

SAN JOAQUIN AREA FLOOD CONTROL AGENCY

REQUEST FOR QUALIFICATIONS REAL ESTATE APPRAISAL AND ACQUISITION SERVICES FOR FLOOD PROTECTION IMPROVEMENTS (SJAFCA-RFQ-20-01)

1.0 INTRODUCTION

The San Joaquin Area Flood Control Agency (SJAFCA) invites qualified consulting firms to submit statement of qualifications (SOQ) to perform a real estate appraisal and acquisition services to support SJAFCA's flood risk reduction program.

The purpose of this request for qualifications (RFQ) is to establish minimum requirements for flood risk reduction program support, to solicit and evaluate SOQs, and to identify firms that can support SJAFCA's program through a consultant services master agreement. Subsequent to this RFQ and selection process, SJAFCA will request proposals to meet its needs. Through a separate process needed services may be activated on program, project-only or a task-by-task basis as needed.

Estimated Contract Duration: 3 years with options to extend the contract duration
Estimated Cumulative Contract Amount: Cumulative task orders are not to exceed \$1M and subject to program funding availability.

2.0 SJAFCA DESCRIPTION

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 and the Cities of Stockton, Lathrop and Manteca and the public.

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/>.

3.0 SJAFCA PROJECT BACKGROUND

SJAFCA has multiple large-scale flood risk reduction projects currently underway within San Joaquin County. These projects and others not yet scoped will require additional study, analysis and engineering to deliver flood risk reduction to the basin.

Within the Stockton area, SJAFCA is the local sponsor of the Federally authorized Lower San Joaquin River Feasibility Study Recommended Project (LSJRP), a \$1.0+ billion effort that will reduce flood risk to North and Central Stockton. Additional Information regarding this project can be found online here: https://www.spk.usace.army.mil/lower_si_river/. SJAFCA has entered into a Project Partnership Agreement (PPA) with the United States Army Corps of Engineer

(USACE) to advance the LSJRP.

SJAFCA is also the Local Flood Management Agency (LFMA) responsible for reporting on efforts to achieve an Urban Level of Flood Protection (ULOP) in the Mossdale Tract Area (Reclamation District No. 17) to the Central Valley Flood Protection Board (CVFPB) and the Department of Water Resources (DWR). SJAFCA's efforts will include improving the levees to the West and North of Mossdale Tract and extending the Dry Land levee to the South of Manteca further East. Additional information regarding this project can be found online here: https://www.sjafca.com/mossdale_tract.php.

4.0 SCOPE OF SERVICES

SJAFCA requires **real estate support services** from professionals experienced in the development and effective delivery of flood risk reduction projects and habitat enhancement programs. SJAFCA seeks support from firms who have in-depth experiences working with local flood agencies, the State of California's Department of Water Resources (DWR), and the U.S. Army Corps of Engineers (USACE).

Real estate support services may include the valuation, appraisal, and acquisition support of permanent fee title, temporary and permanent easements, rights-of-entry support, and temporary and permanent damages. Work may include, but is not limited to, researching title reports, landowner engagement, acquiring parcel descriptions, preparing right-of-way documents, reviewing legal descriptions, developing written offers, offer negotiation and recommendations, eminent domain support (non-legal services), title and escrow document review and coordination, relocation assistance and other related real estate support.

This work has the potential to support one or more of the following projects as either SJAFCA-led or SJAFCA-supported project delivery:

- the Federally authorized Lower San Joaquin River, CA Project (Phase I),
- the continued effort to assess and deliver adequate progress in the Mossdale Basin,
- the evaluation and support to engage and find State and Federal project interest, and
- Other flood risk reduction projects as they are defined and developed.

Responding firms may submit individually and/or as part of larger teams. SJAFCA will identify and evaluate qualified firms to execute consultant services master agreements.

The selected firm(s) shall 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 Project Manager 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 are essential component of work product integration and successful project delivery so each firm should demonstrate their capabilities in this regard.

