



City of
Los Banos
At the Crossroads of California

REQUEST FOR PROPOSALS
for
Permitting for Additional Irrigation Areas

Date Released: November 24, 2023

**Questions with regard to submissions, process, or proposals
can be emailed to:**

James Cozad
Interim Assistant Public Works Director
james.cozad@losbanos.org

**Proposals must be received prior to 2:00 P.M December 11, 2023
at the office of City Clerk**

**City of Los Banos
520 J Street
Los Banos, CA 93635
www.losbanos.org**

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NOTICE
Request for Proposal
Permitting for Additional Irrigation Areas
At
The Wastewater Treatment Plant

NOTICE IS HEREBY GIVEN that the City of Los Banos is seeking to enter into a professional service agreement with a consulting firm to provide assistance with the permitting for additional irrigation areas at the Wastewater Treatment Plant for discharging purposes. Services will include, but not limited to, modification to the Waste Discharge Requirements and Title 22 Engineering Report, environmental study, topographic survey, and irrigation system plans and specifications.

All qualified consultants interested in providing these services are invited to submit their proposal. The proposals will be evaluated and ranked according to the criteria provided in Exhibit B, "Proposal Evaluation," of this Request for Proposal (RFP).

It shall be the Consultant's responsibility to check the City of Los Banos' website (www.losbanos.org) to obtain any addenda that may be issued.

The Consultant's attention is directed to Exhibit A, "Submittal Requirements."

Submit five (5) hard copies and one (1) electronic copy in PDF format on a USB flash drive of the Consultant's proposal. The hard copies and USB flash drive shall be mailed or submitted to the City of Los Banos, 520 J Street, Los Banos, CA 93635, prior to **2:00 P.M. PST on December 11, 2023**. Proposals shall be submitted in a sealed package clearly marked "**Permitting for Additional Irrigation Areas**" and addressed as follows:

City of Los Banos
Attention: City Clerk
520 J Street
Los Banos, CA 93635

No late submittals will be accepted. The City may conduct interviews of the top-ranking consultants in order to make a final selection. The successful consultant will be recommended to the City Council for authorization to enter into a Professional Services Agreement for the permitting of Additional Irrigation Areas at the Wastewater Treatment Plant with the City of Los Banos.

Failure to comply with the requirements set forth in this Request for Proposal may result in disqualification. Proposals and/or modifications received subsequent to the hour and date specified above will not be considered. Submitted proposals may be withdrawn at any time prior to the submission time specified in this Request for Proposal, provided notification is received in writing before the submittal deadline. Proposals cannot be changed or withdrawn after the submittal deadline. No handwritten notations or corrections will be allowed. The responding Consultant is solely responsible for all costs related to the preparation of the proposal.

The City of Los Banos reserves the right to reject all proposals and to waive any minor informalities or irregularities contained in this proposal. Acceptance of any proposal submitted pursuant to this Request for Proposal shall not constitute any implied intent to enter into a contract.

The contract award, if any, will be made to the consultant who, in the City's sole discretion, is best able to perform the required services in a manner most beneficial to the City. **The completed Fee Schedule in**

Exhibit D shall be submitted with the proposal in its own separately sealed envelope. The Consultant shall not include this cost proposal in the USB as an electronic file.

The City intends to follow, but will not be bound by, the following selection timeline:

Release of Advertisement of RFP		11/24/2023
Deadline to Submit Questions/Clarifications	5:00 P.M.	11/30/2023
Addendum/Questions/Clarifications Posted	5:00 P.M.	12/05/2023
Deadline for Proposal Submittal	2:00 P.M.	12/11/2023
Award Date		01/03/2024

Any questions with regard to submissions, process, or proposals can be emailed to James Cozad, Interim Assistant Public Works Director at james.cozad@losbanos.org. Questions shall be submitted before 5:00 P.M. PST on November 30, 2023. Any response to a request for clarification, questions and answers will be posted to the City’s website at www.losbanos.org no later than 5:00 P.M. PST on December 5, 2023 and if necessary, shall become a part of the proposal as an addendum.

The Request for Proposal can be viewed and/or obtained from the City of Los Banos website at www.losbanos.org.

No oral questions or inquiries about the RFP shall be accepted.

PROJECT DESCRIPTION

The City of Los Banos (herein referred to as “City”) is currently seeking a qualified consultant (herein referred to as “Consultant”) with experience in permitting requirements for effluent irrigation discharge. The City would like to expand its irrigation disposal fields.

