

SAN JOAQUIN AREA FLOOD CONTROL AGENCY
REQUEST FOR PROPOSALS
**CONSULTING SERVICES FOR PARADISE CUT BYPASS EXPANSION AND MULTI-
BENEFIT PROJECT**
(SJAFCA-RFP-24-02)

1.0 INTRODUCTION

The San Joaquin Area Flood Control Agency (SJAFCA) invites qualified consulting firms on SJAFCA's pre-qualified consulting list to submit Proposals to prepare a feasibility study or participate in various other consulting capacities for the Paradise Cut Bypass Expansion and Multi-benefit Project (Project).

SJAFCA is a Joint Powers Authority (JPA) that was created in May 1995 between the City of Stockton, San Joaquin County and the San Joaquin County Flood Control and Water Conservation District for the purpose of addressing flood protection for the City of Stockton and surrounding county area. On November 16, 2017, the Joint Exercise of Powers Agreement (JEPA) was expanded to include the Cities of Lathrop and Manteca. SJAFCA has a nine-member Board of Directors with representation from the San Joaquin County (1 member), San Joaquin County Flood Control and Water Conservation District (1 member), the public (1 member), and two members each from the cities of Stockton, Lathrop, and Manteca.

SJAFCA's mission is to reduce and manage the region's flood risk. The organization is guided by five goals and supporting objectives and priority actions, which can be found on the website at <https://www.sjafca.com/>.

2.0 PROJECT BACKGROUND

Various phases of the Project have been in development for over the last decade. Project proponents have successfully worked with numerous State and local entities to inform local stakeholders, evaluate the technical feasibility of the bypass and related features, quantitatively model the impacts and benefits, and build broad support. Expansion of Paradise Cut Bypass has consistently been identified as a key system-wide flood management priority in the Central Valley Flood Protection Plan (CVFPP) since its first edition in 2012 and continuing in the recent 2022 CVFPP Update. It is also recognized as a major multi-benefit project opportunity, given the ecosystem restoration potential at the site.

Paradise Cut Bypass is located near the lower end of the San Joaquin River, branching off from the mainstem of the river at approximately River Mile 60, several miles upstream from the cities of Manteca, Lathrop, and Stockton. Figure 1 shows the location of the Paradise Cut Bypass Expansion of Multi-Benefit Project features that are part of the current conceptual project design (subject to change/ modification as part of the feasibility study). Figure 2 shows the extent of previously studied channel restoration program area.



Figure 1: Location of the Paradise Cut Bypass Expansion and Multi-Benefit Project Features as part of Conceptual Project Design.

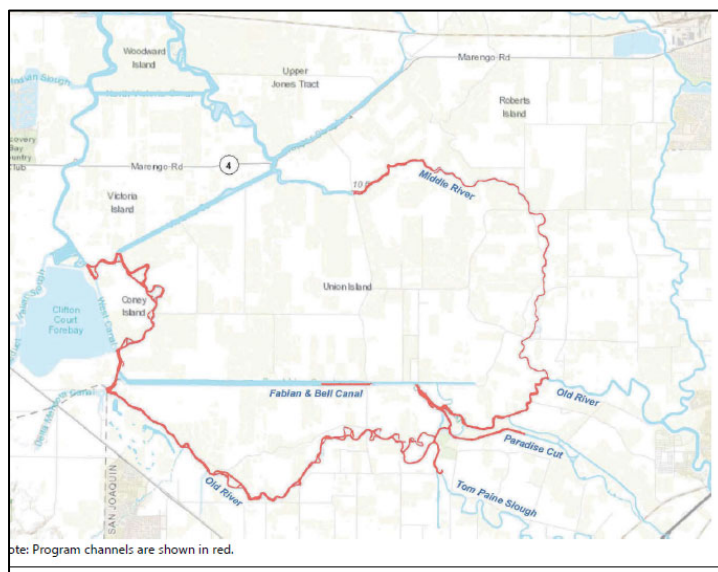


Figure 2: South Delta Channels Depth Restoration Program Area

Under current conditions, water periodically spills over a rock weir into Paradise Cut from the San Joaquin River during high flows. Water flows northwest through Paradise Cut for approximately six miles and empties into Old River. Paradise Cut Bypass is a component of the federal Lower San Joaquin River and Tributaries Project and California's State Plan of Flood Control (SPFC). The current design channel capacity of Paradise Cut in the state and federal flood control projects is 15,000 cubic feet per second (cfs); however, due to sedimentation and other factors, the channel does not currently meet its design capacity.

