



October 10, 2019

Request for Proposals# 2019-013

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

**Schnitzer Steel Ocean-Going Vessels Increase Project
CEQA Review Consultant Services**

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SECTION I – SUMMARY

The Bay Area Air Quality Management District (Air District) seeks proposals from qualified California Environmental Quality Act (CEQA) consultants that would, under contract with the Air District, perform analyses required by CEQA for the Schnitzer Steel Ocean-Going Vessels (OGV) Increase Project, which involves an increase in the number of marine vessel ship calls to the facility’s terminal in the Port of Oakland.

The selected consultant or contractor will be responsible 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 seeks 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 its proposal electronically (in Adobe Acrobat PDF file format) 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
Wednesday, November 13, 2019.
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 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 P. Broadbent.

B. CEQA Analysis for Schnitzer Steel's Ocean-Going Vessels Increase Project (Air District Application No. 29411)

Schnitzer Steel submitted a permit application for its OGV Increase Project (Air District Application # 29411). Schnitzer Steel is seeking to increase the allowable number of ship calls at Schnitzer Steel's scrap metal recycling facility in Oakland, California from 26 ship calls to 32 ship calls per calendar year. This application will not change any throughput limits at this facility.

The current limit of 26 ship calls per calendar year was established in 2009 pursuant to Air District Permit Application # 16721. The project evaluated under Application # 16721 included a throughput increase for Schnitzer Steel's shredder that also resulted in an increase in the number of ocean-going vessels required to transport metal scrap from this facility. The limit of 26 ship calls was estimated by assuming that each ship would be fully loaded with scrap metals from Schnitzer Steel. The increase in ship calls resulted in increases of combustion emissions including nitrogen oxides (NOx). Emission reduction credits were provided to offset the increases in NOx emissions. The Air District was the CEQA lead agency for this project. The Air District adopted a negative declaration for this project in 2009.

Recently, smaller ships and partially loaded ships have been used to transport Schnitzer Steel's scrap metal, resulting in the need to have more ship calls per year to transport the same amount of material. Under Application # 29411, Schnitzer Steel has requested a new limit of 32 ship calls per calendar year. The Air District also plans to clarify the

definition of an Air District ship call, because the Air District has discovered that some maritime authorities may use a different interpretation of a ship call.

The Air District expects to have the role of CEQA lead agency for this OGV Increase Project. The project does not involve any physical changes to the facility or to any associated equipment at the facility. This project also does not involve any change in the overall amount of scrap metal that the facility will process. Permit condition changes will be limited to the number of ship calls per calendar year and the definition of a ship call.

The Air District expects that this current OGV Increase Project will result in increases of combustion emissions from ship engines and tug boat engines used during transportation within the bay, during maneuvering, and at berth. Combustion emissions include the following pollutants: nitrogen oxides (NOx), precursor organic compounds (POC), carbon monoxide (CO), sulfur dioxide (SO₂), particulate matter (PM₁₀ and PM_{2.5}), and diesel particulate matter (diesel PM), which is a toxic air contaminant. In accordance with Air District new source review (NSR) requirements, NOx and POC emission reduction credits will be required to offset any increases in NOx and POC emissions. Diesel PM emissions from this project are expected to require a health risk assessment (HRA).

To be conservative, when completing the HRA, the Air District recommends that the operation's emissions be evaluated at the maximum permitted material throughput or emissions levels rather than at actual (or reported) levels. When using the actual throughput or emissions, the facility may not be operating close to the permitted limits based on a variety of factors (market conditions, downtime for maintenance, etc.) and the HRA results may be too low.

The consultant hired under this RFP will need to work with the Air District to establish appropriate baselines for analysis of the project and will need to use the emissions at the permitted maximum material throughput or emissions levels for the HRA.

SECTION III – SCOPE OF WORK

Selected consultant or 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 selected contractor will be responsible for either a portion or all of the following tasks:

Task Order 1: Initial Study

1. Prepare an Initial Study of potential impacts that may result due to the project. 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, 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. Attend no more than three (3) Air District Stationary Source Committee / Air District Board of Directors meetings. The consultant will work with Air District staff in the development of presentation materials for the meetings. The consultant will be responsible for recording all public and Board of Director's comments, including a summary of comments within the environmental document.
3. 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. Confer with potential affected stakeholders and other members of the public and respond to comments.
5. Coordinate with affected public agencies, address concerns and respond to comments.
6. 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, 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. 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 December 1, 2019 to November 30, 2021. 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 1) 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 2) 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 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 November 13, 2019, due date.

7. The Air District reserves the right to reject any and all proposals.
8. 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.
9. The Air District may revise the scope of work for the project at any time.
10. 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.
11. All questions must be in written form and submitted through the Portal no later than **4:00 p.m. on Thursday, October 24, 2019**. 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, November 1, 2019**.
12. The cost for developing the proposal is the responsibility of the bidder, and shall not be chargeable to the Air District.
13. 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 13, 2019, and should be submitted via the Portal to:

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>

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 finalize their submissions and to complete the uploading process. 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 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 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, 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 November 13, 2019, 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 analysis and CEQA document development/preparation for the Schnitzer Steel OCV Increase Project, including the objectives and scope of work.
- e. Estimated Timelines (Section III) – Provide an estimate of the time required to conduct the CEQA analysis and prepare CEQA documents for the Schnitzer Steel Ocean-Going Vessels Increase 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 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 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 (Section VI) – 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 (Section VII) – 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 (Section VIII) – 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 (Section IX) – 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 (Section X) – 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.
- m. Additional Data (Section XI) – 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. 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 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.*	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 District. It does not give absolute preference to larger or smaller firms.

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 District's website at <http://www.baaqmd.gov/about-the-air-district/request-for-proposals-rfp-rfq/samples-previous>. (Click the + to the left of Sample Contracts, and then click on the Professional Services Contract link)