The intent of this RFP is to evaluate each interested consultant specific qualifications, experiences, and select the best-qualified consultant. In addition, all interested consultants shall have sufficient, readily available resources in the form of trained personnel, support services, specialized consultants and financial resources to carry out the work without delay or shortcomings. The work will be performed according to the attached Agreement for Services.

The city intends to award a contract to one successful consultant for the services proposed by that consultant. However, all contracts are subject to approval by the Los Banos City Council, and the city reserves the right to not award any such contract at the discretion of the Council.

BACKGROUND

The City’s Wastewater Treatment Plant is located at 17963 W. Henry Miller Rd in Los Banos, CA. Currently, the City disposes of its effluent discharge on to irrigation lands surrounding the wastewater ponds. The City has begun construction on replacing irrigation lines in the eastern irrigation lands, as well as, the removal of biosolids in the recirculation channel system.

In order for the City to ready itself for upcoming wet weather season, it has been determined that the expansion of the irrigation disposal fields is required. The City has identified this project as an urgent matter.

SCOPE OF WORK

The services and required Tasks for this RFP can be found in Exhibit C, “Services.”

ADDITIONAL SERVICES

The need for additional type services may be required during the term of the contract. The interested Consultant shall submit a fee schedule for key staff which may be directly involved in the works outside of the scope of services above. This fee schedule shall be on an hourly basis.

COST PROPOSAL

The consultant is to prepare the Fee Schedule attached in Exhibit D based on the tasks as listed in the scope of work and the table for additional service, if requested, based on personnel hourly rate.

GENERAL PERSONNEL REQUIREMENTS

The consultant’s personnel shall be capable, competent, and experienced in performing the types of work in the Contract with minimal instruction. Personnel skill levels should match the specific job classifications, as set forth herein or in the consultant’s Cost Proposal and task complexity. The consultant’s personnel shall be knowledgeable about, and comply with, all applicable Federal, State and Local laws and regulations.

The consultant is required to submit a written request and obtain the City’s Contract Administrator’s prior written approval for any substitutions, additions, alterations, or modifications to the consultant’s originally proposed personnel and project organization, as depicted on the proposed consultant’s organization chart or the consultant’s cost proposals. The substitute personnel shall have the same job classification as set forth herein or in the consultant’s

Cost Proposal not exceed the billing rate, and meet or exceed the qualifications and experience level of the previously assigned personnel, at no additional cost to the City.

The consultant's Contract Administrator shall have a documented minimum five (5) years of demonstrated experience acceptable to City in management and delivery of similar projects for local agencies.

In addition to other specified responsibilities, the consultant's Project Administrator shall be responsible for all matters related to the consultant's personnel, subconsultants, and consultant's and subconsultants' operations including, but not limited to, the following:

- a. Ensuring that deliverables are clearly defined and those criteria are specific, measurable, attainable, realistic and time-bound.
- b. Supervising, reviewing, monitoring, training, and directing the consultant's and subconsultants' personnel.
- c. Assigning qualified personnel to complete the required Task Order work in coordination with the City Contract Administrator.
- d. Administering personnel actions for consultant personnel and ensuring appropriate actions taken for subconsultants' personnel.
- e. Maintaining and submitting organized project files for record tracking and auditing.
- f. Assuring that all applicable safety measures are in place.
- g. Providing invoices in a timely manner and providing monthly contract expenditures.
- h. Reviewing invoices for accuracy and completion before billing to City.
- i. Managing subconsultants.
- j. Managing overall budget for Contract and provide report to the City Contract Administrator.
- k. Ensuring compliance with the revisions in the Contract and all specific Task Order requirements.
- l. Knowledge, experience, and familiarity with prevailing wage issues and requirements in the State of California.

DELIVERABLES

As agreed upon by the City and consultant.

SCHEDULE

As agreed upon by the City and consultant.

METHOD OF PAYMENT

Consultant shall be paid based on the Specific Rate of Compensation for this Contract and for the amount as agreed upon by the City and Consultant. Consultant shall submit request for monthly progress payments.

MATERIALS TO BE PROVIDED BY THE CONSULTANT

Unless otherwise specified, the consultant shall provide all materials to complete the required work in accordance with the delivery schedule and cost estimate.