5.0 RFQ SCHEDULE

SJAFCA will follow schedule listed below, but SJAFCA reserves the right to modify the schedule in any manner necessary to serve the best interests of SJAFCA:

Release of RFQ Monday, December 7, 2020
Deadline to submit questions to SJAFCA 4:00 PM Monday, December 14, 2020

SJAFCA Responds to Written Questions Monday, December 21, 2020
Submittal of SOQ Due from Consultant..... 4:00 PM Friday, January 15, 2021
Notification/Scheduling Oral Interviews (if needed)Friday, January 22, 2021
Consultant Oral Interviews (if needed)week of February 8, 2021
Consultant Selection/Notification..... Friday, February 12, 2021

6.0 QUESTIONS

Questions regarding this RFQ, including requests for clarification, should be submitted in writing to Juan Neira, Senior Civil Engineer, by e-mail at Juan.Neira@stocktonca.gov or in writing to:

Juan Neira, Senior Civil Engineer
c/o San Joaquin Area Flood Control Agency
22 East Weber Avenue, Room 301
Stockton, California 95202

Answers to questions or clarifications will be posted to SJAFCA's website:
<http://www.sjafca.com/> and via email to proposers that have requested email updates.

7.0 FORMAT AND CONTENT REQUIREMENTS

1. TRANSMITTAL AND SUMMARY

- A. Transmittal/Signature/Cover Page – This page will include the title information and the signature of the SOQ 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. Submitted SOQs must include a summary of its contents and a statement of the firm's basic understanding of SJAFCA's needs.

2. STATEMENT OF QUALIFICATIONS (SOQ)

The following is required for the proposing firm and any sub-consultants:

- A. Provide a summary of the firm's overall capabilities, history, recent and related experience, and expertise. The proposed relationships among all key personnel and support staff that are expected to provide services associated with the proposal should also be identified. Provide information on the firm's most relevant and applicable experience.
- B. 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.
- C. Provide a list of similar reference projects that proposed key personnel have completed within the last five years. Provide information on the firm's experience related to providing the services for a public agency's flood risk reduction projects. Firms that have no performance history with SJAFCA are encouraged to submit a proposal. Firms that

have previously provided services to SJAFCA or its Members must include those services in the list of reference projects. The reference list should include:

- Client name, contact person, and current telephone number;
- Project description and location;
- Description of services provided;
- Budget performance;
- Schedule performance;
- Key personnel involved; and,
- Sub-consultants employed.

- D. Describe at least one primary reference project, in more technical detail than those 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. Identify the specific services performed and work products provided with a degree of detail that delineates between major and minor work tasks. Identify any supplemental tasks, deemed necessary or recommended, 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 and who performed quality control/assurance related to the work effort and products delivered.

- E. Include descriptions and examples of the firm's approach to deliver real estate services for multi-agency and multi-purpose flood risk reduction projects. Flood risk reduction projects require close collaboration with various consulting firms and public agencies, often with differing objectives. Expected competencies include representation of the non-federal sponsor's interests and a deep understanding of local, state and federal (e.g. USACE, USFWS) guidelines, processes, and regulations. The responding firm(s) shall describe their experiences and approach for engaging with partner consultants, client agency program staff, other governmental agencies, and regulatory agencies to accelerate project development, implementation, and completion.

3. Certification / Exceptions to RFQ Conditions

In submitting a SOQ in response to this RFQ, the firm is certifying that it takes no exceptions to the conditions described in this RFQ with the exception of those noted within this section. If any exceptions are taken, such exceptions must be clearly noted in the proposal and may be reason for rejection of the proposal. If a SOQ has no clarification, exception, or deviation, a statement to that effect shall be included in this section.

4. Billing Rates

The firm(s) hourly rate sheet shall be submitted in a separate sealed envelope. Upon

completion of the Oral Interviews (if needed) and SJAFCA's firm ranking, SJAFCA will review the sealed hourly rate sheets of tentatively selected firm(s). The sealed hour rate sheet will be used as a starting point for consultant services agreement negotiations.