Phase 1 of the Project began with a grant from the Sacramento - San Joaquin Delta Conservancy to the San Joaquin County Resource Conservation District (SJCRCD). Phase 1 included preliminary planning and hydraulic modeling completed by American River in 2019, project outreach and agency coordination, and a detailed permitting strategy. A Conceptual Design for the Project was also developed in 2019 and is described in a technical memorandum available on SJAFCA's website: <https://www.sjafca.org/projects/paradise-cut-bypass-expansion-multi-benefit-project>. Conceptual Design positioned the new weir at the same location as the existing Paradise Cut, although an additional new weir located upstream, setback levees and other features would substantially expand it.

The Project continued into Phase 2 with another grant from the Sacramento – San Joaquin Delta Conservancy. Phase 2 was recently completed and included a compilation of existing technical analyses and identification of future studies needed to address local concerns. The Phase 2 Project team also supported the development of a Memorandum of Understanding (MOU) identifying SJAFCA as the future project lead. Phase 3 is funded by the Department of Water Resources (DWR) and includes a feasibility study, preliminary engineering, and landscape designs. Attachment 1 contains the DWR Funding Agreement for Phase 3. Project deliverables developed as part of Phases 1 and 2, as well as general project descriptions are available on SJAFCA's website.

Under Phase 3, SJAFCA will be responsible for the facilitation of an advisory committee, and various other technical groups overseeing the project, as well as the procurement of appropriate consultants to complete the workplan identified in the DWR Funding Agreement.

3.0 SCOPE OF SERVICES

The types of consulting services requested as part of this RFP are the following:

- Feasibility Study Consulting Services (with Optional Services)
- Technical Review Panel and Support Services
- Project Management Support Services
- Facilitation, Outreach and Engagement Services

A consultant that is selected for a category of service above is eliminated for eligibility for all other consulting services requested in this RFP. For example, the Feasibility Study Consultant will not be selected to serve on the Technical Review Panel. The proposal requirements and scoring/evaluation for each of the services also vary.

3.1 Feasibility Study Consulting Services

SJAFCA seeks services from a qualified CONSULTANT to complete Tasks 4 and 5 outlined in the DWR Funding Agreement Work Plan (see SJAFCA's website) and support SJAFCA with ongoing work related to the Project that may be outside the DWR Funding Agreement. The consultant will also be required to develop a Quality Management Plan, which is deliverable under Task 1, and support other tasks of the DWR funding agreement by providing relevant inputs from the Consultant's Feasibility Study work. The Consultant is advised to carefully review the DWR Funding Agreement and make note of the deliverables and task durations contained therein. These deliverables will be the minimum required component of the Feasibility Study Consultant's proposed scope of work. All deliverables under the DWR Funding Agreement will need to be approved by SJAFCA at least 3 months prior to the expiration of the DWR Funding Agreement.

The Consultant shall have in-depth experience working with a variety of flood-related agencies including DWR, USACE, FEMA, and USDA/NRCS. Responding firms may submit individually and/or as part of larger teams with prime-sub relationships. The consultant will be required to comply with all the requirements of the DWR Funding agreement. The Consultant will also be formally required to be listed/ incorporated into an amended version of the DWR Funding Agreement or fulfill other contractual obligations with SJAFCA and DWR to enable project execution. The selected firm(s) shall accurately represent its experience and capabilities to meet SJAFCA's program requirements, manage assigned projects, carefully control costs and resources, complete assigned work on schedule, within budget and partner closely with other consultants.

