CITY OF EL CENTRO PUBLIC WORKS DEPARTMENT
ENGINEERING & WASTE WATER DIVISIONS

REQUEST FOR PROPOSAL

TO PROVIDE PROFESSIONAL SERVICES FOR NPDES
COMPLIANCE SERVICES FOR THE CITY OF EL CENTRO

Proposals Due: **October 24, 2013 by 4:00 P.M.**

Interviews: **To Be Determined, 2013**
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Request for Proposals

Notice is hereby given that proposals will be received at the Engineering Division, City Hall, 1275 W. Main Street, El Centro, California, 92243, for Professional Services for NPDES compliance services for the City of El Centro. Proposals will be accepted until 4:00 P.M., October 24, 2013. All proposals received after 4:00 P.M., October 24, 2013, will be rejected. The City of El Centro will not be responsible for delayed deliveries of the U.S. Mail carriers, Airborne Express, Federal Express, or delivery services not stated above.

Please submit proposals in a sealed package showing the following information:

   City of El Centro Engineering Division, Attn. Abraham Campos 1275 W. Main Street El Centro, CA 92243

   Consultant's Name and Address City of El Centro NPDES Compliance Services Proposal

   All proposals received after 4:00 P.M., October 24, 2013, will be rejected.

Contact Person

Abraham Campos Senior Engineer Public Works Department Engineering Division (760) 337-5182 acampos@cityofelcentro.org
Introduction

El Centro is the center of one of Southern California’s most promising new commercial and industrial regions. There are two international border crossings nearby for commercial and noncommercial vehicles. Covering 11.019 square miles is the largest city in Imperial County. We are located 616 miles southwest of San Francisco, 117 miles east of San Diego and 245 miles west of Phoenix, Az. and just 15 minutes from the international industrial complexes in Mexicali, Baja California. El Centro is accessible via Interstate 8, State Highway 86 and State Highway 111.

The City of El Centro has submitted a Storm Water Management Plan (SWMP) to the Colorado River Basin Regional Water Quality Control Board (CRBRWQCB). The Permit and SWMP consist of a five-year plan containing a list of required actions that help protect water quality from various types of runoff. The existing SWMP is a joint effort between the City of El Centro and City of Imperial. The SWMP covers seven sections consisting of:

- Public Education and Outreach
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination
- Construction Site Storm Water Runoff Control
- Post Construction Storm Water Management in New and Redevelopment
- Pollution Prevention / Good Housekeeping
- Total Maximum Daily Load.

The City of El Centro’s SWMP is available at the City of El Centro’s website by the selecting RFP/RFQ link.

In addition to the SWMP, the State Water Resources Control Board adopted the new state wide Phase II MS4 Permit on February 5, 2013 and it became effective July 1, 2013. Pursuant to this new permit, the city submitted a Guidance Document to the State Water Resources Control Board on their SMARTS permitting system and it is available to the public for review.

The new Phase II MS4 Permit does not supersede the existing SWMP, but overlays and integrates with it. The city is obligated to implement the BMPs in the SWMP as scheduled regardless of the timing identified in new Phase II MS4 Permit for similar activities. The Guidance Document integrated the existing SWMP BMPs with the new requirements.

The City is soliciting proposals from qualified and experienced proposers to assist the City with compliance efforts related to the new Phase II Permit No. CAS004001 and overall compliance with the National Pollutant Discharge Elimination System (NPDES) as regulated under the Clean Water Act of 1972.

Prospective proposers should have significant experience and familiarity in working with the Colorado River Basin Regional Water Quality Control Board (CRBRWQCB), the MS4 NPDES permit program, Total Maximum Daily Loads (TMDL’s), and preferably, its applicability to desert environments.
In addition to the specific tasks identified in this RFP, it is the intent of the city that the selected proposers will provide additional NPDES compliance related support, as needed, based on approved schedule of hourly rates or prior negotiated lump sum.

Section 1 - Project Scope

The City is seeking a qualified individual or proposer to provide technical consulting services related to overall NPDES Compliance and MS4 NPDES permit program administration.

This contract is for NPDES compliance services. The City of El Centro does not have city staff available to perform all the tasks required for full compliance with the City’s NPDES Phase II MS4 Permit. The Guidance Document shall serve as the method to create tasks and scope for the project. It is the City intent to focus energy to activities to be completed by the end of FY 2014 in the Guidance Document before moving to 2015 activities and so on. Proposer shall become familiar with the Guidance Document to assist in the preparation of a project proposal.

