, and the District will not deny public disclosure of any portion of submittals so marked.

By submitting a proposal with portions marked “confidential,” a respondent represents it has a good faith belief that such portions are exempt from disclosure under the California Public Records Act and agrees to reimburse the District for, and to indemnify, defend, and hold harmless the District, its officers, employees, and agents, from and against any and all claims, damages, losses, liabilities, suits, judgments, fines, penalties, costs, and expenses, including without limitation, attorneys’ fees, expenses, and court costs of any nature whatsoever, arising from or relating to the District’s non-disclosure of any such designated portions of a proposal.

7. Modification – Once submitted, proposals, including the composition of the contracting team, cannot be altered without prior written consent of the Air District. All proposals shall constitute firm offers valid for ninety (90) days from the due date.

C. Interviews

1. The Air District, at its option, may interview bidders. The interviews will be for the purpose of clarifying the proposals.
2. Submittal of new proposal material at an interview will not be permitted.
3. Interviews may involve a presentation or a question-and-answer format or any combination of these.

SECTION III – SCOPE OF WORK

CONSULTANT will prepare CEQA analysis and appropriate CEQA documents for Bay Area Air Quality Management District (District) air quality plans and regulatory projects as specified by District staff. Regulatory projects may include proposed new rules and rule amendments scheduled for adoption by the District Board of Directors. Air quality plan projects may include a comprehensive revision to the 2010 Clean Air Plan. Payment for CEQA analysis and documents will be based on an hourly rate. Because CEQA documents for projects can vary in complexity and an initial study may dictate the need for a CEQA Negative Declaration or an Environmental Impact Report, on a case by case basis, the cost of any project cannot be estimated in advance. The District expects that payment will be based on time and materials required for each project.

Rule development projects are to be determined by District staff. Generally, each rule project CEQA analysis will be completed in one month. Time needed to prepare an Environmental Impact Report will be expected to exceed one month. District staff will provide information about affected facilities and known potential environmental impacts

of each proposed rule or rule amendment. The District will review and, if necessary, revise the CEQA schedule to ensure work progresses in accordance with District priorities. CEQA analysis for each task cannot be completed until the District has conducted a public workshop for each rule development project and has developed a draft rule that is not expected to change substantially before its presentation for adoption by the District Board of Directors.

1. Timeline

This is a contract for professional services for the time period from July 1, 2013 through June 30, 2017. The contract may, at the discretion of the District and with the agreement of the contractor, be extended.

2. Reporting and Reimbursement

1. Reporting – The contractor(s) shall provide the analyses and other deliverables as specified for each project. Where possible, the contractor(s) shall provide draft deliverables to the Air District two weeks prior to the date specified. This will allow one week for air district review and one week for the contractor(s) to incorporate any changes to the documents.
2. Reimbursement – The Air District shall pay the contractor(s) for services in accordance with the terms set forth in the contract between the Air District and the contractor(s).

3. Federal and State Requirements

The successful contractor(s) under this solicitation will comply with all applicable federal and State requirements. Additionally, no persons or entities that are currently listed on the federal excluded parties list system (EPLS) will be considered for award as part of this RFP.

4. Additional Requirements

Compliance with the Air District’s Conflict of Interest policy is required of any principals working for or associated with a contractor, as determined by the District.

SECTION IV – PROPOSAL FORMAT, CONTENT, AND SUBMITTAL

A. Contents of Proposal

Submitted proposals must follow the format outlined below and include all requested information. Failure to submit proposals in the required format can result in the proposal being eliminated from evaluation and consideration.

1. Technical Proposal (Section references below refer to the organization of the proposal and not to sections of this RFP)
 - a. Cover Letter (Section I) – Must include the name, address, and telephone number of the company, and must be signed by the person(s) authorized

to represent the firm.