The selected firm(s) shall assign one highly competent and knowledge Project Manager with sound judgement, who will act as SJAFCA's primary contact and will be entirely responsible for the consultant's timely and cost-effective work. Project management capabilities for each service area are an essential component of work product integration and successful project delivery so each firm should demonstrate their capabilities in this regard.

The CONSULTANT will be provided and shall utilize the foundational work previously completed in Phases 1 and 2 and will follow DWR's Feasibility Study Framework where appropriate. This task will complete the elements of the Feasibility Study Framework, including the development, evaluation, and selection of preliminary project alternatives to prepare the Project for environmental compliance and advanced design stages in a subsequent project phase.

The CONSULTANT will work with SJAFCA to determine appropriate objectives, constraints, and assumptions. The CONSULTANT will evaluate alternatives (up to four for budgetary purposes), including the no action alternative, for detailed benefits, costs, data gaps, property owner/stakeholder considerations, and other vital factors affecting the objectives. SJAFCA will provide all existing data and reports at alternatives development kickoff.

While the feasibility study is envisioned to provide a 10% level engineering design,

SJAFCA anticipates working closely with the selected consultant(s) to determine if a more advanced level of design can be achieved within the available DWR grant funding. SJAFCA, DWR and the local partners are committed to advancing a viable project into subsequent phases, and as such, SJAFCA reserves the right to rescope the work with the selected consultant accordingly. Consultants are requested to demonstrate their understanding of the current project needs and discuss their approach to achieving accelerated advancement of a viable project. Acceleration of a viable project is a key priority for SJAFCA.

The selected consultant through SJAFCA will be working with the Paradise Cut Management Team (PCMT), comprised of interested stakeholders. The PCMT is led by SJAFCA and meets monthly to discuss matters requiring approval of the Paradise Cut Advisory Committee. The Paradise Cut Advisory Committee is a public advisory body to the SJAFCA Board (i.e. needs to comply with Brown Act). It is envisioned that the Paradise Cut Advisory Committee will meet no less frequently than quarterly. The Feasibility Study consultant and the project facilitator will identify key decisions that will need to be brought to the Advisory Committee, which will refine the needed frequency of the Advisory Committee. As stated, a facilitator will be reserved by SJAFCA and the Advisory Committee to collaborate matters with various stakeholders and the Advisory Committee. There will be other stakeholder groups and public interests engaged throughout the project development. The relationship of the PCMT and the Advisory Committee is discussed in the MOU for the Project, which is available on SJAFCA's website. The consultant shall have proven experience in working on projects with such a complex governance framework. The consultant shall include coordination between the various levels of engagement in their scope of work and reflect such efforts in their level of effort.

3.2 Feasibility Study Consulting Services (Optional Tasks to be included in Proposal)

1. Project Roadmap Development and Refinement

The CONSULTANT may be requested to further support SJAFCA and/or other stakeholders of the Project in the preparation of a roadmap for the implementation of future phases of the Project. This Task will include the preparation of an outline of future tasks, an accompanying schedule, and a budget that ultimately aligns with the financial plan required as part of the Feasibility Study.

2. Support for Federal Feasibility Study

SJAFCA and the Central Valley Flood Protection Board (supported by DWR) are non-federal sponsors of a federal feasibility study evaluating the Mossdale Tract (RD 17) levee improvements. The selected consultant may be required to engage with feasibility study team and/or the parallel Urban Flood Risk Reduction project. The anticipated not-to-exceed budget for this work will be \$100,000 unless a higher amount is approved by the SJAFCA Board and may require a separate consultant services agreement. The nature of engagement/ scope will depend on the level of advancement of the Paradise Cut project

components in the Federal Feasibility study.

3. Development of Design Documents (Plans, Specifications and Estimates)

Acceleration of a viable and agreed-upon Project is a key priority to SJAFCA. SJAFCA may utilize the selected consultant(s) to conduct future phases of the Project planning and design. The purpose of this Optional Task will be to advance the primary selected alternative to a 30% design level or further, to inform a subsequent or parallel environmental analysis (i.e. CEQA/NEPA).