The project schedule will be driven by the requirements of the NPDES Phase II MS permit.

Anticipated tasks are provided below, however the proposer shall determine their applicability and proposer may propose expanding the tasks in order to meet the MS4 permit Guidance Document and its schedule. The Tasks shall account for a two FY contract (FY14 and FY15) to match the Guidance Document, with the option to extend the contract for an additional two years for further compliance with the Guidance Document and implementation schedule.

Task 1 – Immediately develop an implementation schedule and work plan responsive to the Guidance Document for items to be completed in FY 2014, and by June 2014, develop an implementation schedule and work plan for items due in FY 2015.

Task 2 – Proposer shall be available for monthly progress meeting with City staff and CRBRWQCB personnel.

Task 3 - Prepare a Storm Water Ordinance responsive to the proposed Storm Water Management Plan and Guidance Document and the area’s local conditions. Scope includes presentation and discussion of requested document. The proposers will revise document as requested by City staff provided such revisions meet the MS4 Permit requirements.

Task 4 – Concurrent with Task 3, develop a Storm Water Management Program (SWMP) that closely mimics or addresses the Guidance Document. The existing City of El Centro SWMP may be used as a starting point, however the consultant will be free to modify or propose a new document. In accordance with MS4 Permit compliance requirements the proposer will update the Guidance Document in all aspects affecting FY-2014 and provide a draft (well in advance) for review and approval prior to formal submittal to the RWQCB by June 28, 2014. Subsequent year deadlines will be handled in the same fashion.

The proposer will prepare a draft SWMP for City approval that incorporates the requirements of the Guidance Document up to FY-2014 by June 28, 2014. Future updates to the SWMP shall comply with the implementation schedules in the Guidance Document and are to be incorporated in the SWMP by their appropriate fiscal year deadline. The SWMP shall integrate
the various permit provisions including, but not limited to, monitoring, Receiving Water Limitations, non-stormwater discharges, and public agency activities. The direction of the proposed implementation plan shall be closely coordinated with designated City staff. This will become a living document, and implementation schedule of the document shall be responsive to the Guidance Document Schedule and Imperial Valley conditions. The SWMP shall be responsive to desert conditions, existing drainage patterns, receiving water bodies, and existing clay soils with low permeability.

Task 5 – We anticipate the new SWMP will have impact to city standard drawings and review procedures such as grading plans and BMP’s. Consultant shall do a preliminary review of city development procedures and standards in order to provide recommendations for compliance with the MS4 requirements.

Task 6 – Training – The City of El Centro will have a designated person dedicated to managing the SWMP program once established. Proposer shall prepare a city program and filing system that complies with MS4 program requirements and addresses the Guidance Documents requirements and schedule. Proposer shall train designated City staff in the SWMP and filing / document tracking mechanism. Proposer shall assist City staff in presenting program requirements and schedules for implementing SWMP requirements to departmental functions.

While the Engineering and Wastewater departments will work closely with the consultant to provide timely updates and adjustment, the objective is to complete activities and create processes that are easy to maintain by the Engineering and Wastewater divisions to maintain compliance with the NPDES Phase II MS4 Permit.

Task 7 - Preparation of Annual Reporting Requirements. To be performed concurrent with Task 6, the proposer shall prepare annual reporting requirements and formats to be submitted to the CRBRWQB. The consultant will assist city staff in the preparation of the report.

Additional As-Needed Tasks and Services
In addition to specific tasks identified above and upon prior approval from the Director of Public Works or designated staff, the selected proposer may from time-to-time be asked to provide additional NPDES compliance related professional support services, as needed, based on approved schedule of hourly rates or negotiated lump sum quantity. Prior to commencing additional services, an executed Work Order must be issued by the City. Additional services may include, but are not limited to:

- Attend and report on meetings regarding the MS4 Permit, or other NPDES related topics conducted by various regulatory agencies/groups i.e. the CRBRWQCB.
- Review and approve, on behalf of The City, NPDES related documents, permit application, and/or plans (i.e. Storm Water Pollution Prevention Plan (SWPPP), Standard Urban Storm Water Mitigation Plan (SUSMP), etc.)
- Assist The City in developing an effective enforcement program
- Provide training to City personnel
- CEQA reviews to identify or review stormwater mitigation measures for any proposed
development and/or city-initiated Capital project

- Conduct periodic NPDES compliance inspections of ongoing construction project on behalf of The City
- Review proposed MS4 facilities for development of Public Works projects
Section II - Proposal Content Requirements

1. **Schedule** - The contractor will be required to follow the City’s current monthly schedule for receiving and delivering updates the first week of the month. The update shall include progress updates on the implantation of the Guidance Documents requirements to the Regional Board. The project schedule will be driven by the requirements of the NPDES Phase II MS permit.

