



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

Updated: April 11, 2018

Request for Proposals# 2018-003

**CEQA Analyses for Air Quality Plans and Rule  
Development**

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**SECTION I – SUMMARY**

This Request for Proposals (RFP) solicits proposals from companies to provide California Environmental Quality Act (CEQA) analyses for Bay Area Air Quality Management District (Air District), State and/or federal air quality plans, Community Action Plans prepared pursuant to AB 617, and rule development projects. 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.

To respond to this Request for Proposals (RFP), an interested company should submit one (1) electronic copy (in Adobe Acrobat PDF file format) of its proposal to the Air District’s Procurement Portal (Portal):

Cynthia Zhang, Staff Specialist  
Bay Area Air Quality Management District  
375 Beale Street, Suite 600; San Francisco, CA 94105  
Portal link: <https://baaqmd.bonfirehub.com>

**Proposals must be submitted and received by 4:00 p.m. on April 20, 2018.  
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 submitted through the Portal.**

## **SECTION II – BACKGROUND**

### **A. Air District Overview**

The Bay Area Air Quality Management District (Air District) was created by the California Legislature in 1955 as the first regional agency to address 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 Air District has the authority to regulate stationary sources of air pollution, such as factories, oil refineries, chemical plants, gasoline stations, and agricultural burning, and has limited 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 P. Broadbent.

### **B. CEQA Analyses for Air Quality Plans and Rule Development Projects**

In 2017, Governor Brown signed AB 617 – a law related to reducing exposure to criteria pollutants and toxic air contaminants. This law was passed alongside AB 398 (which extends California's cap-and-trade program through 2030), and is intended to reduce air pollution exposure in disproportionately impacted and disadvantaged communities. AB 617 requires the California Air Resources Board (ARB) to develop a monitoring plan for the state and then select, based on the plan, the highest priority locations to deploy community monitoring systems. AB 617 also requires ARB to select communities - based on available modeling, monitoring, and/or public health data - for which Community Action Plans will be prepared. Local air districts that house such communities will be required to prepare and adopt the Community Action Plans, which will include emissions reduction targets, cost-effective emission reduction measures, an implementation schedule, and an enforcement plan. These Community Action Plans will include strategies for reducing emissions from both mobile and stationary sources. Both the Air District and ARB must approve these plans. The Air District anticipates preparing 1-2 Community Action Plans per year. Accordingly, it is anticipated that preparation of a negative declaration or an Environmental Impact Report (EIR) may be necessary for the Community Action Plans. To view additional information on the Air District's role in implementing AB 617, go to the Air District's website: <http://www.baaqmd.gov/plans-and-climate/community-health-protection-program>.

Local air districts are also granted a general power to adopt rules and regulations to execute their various duties and reduce emissions of air pollutants throughout their jurisdiction. Many of these rules and regulations are intended to implement stationary source control measures included in air quality plans, such as the 2017 Clean Air Plan. Historically, negative declarations have typically been determined to be the appropriate CEQA document for most, but not all, rule development projects. On occasion,

preparation of an EIR will be necessary for rule development projects. To view additional information on the Air District's rule development process, visit the Air District website: <http://www.baaqmd.gov/rules-and-compliance/rule-development>.

Additionally, the California Clean Air Act (CCAA) 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 (SO<sub>2</sub>), and nitrogen dioxide (NO<sub>2</sub>) by the earliest practicable date (Health & Safety Code § 40910). The Bay Area has attained the CO, SO<sub>2</sub> and NO<sub>2</sub> 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 2017 Clean Air Plan, which is a multi-pollutant strategy to simultaneously reduce emissions and ambient concentrations of ozone, fine particulate matter, toxic air contaminants, as well as greenhouse gases (GHGs) that contribute to climate change.

During this contract period, Air District staff may prepare a revision to the 2017 Clean Air Plan to include a triennial update to the Bay Area strategy to achieve the State ozone standards. The 2017 Clean Air Plan includes stationary source control measures, and measures to reduce emissions associated with transportation, energy use, buildings, agriculture, natural and working lands (including carbon sequestration capabilities or potential), waste management, water use, super GHGs, and measures that will be further studied in the future. Future revisions to the 2017 Clean Air Plan may result in the development of a new and/or revised control strategy to satisfy State ozone planning requirements and reduce emissions of other pollutants such as greenhouse gases. It is anticipated that an EIR will be required for the update to the 2017 Clean Air Plan. To view a copy of the 2017 Clean Air Plan and EIR, go to the Air District website: <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>.

### **SECTION III – SCOPE OF WORK**

Air District staff anticipates allocating approximately \$250,000 for CEQA analyses for air quality plans 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 fiscal year, 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. This contract is for a four-year period, from FY 2018-19 through FY 2021-22.