3.2 Other Project Consulting Services

1. Technical Review Panel and Support

The DWR Funding Agreement calls for the establishment of a Technical Review Panel. Consultants who are not selected to conduct the Feasibility Study, may still be eligible to participate in the Project's Technical Review Panel, depending on the need and their technical expertise. Available budget under DWR funding agreement is limited and will be shared with other technical experts serving on the panel.

Please highlight one member from your proposed team, who may be able to serve on the Project's Technical Review Panel. The member should possess expert knowledge on the Feasibility Study process, and the complexities of providing any of the following services in the Delta:

- Civil/ Geotechnical Engineering
- Environmental and Permitting Expert (including water quality)
- Hydraulic and Hydrologic Modeling Expert (including Sediment transport)
- Delta/ Regulatory Expert

This process does not preclude SJAFCA from seeking members for the Technical Review Panel using alternative selection methods.

If you are interested in providing consulting services for the Technical Review Panel you must provide a concise proposal letter (5-page max) containing your experience and a brief scope of services reflecting your proposed engagement with a rate sheet in a sealed envelope. Your proposal will be reviewed and scored based on your prior experience (100 points) and an optional interview (20 points, date TBD). Please note that if you are not proposing Feasibility Study Consulting Services, you don't have to meet the content requirements of Section 7 of the RFP, but simply provide a proposal as described in this section.

2. Project Management Support

SJAFCA will need the services of a qualified program manager or project management team. The Project Manager and his team of up to two engineering support staff should possess expert knowledge on the Feasibility Study process and possess the ability to interface support SJAFCA in the advancement of the Project, and other future components of the Project.

If you are interested in providing consulting services for Project Management Support, you must provide a concise proposal letter (5-page max) containing

your experience, your team experience and a brief scope of services reflecting your proposed engagement, level of effort and a cost proposal in a sealed envelope. Your proposal will be reviewed and scored based on your prior experience (50 points), your team experience (50 points) and an optional interview (20 points, date TBD). Please note that if you are not proposing Feasibility Study Consulting Services, you don't have to meet the content requirements of Section 7 of the RFP, but simply provide a proposal as described in this section.

3. Facilitation, Outreach and Engagement

The DWR Funding Agreement calls for the procurement of a Facilitator that will interface with the various project stakeholder groups. The Facilitator will be responsible for completing Task 3 of DWR Funding Agreement Work Plan. The Facilitator as a consultant to SJAFCA will lead the Advisory Committee and Paradise Cut Management Team meetings by enabling thoughtful and engaging discussions to advance the project and a clear direction that weighs inputs from various key stakeholders. As such, it is not required that the Facilitator be knowledgeable in levee or flood control work. However, the facilitator must possess experience managing complex, multi-layered stakeholder groups and shall have the experience and/or ability to resolve contentious issues that may need to be addressed throughout the Project.

If you interested in providing consulting services for Facilitation, Outreach and Engagement Services, you must provide a concise proposal letter (10-page max) containing your experience, your firm experience, team experience and a scope of services (task by task) reflecting your proposed engagement with a level of effort and a cost proposal in a sealed envelope. Your proposal will be reviewed and scored based on the proposed facilitator's prior experience (50 points), your team experience and organizational capacity (10 points) and mandatory interview (40 points, date TBD). Please note that if you are not proposing Feasibility Study Consulting Services, you don't have to meet the content requirements of Section 7, but simply provide a proposal as described in this section.

4.0 RFP SCHEDULE

The solicitation process will follow the following general timeline, subject to change, and may be revised through subsequent addendums:

Release of RFP	Friday, March 1, 2024
Non-mandatory Workshop	March 7, 2024
Deadline to submit questions to SJAFCA	March 8, 2024
SJAFCA Responds to Written Questions.....	March 13, 2024
Proposals (including cost proposal) Due from Consultant ...	4:00 PM Thursday March 21, 2024
Consultant Oral Interviews (if needed).....	Optional (TBD)
Consultant Selection/Notification (approximate date)	April 3, 2024
SJAFCA Board Approval	April 18, 2024

5.0 QUESTIONS

Questions regarding this RFP, including requests for clarification, should be submitted in writing to Glenn Prasad, Deputy Executive Director, by e-mail at infoSJAFCA@stocktonca.gov. Questions sent to other SJAFCA email addresses will not be answered.