2. **Cost** - Submitters are required to submit a cost summary table with estimated monthly and annual total costs for professional services, pricing for additional consulting services and their office hourly rates for each of the project areas.

3. **Proposal Presentation** - All responses to this RFQ must be made in accordance with the specifications as set forth herein. Failure to adhere to any specification contained herein may be cause to reject your response.

4. **Ability to Perform** - As part of your response, you must present satisfactory evidence indicating your ability to meet the scope of work as detailed in this RFQ. To this end, your response must include the following information:
   a. The name, address and telephone number of your company.
   b. If appropriate, the names, business address and telephone number of your company’s officers, directors and associates and the names and addresses of any parent or subsidiary of your company. Your information should describe the nature of the work and the line of authority of these individuals and/or companies as they relate to this project.
   c. Identification of the individuals comprising the team assigned to this project and what specific role each will take in completing the work, including project management and reporting.
   d. Names and qualifications of any outside consultants and associates that will be employed to assist on this project. Your current and past experience as it relates to NPDES Phase II MS4 BMP compliance. Please provide examples of your work and experience.
   e. Demonstrated success working in a multi-agency, multi-department environment.
   f. A minimum of three related business references, including names, addresses and phone numbers plus a description of the type of work you performed for them.
   g. A detailed work plan describing your approach to designing, managing and coordinating this project. The description should, at a minimum, include all tasks listed in the scope of work and a tentative schedule. In addition, you should include any steps or tasks not included in the “scope of work” that you think would materially affect the quality of the project.
   h. To the greatest extent possible, please provide a written summary identifying the types of information, data and assistance expected from the City in order to complete this project.

5. **Supplemental Material** - You may provide any material not specifically required as supplemental information. Additional material may include the following:
   a. Additional reports and/or descriptions of similar projects you have completed.
   b. Promotional material describing your firm and its services.
c. Additional references.

6. Declaration of Non-Affiliation - Include a declaration of non-affiliation certifying that the consultant is not affiliated with nor has any financial interest in any manufacturer, distributor, supplier or other company connected with the consultant’s recommendation. Form is included.

7. Noncollusion Declaration - The Consultant shall sign and date the enclosed Noncollusion Declaration.

Proposal Information
A. Direct questions regarding this RFP to the following:

    Abraham Campos, Senior Engineer
    (760) 337-5182
    acampos@cityofelcentro.org

B. Publication - All property rights including publication rights of preliminary and final plans and written reports in conjunction with this project shall be vested in the City of El Centro. The Consultant shall not publish or release any of the plans and reports without the expressed written permission of the City.

C. Incurring Costs - The City is not liable for any cost incurred by a consultant responding to this Request for Proposal (RFP).

D. News Release - News releases pertaining to this RFP or to the award of a contract shall not be made without the prior written approval of the City.

E. Acceptance or Rejection and Negotiation of Proposals - The City reserves the right to accept or reject any or all proposals. After selection by the City, the contents of the submitted proposal will become a contractual obligation. Failure to agree to include the proposal as part of the contractual agreement may result in cancellation of the selection. The City reserves the right to negotiate a modification to or accept any part of the proposal and will not be obligated in any way to accept those parts that do not meet with the approval of the City. Other terms and conditions of the contract will be negotiated at the time of selection and will be subject to the approval of the City Attorney.

F. Non-Discrimination - Compliance with the City’s requirements and policies with respect to Non-Discrimination is mandatory.

G. Americans with Disabilities Act of 1990 - The selected Consultant is required to comply fully with all applicable provisions of the Americans with Disabilities Act of 1990 in its current form and as it may be amended from time to time. The Consultant shall also require such compliance of all subconsultants performing work under this contract. The Consultant shall defend, indemnify, and hold harmless the City of El Centro, its officers, employees and agents from all suits, claims, demands, damages, costs, causes of action, losses, liabilities, expenses and fees, including without limitation attorneys’ fees, that may arise out of any violations of the Americans with Disabilities Act by the Consultant, its subconsultants, or the
officers, employees, agents, or representatives of either.

**H. Permits and Licenses** - The selected Consultant(s) shall procure all permits and licenses (municipal license included), pay all charges and fees, and give all notices necessary and incidental to the due and lawful prosecution of the work.

