



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

October 4, 2016

Request for Proposals# 2016-004

Phillips 66 San Francisco Refinery
Marine Terminal III Project
CEQA Review Consultant Services

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SECTION I – SUMMARY

This Request for Proposals (RFP) solicits proposals from qualified California Environmental Quality Act (CEQA) consultants that would, under contract to the Bay Area Air Quality Management District (Air District), perform analyses required by CEQA for the Phillips 66 San Francisco Refinery’s Marine Terminal III Project, which involves an increase in the amount of crude and gas oil allowed for delivery to the terminal by marine vessel.

This contract is for a two-year period, estimated to commence November 1, 2016 through October 31, 2018.

This contract will include services for developing and preparing Initial Studies, Negative Declarations, Environmental Impact Reports, or other CEQA-related documents as specified by Air District staff. The Air District is seeking bids from consultants that can demonstrate extensive experience with CEQA analysis and CEQA document development/preparation as related to air quality permits and air quality planning.

To respond to this Request for Proposals (RFP), an interested company should submit four (4) hard copies in a sealed envelope of its proposal and one (1) electronic copy (in Microsoft Office or Adobe Acrobat PDF file format) of its proposal to:

Cynthia Zhang, Purchasing Agent
Bay Area Air Quality Management District

375 Beale Street, Suite 600; San Francisco, CA 94105
czhang@baaqmd.gov

**Proposals must be received at the Air District offices at
375 Beale Street, Suite 600, San Francisco, California, 94105 by
4:00 p.m. Tuesday, November 1, 2016.
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 Cynthia Zhang at: czhang@baaqmd.gov.**

SECTION II – BACKGROUND

A. Air District Overview

The Air District was created by the California Legislature in 1955 as the first regional agency to deal with air pollution in California. The Air District jurisdiction includes Alameda, Contra Costa, Marin, Napa, Santa Clara, San Francisco, San Mateo, southwestern Solano, and southern Sonoma counties.

The State Legislature originally gave the Air District the authority to regulate stationary sources of air pollution, such as factories, oil refineries, chemical plants, gasoline stations, and agricultural burning. With more recent legislation, the Air District was granted authority to enact certain transportation and mobile source measures.

The Air District is governed by a twenty-four-member Board of Directors, consisting of elected officials, including county supervisors, mayors, and city council members. The Executive Officer / Air Pollution Control Officer for the Air District is Jack Broadbent.

B. CEQA Analysis for Phillips 66 San Francisco Refinery's Marine Terminal III Project (Air District Application No. 25608)

Phillips 66 San Francisco Refinery submitted a permit application for its Marine Terminal III Project (Air District Application No. 25608). Phillips 66 is seeking to increase allowed quantities of crude and gas oil delivered to its Marine Terminal to a total of 130,000 barrels per day (bbl/day).

The project involves a change in a permit condition that limits the total amount of crude and gas oil that may be delivered to the terminal. The project does not involve any physical changes to the terminal or to any associated equipment at the refinery. This project also does not involve any change in the overall amount of crude and gas oil that the refinery will process. Phillips 66 intends to offset the proposed NOx emissions increase associated with the proposed additional marine vessel deliveries.

The Air District will have the role of CEQA lead agency for this project.

The contractor hired under this RFP will need to work with the Air District to establish appropriate baselines for analysis of the project. The contractor will also need to analyze the potential impacts of ARB fuel sulfur standards for marine vessels adopted on January 1, 2014.

SECTION III – 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 prior to the due date.
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 projects 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 or emailed directly to Cynthia Zhang, Purchasing Agent, and arrive no later than **4:00 p.m. on October 18, 2016**. All questions will be answered in writing and posted on the [BAAQMD RFP webpage](#) by **6:00 p.m. on October 24, 2016**.
11. The cost for developing the proposal is the responsibility of the bidder, and shall not be chargeable to the Air District.
12. A firm's selection and the execution of a contract with the Air District does not guarantee any particular amount of work.