6.0 Non-Mandatory Workshop

A non-mandatory workshop will be held virtually on **March 7, 2024, at 2 pm PDT**.

Meeting Link:

Microsoft Teams meeting

Join on your computer, mobile app, or room device.

[Click here to join the meeting](#)

Meeting ID: 295 161 751 827

Passcode: XDndrH

[Download Teams](#) | [Join on the web](#)

Or call in (audio only)

[+1 209-232-4684, 573322983#](#) United States, Stockton

Phone Conference ID: 573 322 983#

[Find a local number](#) | [Reset PIN](#)

[Learn More](#) | [Meeting options](#)

The non-mandatory meeting is intended to provide general information about SJAFCA and the RFP process. Consultants will be allowed to ask questions to SJAFCA staff but will not be allowed to share their screen. Consultants will be expected to remain professional and stay courteous to other consultants. The meeting shall not be used as a platform to express general comments regarding the community or the SJAFCA Board and staff.

7.0 PROPOSAL FORMAT AND CONTENT REQUIREMENTS (ONLY FOR FEASIBILITY STUDY CONSULTING SERVICES, INCLUDING OPTIONAL SERVICES)

The following tabbed sections in the order listed below are required in the Proposal if you are proposing to conduct the Feasibility Study Consulting Services:

A. Cover Letter (1 Page)

Transmittal/Signature/Cover Letter – This page will include the title information and the signature of the principal, who shall be an individual, partner, officer, or officers authorized to execute legal documents on behalf of the firm. Provide the telephone number, **email**, and office location.

B. Firm Experience (10 points):

Your previously submitted SOQ already contains a summary of the firm's overall size (staffing), capabilities, range of services provided, history, recent and related experience, and expertise. It is not necessary to repeat this information. You may highlight any changes from what was submitted that have changed your firm's ability to perform the necessary services.

Summarize up to five relevant projects and reference contact information that demonstrates your firm's ability to complete the requested services. If this information was already included in the previously submitted SOQ, the Proposer may request the reviewer to visit those specific sections of the SOQ.

C. Team Experience (20 points):

Provide brief resumes (may be included as attachments) of the key personnel anticipated to participate in the proposed services and an explanation of the function each key person will perform. Also provide resumes of the sub-consultant key personnel, if any. Consultant will be required to commit the identified staff to the project, and any deviations or new staff additions will require SJAFCA's written approval. The proposed project manager shall be an individual with exceptional project management capabilities and must possess sound judgement, technical competency, and patience/ temperament that is required to effectively manage SJAFCA's projects and programs. The proposed PM must have proven experience working in the Delta.

Keep the information concise as your firm has already provided resumes as part of the RFQ process. You may identify key personnel and request the reviewer to review key personnel/ information already provided in your SOQ.

D. Primary Reference Project (10 points):

Describe at least one primary reference project like the Paradise Cut Bypass Expansion and Multi-benefit Project, in more technical detail than listed above that the proposed project team has completed in the last five years. Specify the date the primary reference project was completed or is expected to be completed.

Describe the approach and methodology of providing the required services for the primary reference project, including any special approach recommended by your firm, which enhanced the project or program, reduced cost, or expedited delivery.

Indicate the location of the prime consultant's office during the primary reference project. If the work was shared by other firms or different offices, identify the locations and the work performed by each firm or office. Identify the project manager's specific responsibilities. List all sub-consultants that provided services to the firm for the completion of the project and describe the role they performed. Identify the approach to quality control/assurance related to the work effort and products delivered.