INSURANCE REQUIREMENTS

Before the City executes an Agreement for services, Contractor shall provide a certificate of insurance evidencing the following:

- Workers' Compensation Coverage. Consultant shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance with limits of at least one million dollars (\$1,000,000). Consultant shall submit to City, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of City, its officers, agents, employees, and volunteers.
- General Liability Coverage. Consultant shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than two million dollars (\$2,000,000) per occurrence, four million dollars (\$4,000,000) general aggregate, for bodily injury, personal injury, and property damage, including without limitation, blanket contractual liability. Consultant's general liability policies shall be primary and non-contributory, and be endorsed using Insurance Services Office form CG 20 10 to provide that City and its officers, officials, employees, and agents shall be additional insureds under such policies. For construction contracts, an endorsement providing completed operations to the additional insured, ISO form CG 20 37, is also required.
- Automobile Liability Coverage. Consultant shall provide auto liability coverage for owned, non-owned, and hired autos using ISO Business Auto Coverage form CA 00 01, or the exact equivalent, with a limit of no less than two million dollars (\$2,000,000) per accident. If Consultant owns no vehicles, this requirement may be met through a non-owned auto endorsement to the CGL policy.
- Professional Errors and Omissions Insurance. Consultant shall maintain professional liability insurance that insures against professional errors and omissions that may be made in performing the Services to be rendered in connection with this Agreement, in the minimum amount of one million dollars (\$1,000,000) per claim and not less than two million dollars (\$2,000,000) in the annual aggregate. Any policy inception date, continuity date, or retroactive date must be before the effective date of this agreement, and Consultant agrees to maintain continuous coverage through a period no less than three years after completion of the services required by this agreement. The cost of such insurance shall be included in Consultant's bid.
- Each liability insurance certificate shall state that coverage afforded therein is primary and shall bear endorsements that provide the City be given at least 30 days written notice before any material change or cancellation of such policy, for any reason.

EXHIBIT A – SUBMITTAL REQUIREMENTS

These guidelines are provided for standardizing the preparation and submission of the proposals by all consultants. The intent of these guidelines is to assist consultants in preparation of their proposals, to simplify the review process, and to help assure consistency in format and content.

Proposal's shall contain the following information in the order listed:

1. Introductory Letter

The introductory (or transmittal) letter shall be addressed to:

James Cozad, Interim Assistant Public Works Director
411 Madison Ave
Los Banos, CA 93635

The letter shall be on consultant letterhead and include the consultant's contact name, mailing address, telephone number, facsimile number, and email address. The letter will address the consultant's understanding of the services being requested and any other pertinent information the Consultant believes should be included. All addendums received must be acknowledged in the transmittal letter.

The letter shall be signed by the individual authorized to bind the consultant to the proposal.

2. Consultant Information, Qualifications & Experience

The City will only consider submittals from consultants that demonstrate they have successfully completed comparable projects. These projects must illustrate the quality, type, and past performance of the project team. Submittals shall include a detailed description of a minimum of three (3) projects which include the following information:

1. Contracting agency
2. Contracting agency Project Administrator/Contact Person including name, address and phone
3. Contracting agency contact information
4. Contract amount
5. Date of contract
6. Date of completion
7. Consultant Project Administrator and contact information

3. Organization and Approach

1. Describe the roles and organization of your proposed team for this project. Indicate the composition of subconsultants and number of project staff, facilities available and experience of your team as it relates to this contract. Provide an organizational chart.
2. Describe your project and management approach.
3. Describe the roles of key individuals on the team. Provide resumes and references for all key team members. Resumes shall show relevant experience, for the Project's Scope of Work, as well as the length of employment with the proposing Consultant. Key members, especially the Project Administrator, shall have significant demonstrated experience with

this type of project, and should be committed to stay with the project for the duration of the project.

4. Demonstrate that the consultant's Project Administrator and project staff have sufficient availability and/or that consultant has sufficient resources to timely deliver City's projects.

4. Past Experience on Municipal Projects

Include a description of past municipal projects (minimum of five) in which your firm has been involved, for comparable cities including the following:

- Project Description
- Year of Completion
- Construction Cost (or consultant cost, if not an infrastructure project)
- City Contact

5. Conflict of Interest Statement

Throughout the term of the awarded contract, any person, firm or subsidiary thereof who may provide, has provided or is currently providing design engineering services and/or construction engineering services under a contractual relationship with a construction contractor(s) on any City project related to this solicitation.

Similar to the disclosures regarding contractors, all firms are also required to disclose throughout the term of the awarded contract, any design engineering services including claim services, lead project management services and construction engineering services provided to all other clients on any City project listed in this solicitation.

In addition to the disclosures, the consultant shall also provide possible mitigation efforts, if any, to eliminate or avoid any actual or perceived conflicts of interest.