The selected contractor will prepare CEQA analysis and appropriate CEQA documents for Air District rule development projects and air quality plans as specified by Air District staff. Rule development projects may include proposed new rules and rule amendments

scheduled for adoption by the Air District Board of Directors. Air quality plans may include Community Action Plans adopted pursuant to AB 617 and a comprehensive revision to the 2017 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 at this time. The Air District expects that payment will be based on time and materials required for each project.

## **SECTION IV – INSTRUCTIONS TO BIDDERS**

### **A. General**

1. Interested firms must create an account through the Portal described on p. 1 of this RFP to view RFP documents and addenda, and to submit questions and bid documents.
2. 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.
3. All information should be complete, specific, and as concise as possible.
4. Proposals should include any additional information that the respondent deems pertinent to the understanding and evaluation of the bid.
5. 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 [Portal](#) for updates prior to the due date.
6. Proposals shall constitute firm offers. Once submitted, proposals may be withdrawn, modified and resubmitted through the Portal up until the April 20, 2018, due date.
7. The Air District reserves the right to reject any and all proposals.
8. Proposals shall include a cost proposal that must list the fully-burdened hourly rates for each level of professional and administrative staff to be used to perform the tasks required by this RFP, and the length of time that the rates will be valid as well as anticipated percent increase to rates over the four-year contract period.
9. All questions must be in written form and submitted through the Portal no later than **4:00 p.m. on Monday, April 9, 2018**. Firms will not be able to submit questions after this time. All questions will be answered in writing and posted on the [Portal](#) by **6:00 p.m. on Friday, April 13, 2018**.
10. 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 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., April 20, 2018, and should be **submitted via the Portal**:

Cynthia Zhang, Purchasing Agent  
Bay Area Air Quality Management District  
375 Beale Street, Suite 600; San Francisco, CA 94105  
**Portal link:** <https://baaqmd.bonfirehub.com>

2. Uploading large documents may take significant time, depending on the size of the file(s) and Internet connection speed. Bidders should plan sufficient time before the due date to begin the uploading process and to finalize their submissions. Bidders will not be able to submit documents after the due date. Proposals received after the date and time previously specified will not be considered.
3. Signature – All proposals should be signed by an authorized representative of the bidder.
4. Submittal – Submit one (1) electronic copy (in Adobe Acrobat PDF file format). Electronic submissions submitted via the Portal will be acknowledged with a confirmation email receipt. 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 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 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, may be altered up until the due date. Proposals may not be modified after the due date. All proposals shall constitute firm offers valid for ninety (90) days from the April 20, 2018, 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 V – 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
  - 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 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 (Section II) – State overall approach to CEQA Analyses for Air Quality Plans and Rule Development, including the objectives and scope of work.

- e. Program Schedule (Section III) – Provide example timeframes for completing initial studies, negative declarations, and environmental impact reports.
- f. Firm Organization (Section IV) – Provide a statement of your firm’s background and related experience in providing similar services to governmental organizations, if any. Describe the technical capabilities of the firm and, in particular, the firm’s exposure with working with environmental regulations, 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 project management structure and project management team. Provide a statement detailing your approach to the management of this contract, specifically addressing the firm’s ability and willingness to commit and maintain staffing to successfully conclude on-going projects as they arise.
- 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 with reference 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.
- j. Subcontractors (Section VIII) – List any subcontractors that may be used, the work to be performed by them, and their experience working on air quality plans and environmental regulations.
- 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.

- I. Additional Data (Section X) – Provide other essential data that may assist in the evaluation of the proposal (e.g. green business certification, etc).
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 must list the fully-burdened hourly rates for each level of professional and administrative staff to be used to perform the tasks required by this RFP, and the length of time that the rates will be valid as well as anticipated percent increase to rates over the 4-year contract period.
    - c. The Cost Proposal does not need to be a separate, sealed document.

## SECTION VI – PROPOSAL EVALUATION

A panel of Air District staff will evaluate all proposals. The panel 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. A link to a typical contract for professional services used by the Air District is included in Section VII.

Proposals will be evaluated on the following criteria:

Criteria	Description	Weight
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.*	30%
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.	30%
Cost	Cost or cost effectiveness and resource allocation strategy	10%



	<b>Total</b>	<b>100%</b>

- \* “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 consider the fully-burdened hourly rates.

## **SECTION VII – SAMPLE CONTRACT**

A sample contract to carry out the work described in this RFP is available on the District’s website at <http://www.baaqmd.gov/about-the-air-district/request-for-proposals-rfp-rfq/samples-previous>.