E. Scope of Services and Approach (40 points):

The Consultant's scope of services will be reviewed based on the completeness to satisfy the grant requirements contained within the DWR Funding Agreement. Additional consideration will be given to firms who through their proposed scope of services can demonstrate (1) pathways for expedited/ accelerated completion and readiness for next phases of implementation; (2) understanding of State and Federal requirements; (3) understanding of permitting, regulatory and environmental constraints with proposed approach/ solutions; and (4) ability to work with SJAFCA to ensure accelerated progress and secure funding for next phases.

The responding firm(s) shall describe their experiences and approach for engaging with partner consultants, client agency staff, other governmental agencies, and regulatory agencies within relevant support service area(s) to accelerate project development, implementation, and completion. Consultants must demonstrate that they have historically utilized a programmatic and thoughtful approach to providing client services.

F. Level of Effort and Schedule (20 points)

Provide a level of effort matrix that contains the proposed tasks (including optional

tasks), along with the proposed team members and their corresponding hours (do not include costs or billing rates).

G. Optional Interview (with selected firms) (50 points)

Up to three highest ranked firms may be invited for an optional interview.

H. Exemptions to Agreement

Through the RFQ process, your firm had either taken no exceptions to the conditions in SJAFCA's Master Services Agreement included as Exhibit A in the RFQ or specified the exceptions taken. Consideration of the exceptions is not guaranteed. Further exceptions will neither be considered as part of this RFP, nor during contract negotiations with the selected consultant(s).

I. Cost Proposal

The Firms cost proposal shall be submitted in a separate sealed envelope due by the Proposal due date specified herein. Upon completion of the Oral Interviews (if needed) and SJAFCA's ranking, SJAFCA will review the cost proposal of selected firm(s). The cost proposal will be used as a starting point for consultant services agreement negotiations. SJAFCA reserves the right to request the consultant to hold the hourly rates throughout the life of the agreement. Generally, the annual increases, if allowed by SJAFCA, will be capped by CPI or 5% per year, whichever is lower.

8.0 SUBMISSION REQUIREMENTS

Please submit one electronic copy via a single USB drive on or before **4:00 pm on Thursday March 21, 2024**, to:

Glenn Prasad, Deputy Executive Director
c/o San Joaquin Area Flood Control Agency
22 East Weber Avenue, Room 301
Stockton, California 95202

Please arrange a time for pickup of the USB drive, if needed. The following information must be placed in the lower left corner of the sealed envelope/package containing the cost proposal sheet:

COST PROPOSAL
OPEN BY CONSULTANT SOLICITATION STAFF ONLY

CONSULTING SERVICES FOR PARADISE CUT BYPASS EXPANSION AND MULTI-
BENEFIT PROJECT
(SJAFCA-RFQ-24-02)

[Name of Submitting Firm]

Note:

Do not place the electronic copy USB inside the rate sheet envelope. Delivery of the electronic copy via email will not be accepted due to SJAFCA's email size restrictions. Proposals received later than the above date and time will be rejected.

9.0 SIGNING OF SOQ / AUTHORIZATION TO NEGOTIATE / TERMS & CONDITIONS

The Proposal shall include a cover page signed by an official of the firm with the authority to negotiate and commit the firm to a subsequent consultant services agreement.

The responding firm shall comply with all terms and conditions described within this RFP. Any exception to any term or condition described within this RFP must be noted within the firm's written proposal.

1. **Affirmative Action Plan:** The firm(s) shall attest to the firm's affirmative action plan or other policies aimed at eliminating unlawful discrimination and a description of the firm's adoption and compliance with its plan or policy.
2. **Debarment and Suspension Certification:** In accordance with the Code of Federal Regulations, Title 49, Part 29, Debarment and Suspension Certification, firm(s) shall certify that there are currently no suspensions, debarments, voluntary exclusions, or ineligibility determinations by any federal agency. The Debarment and Suspension Certification, **Attachment A** of the RFQ, shall be submitted as part of the proposal.
3. **Conflict of Interest:** Firm(s) shall disclose any financial, business, or other relationships with SJAFCA, the County, the cities Lathrop, Manteca and Stockton and other local, special districts that may have an impact on the outcome of projects listed in this RFP. A potential conflict of interest may include, but is not limited to, contracts for work related to projects with SJAFCA, in San Joaquin County, contracts with County departments, cities, special districts, and/or local land developers. Firms should also list current clients who may have a financial interest in the outcome of projects listed in this RFP.