5. Page Limit

The submitted SOQ shall not exceed eight (8) single-sided pages. Each page must be numbered. The 8-page limit applies to all content with the following exceptions: an optional table of contents (not to exceed one page), any folder, cover, or section dividers; the sealed rate sheet and resumes.

8.0 SUBMISSION REQUIREMENTS

Please submit one electronic copy on CD / DVD / or USB drive or by e-mail to Juan.Neira@stocktonca.gov, three (3) copies and one (1) unbound original copy of your proposal signed by an authorized representative. Proposals shall be delivered on or before **4:00 pm on Friday, January 15, 2021**, to:

Juan Neira, Senior Civil Engineer
c/o San Joaquin Area Flood Control Agency
22 East Weber Avenue, Room 301
Stockton, California 95202

The following information must be placed in the lower left corner of the sealed envelope/package containing the hourly rate sheet:

RATE SHEET

OPEN BY CONSULTANT SOLICITATION STAFF ONLY

CONSULTING SERVICES FOR REAL ESTATE APPRAISAL AND ACQUISITION SERVICES
FOR FLOOD PROTECTION IMPROVEMENTS
(SJAFCA-RFQ-20-01)

[Name of Submitting Firm]

Note: SOQs received later than the above date and time will be rejected and returned to sender unopened.

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

The proposal, submitted in response to this RFQ, shall include a transmittal signed by an official of the firm with the authority to negotiate and commit to the terms of this RFQ.

The responding firm shall comply with all terms and conditions described within this RFQ. Any exception to any term or condition described within this RFQ 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; however, it is excluded from the RFQ's maximum allowable length.
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 RFQ. 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 RFQ.

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 SOQs: SJAFCA reserves the right to reject any and all proposals, or to negotiate separately with any source whatsoever in any manner necessary to serve the best interests of SJAFCA. Non- acceptance of any SOQ will be devoid of any criticism of the proposal and of any implication that the qualifications or the proposals were deficient.
5. SOQ Costs: Costs for developing SOQs are entirely the responsibility of the proposing firm(s) and shall not be chargeable in any way to SJAFCA. All materials submitted become the property of SJAFCA and may be returned only at SJAFCA's option.
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 this 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 evaluated based on the criteria listed below, including but not limited to:
 - Overall responsiveness and general understanding of the RFQ requirements
 - Firms(s) experience, capability and approach to providing the requested services
 - References with demonstrated success with similar work to those described in this RFQ
 - Capabilities and experience of the proposed personnel and subconsultants
 - Clarifications, exceptions and/or deviations to the RFQ terms and conditions
2. SOQ Evaluation: SJAFCA will review the SOQs for completeness, clarity, and content. Each SOQ will be reviewed to determine if it meets the requirements contained within this RFQ. Failure to meet the requirements will be cause for rejection of the SOQ. SJAFCA may reject any SOQ 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 RFQ 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 consultants, will evaluate the SOQs that meet the RFQ requirements. The evaluation of the written qualifications will be based on the criteria listed above.

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 SOQs. 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 qualifications, written 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. SJAFCA may select one or all proposing firms.

The sealed hourly rate sheet 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 of time, 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) may be requested to enter into a consultant services master agreement with SJAFCA. SJAFCA's consultant services master agreement is shown as **Exhibit A**. SJAFCA reserves the right to modify this standard template in order 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 from this RFQ.

Thank you for your interest in this Request for Qualifications.

Attachments and Exhibits

Attachment A: Debarment & Suspension Certification

Exhibit A: Consultant Services Master Agreement

**TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29
DEBARMENT AND SUSPENSION CERTIFICATION**

The prime consulting firm certifies, except as noted below, that no person, serving the firm in the capacity of owner, partner, director, officer, manager:

is currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;

has been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past three years;

has a proposed debarment pending; and

has been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three years.

If there are any exceptions to this certification, note the exceptions in the following space, indicating to whom it applies, the initiating agency, and dates of action.

Exceptions will not necessarily result in denial of award but will be considered in determining Consultant responsibility.

Signature

Consultant Firm Name

**SJAFCA STANDARD FORM
CONSULTANT SERVICES MASTER AGREEMENT**