The consultant shall ensure that there is no conflict before providing services to any construction contractor on any of the City's projects related to this solicitation. The submitted documentation will be used for determining potential conflicts of interest. The City will use this documentation to determine whether the firm may provide the specified services under this contract.

If a consultant discovers a conflict during the execution of an assigned task order, the consultant must immediately notify the City Contract Administrator regarding the conflicts of interest. The City Contract Administrator may terminate the Task Order involving the conflict of interest and City may obtain the conflicted services in any way allowed by law. Failure by the consultant to notify the City Contract Administrator may be grounds for termination of the contract.

6. Litigation

Indicate if the proposing consultant was involved with any litigation in connection with prior projects. If yes, briefly describe the nature of the litigation and the result.

7. Contract Agreement

Indicate if the proposing consultant has any issues or needed changes to the proposed contract agreement included as Exhibit E.

The consultant shall provide a brief statement affirming that the proposal terms shall remain in effect for ninety (90) days following the date proposal submittals are due.

8. Cost Proposal

The Request for Proposal includes a Fee Schedule which identifies the scope of work through task to be completed. **The completed Fee Schedule in Exhibit D shall be submitted with the proposal in its own separately sealed envelope.** The Consultant shall not include this cost proposal in the USB as an electronic file.

EXHIBIT B – PROPOSAL EVALUATION

EVALUATION PROCESS

All submittals will be evaluated by City Selection Committee. The Committee may be composed of City staff and other parties that may have expertise or experience in the services described herein. The Committee will review the submittals and will rank the proposers. The evaluation of the proposals shall be within the sole judgment and discretion of the Committee. All contacts during the evaluation phase shall be through the Contract Administrator/Project Administrator only. Proposers shall neither contact nor lobby evaluators during the evaluation process. Attempts by Proposer to contact members of the Committee may jeopardize the integrity of the evaluation and selection process and risk possible disqualification of Proposer.

The Committee will evaluate each submittal meeting the qualification requirements set forth in this RFP. Proposers should bear in mind that any submittal that is unrealistic in terms of the technical or schedule commitments may be deemed reflective of an inherent lack of technical competence or indicative of a failure to comprehend the complexity and risk of the City requirements as set forth in this RFP.

The selection process may include oral interviews. The proposer will be notified of the time and place of oral interviews and if any additional information that may be required to be submitted. In the event that the City receives no more than three proposals, the City may opt to not conduct an oral interview.

EVALUATION CRITERIA

Proposals will be evaluated according to each Evaluation Criteria, and scored on a zero to five-point rating. The scores for all the Evaluation Criteria will then be multiplied according to their assigned weight to arrive at a weighted score for each proposal. A submittal with a high weighted total will be deemed of higher quality than a proposal with a lesser-weighted total. The final maximum score for any proposal is five hundred (500) points.

0	Not Acceptable	Non-responsive, fails to meet RFP specifications. The approach has no probability of success. For mandatory requirement this score will result in disqualification of submittal.
1	Poor	Below average, falls short of expectations, is substandard to that which is the average or expected norm, has a low probability of success in achieving project objectives per RFP.
2	Fair	Has a reasonable probability of success, however, some objectives may not be met.
3	Average	Acceptable, achieves all objectives in a reasonable fashion per RFP specification. This will be the baseline score for each item with adjustments based on interpretation of submittal by Evaluation Committee members.
4	Above Average/Good	Very good probability of success, better than that which is average or expected as the norm. Achieves all objectives per RFP requirements and expectations.
5	Excellent/Exceptional	Exceeds expectations, very innovative, clearly superior to that which is average or expected as the norm. Excellent probability of success and in achieving all objectives and meeting RFP specification.

The consultant determined to be the most qualified, in the City’s sole discretion, shall be based on the following 100 point grading system:

1. Quality of Proposal: 15 points
2. Qualification and Experience: 15 points
3. Organization and Approach: 25 points
4. Past experience: 10 points
5. Staff Availability: 15 points
6. Proposal Format and Completeness: 10 points
7. Project Schedule: 10 points

1. Quality of Proposal (15 points)

- a. Responses to this RFP must be complete. Responses that do not include the proposal content requirements identified within this RFP and subsequent addenda and do not address each of the items listed below will be considered incomplete.

2. Qualifications & Experience (15 points)

- a. Relevant experience, specific qualifications, and technical expertise of the firm and sub-consultants to provide permitting process with water boards and related regulations as detailed in the scope of work.