Should firm(s) establish or become aware of such financial interest during the course of a SJAFCA project, the firm(s) must inform SJAFCA, in writing, within ten (10) days. A potential conflict of interest does not automatically disqualify a firm or individual from consideration but will be factored into a final award decision.

4. **Option Not to Award and/or Reject Proposals:** SJAFCA reserves the right to reject any and all SOQs and proposals, waive minor irregularities, or to negotiate separately with any source whatsoever in any manner necessary to serve the best interests of SJAFCA's projects and programs. Non- acceptance of any Proposal will be devoid of any criticism of the SOQ/ proposal and of any implication that the qualifications or the proposals were deficient.
5. **Proposal Development Costs:** Costs for developing Proposals and future negotiations are entirely the responsibility of the proposing firm(s) and shall not be chargeable in any way to SJAFCA. Preparation of any subsequent proposals as part of future solicitations resulting from this RFP shall also be the responsibility of the proposing firm(s).
6. **Indemnification Requirements:** Firm(s) shall be required to be able to comply with the SJAFCA's hold harmless and indemnification requirements referenced below as part of the SJAFCA's consultant services master agreement.

"HOLD HARMLESS AND RESPONSIBILITY OF CONTRACTORS. Consultant shall indemnify, defend, and hold harmless the Agency, its officers, employees, and agents from and against any and all claims, loss, costs, expenses (including, but not limited to,

attorney's fees and costs incurred by the Agency), injury, or damage to the extent caused by the recklessness, negligent acts or omissions, or intentional misconduct of Consultant, its employees, officers, or agents, or any of its contractors or subcontractors used in performance of this Agreement."

7. Insurance Requirements: Firm(s) shall be required to obtain the minimum insurance required under this section and no work will be allowed until such insurance certificates evidencing the required coverage shall be furnished to SJAFCA. Certificates of insurance must indicate that the coverage cannot be reduced or canceled until thirty (30) days' written notice has been furnished to SJAFCA. The following presents a summary of the insurance requirements. All insurance requirements must be consistent with the terms of SJAFCA's Master Services Consultant Agreement attached as **Exhibit A** to the original RFQ. SJAFCA's minimum insurance requirements will not be subject to negotiation.

Firm(s) shall obtain and keep in full force and effect during the life of the consultant services agreement, at firm's own expense, General Liability Insurance on an occurrence-based policy, including contractual liability with a combined single limit in the minimum amount of One Million Dollars (\$1,000,000). If commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the engagement/project/location or the general aggregate limit shall be twice the required occurrence limit. Automobile liability insurance shall have a combined single limit per accident for bodily injury and property damage in the minimum amount of One Million Dollars (\$1,000,000). Workers' Compensation shall be in the limits as required by the Labor Code of the State of California and Employers Liability limits shall be \$1,000,000 per accident. Such insurance shall be primary, shall name SJAFCA as additional insured, and shall expressly indicate that such insurance is related to the firm's activities under the agreement.

Firm(s) shall obtain, at the firm's own expense, and provide evidence of Professional Liability Insurance in the amount of \$1,000,000 per / \$1,000,000 annual aggregate to adequately protect the firm(s) against liability caused by negligent acts, errors, or omissions on the part of the firm(s) in the course of performance of the services specified in an Agreement.

