

LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

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DATE: NOVEMBER 28, 2007
FROM: SAMUEL MARTINEZ, LAFCO Analyst
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #4: Review and Approval of Contract with Consultant to Prepare Environmental Impact Report for LAFCO 3076 – Consolidation of San Bernardino Valley Water Conservation District and San Bernardino Valley Municipal Water District

RECOMMENDATION:

Staff is recommending that the Commission:

1. Select RBF Consulting, as recommended by the Selection Committee, to provide environmental consulting services for the preparation of an Environmental Impact Report (EIR) for the project proposal identified as LAFCO 3076;
2. Approve the contract with RBF Consulting to provide environmental consulting services for a total amount not to exceed \$299,533 and authorize the Chairman to sign the contract on behalf of the Commission.

BACKGROUND INFORMATION:

At the September 19th hearing, the Commission authorized the release of the Request for Proposal (RFP) to provide environmental consulting services for the preparation of an EIR for the project proposal identified as LAFCO 3076. The RFP was circulated to a number of pre-selected consultants on September 21, 2007, with a proposal submission deadline of October 18, 2007. In addition, a Selection Committee (hereinafter the "Committee"), comprised of Tom Dodson (Tom Dodson and Associates), the Commission's Environmental Consultant, Bob Colven and Richard Pearson, members of the Commission, and Kathleen Rollings-McDonald,

the Commission's Executive Officer for LAFCO, was formed to review each of the consultant's qualifications and service proposals.

Within the original October 18th deadline, LAFCO staff did not receive a single proposal on the RFP. In light of this, staff re-notified all of the pre-selected consultants that it was extending the proposal submission deadline to November 5, 2007. At the end of the extension period, three proposals were received from the following consultants:

- David Evans and Associates;
- Michael Brandman and Associates; and,
- RBF Consulting.

The Committee convened on November 14, 2007, to review and evaluate the three proposals. All three proposals were reviewed through an initial process of determining whether the proposals met the minimum requirements that were identified in the RFP. The Committee then evaluated the proposals based on the criteria as defined in the RFP, which includes the following: a) Understanding of project and soundness of approach, b) Consultant expertise and technical abilities, c) Commitment/participation by key individuals, d) Related experience and references, e) Responder's schedule and ability to perform, f) Clarity, completeness and general quality of the proposal, and g) cost of the services proposed. Using a score system to rank each proposal, the Committee unanimously voted that the successful proposal was that submitted by RBF Consulting.

The RBF Consulting team includes a number of sub-consultants to perform specialized analysis and services for the project proposal: Hatch and Parent, A Law Corporation, has been tapped to assist RBF Consulting on legal issues regarding water law, Geoscience Support Services, Inc., for geo-hydrological services, and BonTerra Consulting for biological services.

The RBF Consulting proposal divides the work program for the EIR into six (6) major tasks/activities, identified as follows:

1. Project Initiation
2. Technical Review/Peer Review Services
3. Preparation of Administrative Draft EIR
4. Draft EIR
5. Final EIR
6. Project Coordination, Meetings, and Hearings

RBF Consulting proposes a "not to exceed" contract price of \$299,533. As required by Commission policy, this cost will be the obligation of the applicant. In this case, the applicant for LAFCO 3076 is the San Bernardino Valley Municipal Water District (the "District"). The District will be required to provide an initial deposit of one-half the contract price (\$149,766.50) within one week after the

contract is signed. The District will then be billed after certain milestones have been achieved by RBF Consulting for the balance as set forth in the contract.

Included as Attachment #2 to this report is a letter from the District indicating its concurrence with the Committee's recommendation selecting RBF Consulting as the firm to provide the required environmental services. The letter also acknowledges the District's responsibility to provide all costs associated with the preparation of the EIR.

As part of the negotiation process with RBF Consulting, LAFCO staff is including the responses received during the Notice of Preparation (NOP) review period as part of the scope of services. It has been agreed that the comments received during the NOP period fall under the original scope of services; therefore, the "not to exceed" contract price of \$299,533 is not change.

In a letter submitted to LAFCO, RBF Consulting has formally accepted the contract, as revised, and acknowledges the inclusion of the NOP responses as part of the original scope of services. The letter from RBF Consulting is included as Attachment #3 to this report.

CONCLUSION:

Staff is recommending that the Commission:

1. Select RBF Consulting, as recommended by the Selection Committee, to provide environmental consulting services for the preparation of an Environmental Impact Report (EIR) for the project proposal identified as LAFCO 3076;
2. Approve the contract with RBF Consulting to provide environmental consulting services for a total amount not to exceed \$299,533 and authorize the Chairman to sign the contract on behalf of the Commission.

/SM

Attachments:

1. Contract
2. Letter from the San Bernardino Valley Municipal Water District
3. Letter from RBF Consulting