3. Organization & Approach (25 points)

- a. Describes familiarity of project and demonstrates understanding of work completed to date and project objectives moving forward.
- b. Roles and Organization of Proposed Team
 - i. Proposes adequate and appropriate disciplines of project team.
 - ii. Some or all of team members have previously worked together on similar project(s).
 - iii. Overall organization of the team is relevant to City needs.
- c. Project and Management Approach
 - i. Team is managed by an individual with appropriate experience in similar projects. This person's time is appropriately committed to the project.
 - ii. Team successfully addresses Work Planning and Programming efforts.
 - iii. Project team and management approach responds to project issues. Team structure provides adequate capability to perform both volume and quality of needed work within project schedule milestones.
- d. Roles of Key Individuals on the Team
 - i. Proposed team members, as demonstrated by enclosed resumes, have relevant experience for their role in the project.
 - ii. Key positions required to execute the project team's responsibilities are appropriately staffed.
- e. Working Relationship with City
 - i. Team and its leaders have experience working in the public sector and knowledge of public sector procurement process.
 - ii. Team leadership understands the nature of public sector work and its decision-making process.

4. Past Experience (10 points)

- a. Consultant demonstrates experience with performance of services within the comparable cities for projects similar in nature to those related to this solicitation.
- b. Consultant demonstrates successful completion of said projects.
- c. Consultant is familiar with City standards and procedures.

5. Staff Availability (15 points)

- a. Consultant demonstrates project team staff is available and able to promptly respond to requests throughout the contract duration in order to timely deliver projects.

6. Proposal Format and Completeness (10 points)

- a. Attractive, professional appearance. (Cover, internal layout, font type and size, and illustrations/photos)
- b. Clear, concise, error-free.

7. Project Schedule (10 points)

- a. The proposed project schedule will be evaluated on the overall project timeline. The schedule offering the City the short duration with the earliest start will receive the maximum 10 points and the subsequent proposals will receive points based on the weighted average as compared to the highest scoring consultant.

8. Presentation by Team (if applicable) (10 points)

- a. Team presentation conveying project understanding, communication skills, innovative ideas, critical issues and solutions.

Weighted scores for each Proposal will be assigned utilizing the table below:

No.	Evaluation Criteria	Rating (0-5)	Weight	Score (Rating * Weight)
1	Quality of Proposal		15	
2	Qualifications & Experience		15	
3	Organization & Approach		25	
4	Past Experience		10	
5	Staff Availability		15	
6	Proposal Format & Completeness		10	
7	Project Schedule		10	
Total:			100	
8	Presentation by Team- if applicable		10	
Total:			110	

EXHIBIT C – SERVICES

Task 1: Environmental

- a. Full Environmental Analysis per CEQA guidelines
 - i. Cultural Resource Assessment
 - ii. Biological Site Assessment
 - iii. Determine if Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report is required.

Task 2: Topographic Survey

- Northwest Field APN: 082-020-038 and South Field APN: 454-020-001
- Two-acre sludge storage area

Task 3: Irrigation System Plans and Specifications

- a. Design of system including all pipes and appurtenances
- b. Calculations to support pipe sizing and dewatering rates
- c. Required signs and fencing

Task 4: Sludge Storage Area Design

- a. Plans & Specifications for temporary storage location of dewatered sludge removed from ponds.
 - i. Geotechnical Report for liner recommendations

Task 5: Permitting

- a. Amend Waste Discharge Requirements (WDR's)
 - i. Update Report of Waste Discharge (RoWD)
 - ii. Evaluate if any monitoring wells need to be added.
 - iii. Analyze optimal dewatering schedule
 - iv. TDS will be monitored via CV Salts Program
- b. Amend the Title 22 Engineering Report
 - i. Water & Nutrient balances
 - ii. Determine if additional tailwater return facilities will be required for new fields (design of facilities not a part of this proposal)

Task 6: Project Management

- a. Contracts & Invoices
- b. Meetings & Site visits as needed

EXHIBIT D – FEE SCHEDULE

Consultant shall provide an itemized schedule of rates and fees which includes all billing amounts and costs for each Task.

Task amounts are considered to be not-to-exceed amounts.

- Task 1: Environmental \$ _____
- Task 2: Topographic Survey \$ _____
- Task 3: Irrigation System Design, Plans and Specifications \$ _____
- Task 4: Sludge Storage Area Design \$ _____
- Task 5: Permitting \$ _____
- Task 6: Project Management \$ _____

Consultant Rate Schedule:

The rate for any authorized additional services is shown below:

Position Title	Hourly Rate

EXHIBIT E – SAMPLE CONTRACT AGREEMENT

*Sample Contract Agreement will be available upon issuance of Addendum on December 5, 2023