B. Submittal of Proposals

All proposals must be submitted according to the specifications set forth in Section V (A) – Contents of Proposal, 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., November 1, 2016, and should be directed to:

Cynthia Zhang, Purchasing Agent
Bay Area Air Quality Management District
375 Beale Street, Suite 600; San Francisco, CA 94105
czhang@baaqmd.gov

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 four (4) hard copies of the proposal in a sealed envelope to the mailing address above, plus one (1) electronic copy (in Microsoft Office or Adobe Acrobat PDF file format). Electronic submissions submitted via email will be acknowledged with a return email. Hard copies of the proposal shall plainly mark the upper, left-hand corner of the submission 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, or is not in the prescribed format, or is not signed by an individual authorized to represent the firm.
6. Disposition of the Submissions – 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 Air 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 Air 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 Air District for, and to indemnify, defend, and hold harmless the Air 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 Air 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 November 1, 2016, 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 and/or a question-and-answer session.

SECTION IV – SCOPE OF WORK

Selected contractor will develop and prepare the CEQA analysis and appropriate CEQA documents for the project in consultation with Air District staff.

Payment for CEQA analysis and documents will be based on an hourly rate. The Air District expects that payment will be based on time and materials required.

If requested, Air District staff will provide information about affected facilities and known potential environmental impacts of the project.

The contract will be structured in phases with Task Orders to be issued for each of the required stages of the CEQA analysis. The first Task Order will be for the preparation of an Initial Study. If the Initial Study finds that preparation of additional analysis including an Environmental Impact Report is required for the project, additional Task Orders will be issued for those portions of the project.

Depending on the level of analysis that is required, the Scope of Work will include either a portion or all of the following tasks:

Task Order 1: Initial Study

1. The contractor will prepare an Initial Study of potential impacts that may result due to the project.
2. The Initial Study should contain sufficient information for Air District staff to determine the level of environmental review necessary to comply with CEQA requirements.

Task Order 2: Negative Declaration or Mitigated Negative Declaration (Path 1); OR Environmental Impact Report (Path 2)

1. If necessary, the contractor will prepare a Notice of Preparation (NOP), including a project description and list of probable environmental effects of the project. In addition, the contractor will review and assess NOP comments and prepare responses.
2. The contractor will be responsible for attending no more than three (3) District Stationary Source Committee / Air District Board of Directors meetings. The contractor will work with Air District staff in the development of presentation materials for the meetings. The contractor will be responsible for recording all public and Board comments, including a summary of comments within the environmental document.
3. The contractor will prepare an administrative draft of the environmental document for internal Air District staff review and comment. Air District comments will then be incorporated into the draft environmental document. The draft environmental document will include all sections required by CEQA.
4. The contractor will confer with potential affected stakeholders and other members of the public and respond to comments.
5. The contractor will coordinate with affected public agencies, address concerns and respond to comments.
6. The contractor will prepare written responses to comments received during the environmental document public review period. The environmental document will include a list of persons, organizations, and agencies that submitted comments.
7. If necessary, the contractor will prepare a Mitigation Monitoring and Reporting Program (MMRP) to ensure the implementation of measures identified to mitigate any adverse environmental effects of the project. The MMRP shall be included in the environmental document as an appendix.
8. The contractor will prepare findings and a statement of overriding considerations (if applicable) for approval by the Air District Board of Directors.

Timeline

This is a contract for professional services for the estimated time period from November 1, 2016 through October 31, 2018. The contract may, at the discretion of the Air District and with the agreement of the contractor, be extended.

If the Initial Study concludes that a Negative Declaration (Path 1) or Mitigated Negative Declaration (Path 2) is required, the project shall be completed and all deliverables received within six months of the Notice to Proceed.

If the Initial Study concludes that an Environmental Impact Report is required (Path 3) the project shall be completed and all deliverables received within eighteen months of the Notice to Proceed.

The Air District will work with the contractor to determine the final project schedule. The Air District will review and, if necessary, revise the project schedule to ensure work progresses in accordance with Air District priorities.

Reporting and Reimbursement

1. Reporting – The contractor will provide the analyses and other deliverables

as specified for each project. Where possible, the contractor will 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 to incorporate any changes to the documents.

2. Reimbursement – The Air District will pay the contractor for services in accordance with the terms set forth in the contract between the Air District and the contractor.

Federal and State Requirements

The successful contractor 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.

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 Air District.

SECTION V – PROPOSAL FORMAT, CONTENT, AND SUBMITTAL

A. Contents of Proposal

Submitted proposals must follow the format outlined below and include all requested information. Please number your responses exactly as the items are presented here, and limit to 10 one-sided pages, except work samples, which should be included in a separate appendix. Failure to submit proposals in the required format can result in the proposal being eliminated from evaluation and consideration.