- b. Firm Contact Information – Provide the following information about the firm:
 - Address and telephone number of office nearest to San Francisco, California and the address and phone number of the office that each of the proposed staff members are based out of if different.
 - Name of firm’s representative designated as the contact.
 - Name of project manager, if different from the individual designated as the contact.
 - Entity DUNS Number.
- c. Table of Contents – Clearly identify material contained in the proposal by section.
- d. Summary (Section II) – State overall approach to the CEQA analysis for state and Federal planning documents and rule development projects, including the objectives and scope of work.
- e. Estimated Timelines and Costs for Planning and Rule Development Projects (Section III) – Provide an estimate of the time and costs required to prepare CEQA documents for air quality plans and draft regulatory projects. For each type of project, prepare an estimate for both a CEQA Initial Study and Negative Declaration and a CEQA Initial Study and Environmental Impact Report. Provide a description of how you will manage timelines estimated (including allowing sufficient time for Air District review of draft CEQA documents).
- f. Firm Organization (Section IV) – Provide a statement of your firm’s background and related experience in providing similar services to governmental organizations. Describe the technical capabilities of the firm and, in particular, the firm’s exposure with working on air quality planning documents and regulations, public and government policy, research and planning (local/regional) and in the preparation of complex plans, if any. Provide references of other, similar projects including contact name, title, and telephone number for all references listed.
- g. Project Organization (Section V) – Describe the proposed management structure, program monitoring procedures, and organization of the team that will be providing input on CEQA analyses. Provide a statement detailing your approach to CEQA analyses, specifically address the firm’s ability and willingness to commit and maintain staffing to successfully conclude projects on expected schedules.
- h. Assigned Personnel (Section VI) – Provide the following information about the staff to be assigned to the project:
 - List all key personnel assigned to the project by level and name. Provide a description of their background, along with a summary of their experience in providing similar services for governmental

agencies, and any specialized expertise they may have. Background descriptions can be a resume, CV, or summary sheet. Substitution of project manager or staff will not be permitted without prior written approval of the Air District's assigned program manager.

- Provide a statement of the availability of staff in any local office with requisite qualifications and experience to conduct the requested project.
 - Provide a statement of education and training programs provided to, or required of, the staff identified for participation in the project. Make particular mention to experience dealing with governmental agencies, procedures, and environmental regulations.
- i. Retention of Working Papers (Section VII) – All working papers are the property of the Air District. Include a statement acknowledging that if your firm is awarded the contract, you will retain project related papers and related reports for a minimum of five (5) years following the completion of a contract with the Air District.
 - j. Subcontractors (Section VIII) – List any subcontractors that will be used, the work to be performed by them, and the total number of hours or percentage of time they will spend on the contract.
 - k. Conflict of Interest (Section IX) – Address possible conflicts of interest with other clients affected by contractors' actions performed by the firm on behalf of the Air District. The Air District recognizes that prospective bidders may have contracts to perform similar services for other clients. Include a complete list of such clients for the past three (3) years with the type of work performed and the total number of years performing such tasks for each client. The Air District reserves the right to consider the nature and extent of such work in evaluating the proposal.
 - l. Additional Data (Section XI) – Provide other essential data that may assist in the evaluation of the proposal. The Air District encourages bids from minority and/or women owned businesses, local and green businesses.
2. Cost Proposal
 - a. Name and Address – The Cost Proposal must have the name and complete address of the bidder in the upper, left hand corner.
 - b. Cost Proposal – The cost proposal(s) must list the fully-burdened hourly rates and the total number of hours estimated for each level of professional and administrative staff to be used to perform the tasks required by this RFP (inclusive of direct, benefits and indirect costs). Additionally, any equipment or supplies necessary to complete required CEQA documentation must be listed.
 - c. The Cost Proposal(s) does not need to be a separate, sealed document.

3. Proposal length

- a. Proposals may not exceed 20 pages in length. All documents submitted must be on double-sided sheets of size 8.5 by 11 inches. Font size may be no less than standard Microsoft office type size 12 and all documents must be single spaced.
- b. Resumes and supporting documentation for staff qualifications do not count against the 20 page limit.

SECTION V – PROPOSAL EVALUATION

Air District staff will evaluate all proposals. The evaluation team will recommend the selection of the contractor to the Air Pollution Control Officer (APCO), who will, in turn, make a recommendation to the Air District Board of Directors. The Air District Board of Directors must approve the contract to carry out the work described in this RFP. An example of a typical contract for professional services used by the Air District is included in Section VI.

Proposals will be evaluated on the following criteria:

Technical expertise, size and structure of the firm and personnel assigned to RFP tasks; firm’s ability to perform and complete the work in a professional and timely manner.	30%
Past experience of the firm and, in particular, experience of the team working on projects of similar scope for other governmental agencies.	20%
Responsiveness of the proposal, based upon a clear understanding of the work to be performed.	20%
Cost	25%
References	5%

The Air District reserves the right to reject any and all proposals submitted and/or request additional information. During the selection process, the Air District’s evaluation panel may interview bidders. The interviews will be for clarification only. The submittal of new material will not be permitted at that time. Interviews may involve a presentation or a question-and-answer format or any combination of these.

If two or more proposals receive the same number of points, the Air District will accept the lower cost offer.

SECTION VI – SAMPLE CONTRACT

A sample contract to carry out work similar to this RFP is available on the Air District’s

website at <http://www.baagmd.gov/Divisions/Administration/RFP-RFQ/Sample-Documents.aspx>. Note that this RFP may include functions not covered in the sample.