Firm(s) shall furnish a Certificate of Insurance to SJAFCA upon execution of the consultant services agreement and prior to issuance of the Notice to Proceed, indicating that the firm, at its expense, has purchased and is maintaining insurance from an insurer admitted to the State of California and satisfactory SJAFCA. Such certificates shall state that SJAFCA shall be notified at least thirty (30) days before cancellation of the policy, or any material change thereof. The above insurance shall be of the broad form coverage type, affording coverage on property in the care, custody, and control of the firm. Adequate proof of insurance in compliance with the above requirements shall be furnished to SJAFCA. An additional insured endorsement to the firm's liability insurance policy naming SJAFCA and its officers and employees as additional insured shall be furnished to SJAFCA. Notwithstanding the above, the firm's liability insurance policy shall be endorsed as primary insurance.

10.0 SELECTION PROCESS

1. Proposals will be subject to the total maximum score identified in this RFP, and will be based on the criteria listed below, including but not limited to:

- Overall responsiveness and general understanding of the RFP requirements
 - Firms(s) experience, capability, and approach to providing the requested services.
 - References with demonstrated success with similar work to those described in this Proposal.
 - Clarifications, exceptions and/or deviations to the terms and conditions
2. Proposal Evaluation: SJAFCA will review the Proposal for completeness, clarity, and content. Each Proposal will be reviewed to determine if it meets the requirements contained within this RFP. Failure to meet the requirements will be cause for rejection of the Proposal. SJAFCA may reject any Proposal if it is conditional, incomplete, or contains irregularities. SJAFCA may waive an immaterial deviation in a Proposal. A waiver of an immaterial deviation shall not modify the Proposal documents, and it shall not exempt firms from any terms of an executed consultant services master agreement should one be awarded.

A selection committee comprised of SJAFCA staff and possible external agencies will evaluate the Proposal that meet the RFP requirements. SJAFCA may establish a different Review Board for each type of service and its corresponding interviews.

Consultants or their representatives are prohibited from lobbying selection committee members, elected officials, or other agencies or individuals that may have input into the selection process and award of the consultant services master agreement. Any such lobbying will be grounds for disqualification.

3. Oral Presentation and Interview Selection Process: An oral presentation and interview may be conducted with the highest ranked consultants. Rankings will be made by the selection committee following evaluation and scoring of the submitted Proposals. Those firms invited to interviews will be notified of the dates and times of their interview. Firms will also be notified of additional information, if any, to be submitted at the oral presentation and interview. Failure to appear at the oral presentation and interview will be considered unresponsive and the firm will be eliminated from further consideration.
4. Selection: The selection committee will finalize its evaluation of the proposal, oral presentation, and interview. This evaluation will be used as the basis for selection and firms will be ranked for consultant services agreement negotiations.

The sealed cost proposal of the selected firms will be opened after the firms have been ranked for consultant services master agreement negotiation. If an agreement cannot be reached after a reasonable period, as determined by SJAFCA, then SJAFCA will terminate negotiations with that consulting firm. The compensation discussed with one prospective firm will not be disclosed or discussed with another.

The selected firm(s) will be requested to enter into a consultant services master agreement with SJAFCA. SJAFCA's consultant services master agreement was provided as **Exhibit A in the original RFQ 23-01**. SJAFCA reserves the right to modify this standard template to meet the needs of this scope of services and contracting arrangements. The prospective firm is also advised that the agreement will not be in force until it is approved and fully executed by SJAFCA. The firm will be required to satisfy all insurance certification requirements before SJAFCA executes the agreement.

The execution of a consultant master services agreement between any firm and SJAFCA

does not guarantee that task orders will be issued. Task orders will be scoped, and selection will be completed through a separate process.

For work that is not “on-call” in nature, SJAFCA may enter into a Standard Consultant Agreement, which will be a variation of the consultant services master agreement presented in Exhibit A, where the work allocated will not be assigned on a task-order by task order basis. Rather, the agreement will contain a single fully developed scope, along with the corresponding schedule, and budget.

A link to the project website and documents, including DWR Funding Agreement is provided below:

<https://www.sjafca.org/projects/paradise-cut-bypass-expansion-multi-benefit-project>

Thank you for your interest in this Request for Proposals.

Sincerely,
Glenn Prasad
Deputy Executive Director
SJAFCA