1. Experience, Structure, Personnel
 - a. Cover Letter – 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 and email address
 - Name of project manager, if different from the individual designated as the contact
 - c. Table of Contents – Clearly identify material contained in the proposal by section

- d. Summary – State overall approach to the CEQA analysis and CEQA document development/preparation for the Phillips 66 San Francisco Refinery’s Marine Terminal III Project, including the objectives and scope of work.
- e. Estimated Timelines and Costs – Provide an estimate of the time and costs required to conduct the CEQA analysis and prepare CEQA documents for the Phillips 66 San Francisco Refinery’s Marine Terminal III 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). Provide projected milestones or benchmarks for completing the project within the total time allowed.
- f. Firm History – Provide a history of your firm’s experience in providing services similar to those sought through this RFP, including any services provided to governmental organizations. Provide references for any similar projects listed, including contact name, title, telephone number, and email address. Describe the technical capabilities of the firm in all areas relevant to the services sought through this RFP.
- g. Project Organization – Describe the proposed management structure, program monitoring procedures, and organization of the team that will be providing input on CEQA analyses and CEQA document development/preparation. Provide a statement detailing your approach to the CEQA analyses, specifically addressing the firm’s ability and willingness to commit and maintain staffing to successfully conclude the project on the expected schedule.
- h. Assigned Personnel - List all key personnel who would be assigned to the Air District project by name and role. Provide descriptions of education and training, along with a summary of experience in providing services similar to those sought through this RFP. Background descriptions can be a resume, CV, or summary sheet. Note that the standard Air District contract will not permit substitution of project manager or staff without prior written approval of the Air District’s assigned program manager.
- i. Work Samples (Does not count against 10-page limit) – Samples of up to 5 major projects that the firm has completed in the areas of CEQA Initial Study/EIR and/or Initial Study/Negative Declaration development/preparation. Include the client, the name of a contact person who is able to provide a reference, the reference contact person’s telephone number and email address, a description of the nature of the work, and the size and complexity of the project.
- j. Retention of Working Papers – 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.

- k. Subcontractors – 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.
 - l. Conflict of Interest – Address possible conflicts of interest or appearance of impropriety regarding other clients of the firm that could be created by providing services to the Air District. Describe procedures to be followed to detect and resolve any conflict of interest or appearance of impropriety. The Air District reserves the right to consider the nature and extent of such work in evaluating the proposal.
 - m. Additional Information – Provide any other information that the firm wishes the Air District to consider in evaluating the submission.
2. Fee Information (Does not count against 10-page limit)
- a. Name and Address – The Fee Information must have the name and complete address of the bidder in the upper, left hand corner.
 - b. The normal hourly rate of each principal and staff member whose resume is provided or whose job category may be required, and the rate that would be charged to the Air District.
 - c. A list of anticipated reimbursable expenses, such as expenses for presentation materials, supplies, deliveries, B/W and color printouts and copies, faxes, photo scans and travel, copywriting and copyediting services and the rate charged for each.
 - d. Any reduced fees offered to other municipalities, governmental entities, economic development or nonprofit organizations, and civic organizations.
 - e. Any other fees or charges.
 - f. The Fee Information does not need to be a separate, sealed document.
3. Proposal Format
- a. Hard copies of all documents submitted must be on single-sided sheets of size 8.5 by 11 inches.
 - b. Font size may be no less than standard Microsoft office type size 12 and all documents must be single spaced.

SECTION VI – PROPOSAL EVALUATION

A panel of Air District staff will evaluate all proposals. The panel will recommend the selection of one or more contractors to the Air Pollution Control Officer, 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 VII.

Proposals will be evaluated on the following criteria:

Expertise	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.	35%
Skill	Past experience of the firm and, in particular, experience of the team working on projects of similar scope for other governmental agencies.	30%
Approach	Responsiveness of the proposal, based upon a clear understanding of the work to be performed.	20%
Cost	Cost or cost effectiveness and resource allocation strategy.	10%
References	References of the firm.	5%
	Total	100%

- * "Size and structure of firm" refers to the ability of a firm's size to meet the needs of the Air District. It does not give absolute preference to larger or smaller firms.

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 and/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 VII – SAMPLE CONTRACT

A sample contract to carry out the work described in this RFP is available on the Air District's website at <http://www.baaqmd.gov/Divisions/Administration/RFP-RFQ/Sample-Documents.aspx>