**I. Length of Proposal** - Due to a restricted time schedule, the maximum length of the proposal shall be 20 single sided pages, which includes all informational pages, (transmittal letter, text, illustrations, appendices, resumes etc.) Front and backcovers and separators are excluded. Required forms from Sections III and the separate cost proposal are not included in this page count. All font size shall be no smaller than **11 point font Arial** (this document is an example).

**J. Response Submission** - Six (6) hard copies and one (1) electronic PDF copy of each proposal and one (1) hard and (1) electronic copy of the cost proposal are required. All proposals must be sealed in a package showing the following information on the outside and addressed to: City of El Centro, Engineering Division, Attn Abraham Campos, 1275 W. Main Street, El Centro, CA 92243. The hard and electronic copy of the cost proposal will be in a separate sealed envelope within the full proposal package. Both the proposal package and the cost proposal will be labeled with the following information:

Consultant's Name and Address City of El Centro NPDES Compliance Services Proposal

The proposal package must be mailed or delivered to the above address prior to the deadline for receipt of proposal. All respondents who mail or ship their proposals must allow sufficient delivery time to ensure receipt of their proposals by the date and time specified. Late proposals will not be accepted for consideration.

**K. Deadline for Receipt of Proposals** - All proposals must be received by the Engineering Division by 4:00 P.M., October 24, 2013.

**L.** It is the City’s intent to enter into an Agreement which results from this RFP immediately after City Council approval, tentatively scheduled for November, 2013.

**M. Evaluation Criteria** - The City will act as the sole judge of all proposals. Final selection of the consultant team will be made based upon the following criteria:

1. Specific professional experience related to completing and/or implementing the BMPs required for compliance with the NPDES Phase II MS4 Permit.
2. Satisfaction of previous and current clients related to contract services.
3. Documented evidence relating to scheduling and the timely completion of the BMPs.
4. Imagination, creativity and judgment related to the compliance BMPs.
5. A review of the costs submitted in response to this RFQ.

**N. Selection/Evaluation Process**

The selection process will involve the following steps:
1 A staff committee will evaluate responses to this RFQ and invite the most qualified to an interview. Emphasis will be placed on identifying a firm whose background and approach best meet the project’s scope of work.

2 Based on an evaluation of all materials and the interview process, the City will identify the most qualified firm and pursue the development of a service agreement covering fees, timetable, performance standards, etc. If an agreement cannot be reached, staff will consider another firm.

3 City staff will recommend an agreement and final scope of work to the City Council who will take action on the recommendation.

Based on the above criteria, a maximum of five (5) consultants may be selected to make a presentation on TO BE DETERMINED, before the Selection Advisory Committee. The Consultant’s project manager will be expected to attend the interview, along with any subconsultant managers.

The City will schedule a time and location in El Centro for each presentation. Should a consultant refuse to honor the request for a presentation or interview, it will result in the rejection of their proposal by the City. Final selection will be approved by the City Council based on recommendations of the Selection Advisory Committee.

The final ranking of the consultants will be based on the following criteria:

1. Consultant understanding of State MS4 requirements and its implication on city guidelines and procedures. .25

2. Ability of the Consultant to perform the specific tasks outlined in the Request for Proposal and others tasks as needed to create a turnkey document on a year by year basis. .25

3. Specific methods and techniques to be employed by the Consultant on the project. .20

4. Qualifications of the specific individuals who will work on the project and their amount of time for the key personnel to serve on the project. .20

5. Demonstrated record of success by the Consultant on work previously performed for the City, or other enterprises. .10

City/Consultant Agreement

The successful consultant(s) will be required to enter into an agreement with the City of El Centro. A copy of that agreement and required insurance certificate of endorsement letter is attached for review of City’s requirements. The successful consultant must accept the terms of this agreement prior to the contract being awarded by the City Council.
Section III - Required Forms

DECLARATION OF NON-AFFILIATION

Under penalty of perjury, I certify that _________________________ is not affiliated with, nor has any financial interest in any manufacturer, distributor, supplier or other company connected with Consultants' recommendations.

_____________________________    ___________________
Name           Date
NONCOLLUSION DECLARATION

I, ________________________________, declare as follows:

That I am the of , the party making the attached bid; that the bid is not made in the interest of any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member of agent thereof to effectuate a collusive or sham bid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this day of ________________, 2013, at El Centro, California.

Authority: Public Contract Code
7106 CCP 2015.5
EXHIBIT A – Consultant Agreement