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MEMORANDUM

DATE: October 21, 2008

TO: Board of Supervisors

FROM: Peter N. Maurer, Principal Planner

SUBJECT: Integrated Natural Resources Management Plan (INRMP) Request for Proposals (RFP)

Development Services Department is bringing the INRMP RFP back to the Board of Supervisors for review and direction.

Recommended Action:

1. Provide clarification to staff as to whether your Board wants only the INRMP (Policy 7.4.2.8) included in this effort, or whether parallel policies and implementation measures should be included (such as the Important Biological Corridors and Implementation Measure CO-U).
2. Provide clarification to staff as to whether your Board wishes the RFP to request bids for an assumed Negative Declaration, or an EIR.
3. Provide direction to staff as to whether your Board desires an open re-bidding of the INRMP project, or desires staff to use the approved Procurement & Contracts departmental environmental contract firms list, and if so, should the RFP be divided to allow specialists the opportunity to bid on parts.
4. Provide any changes in the RFP your Board desires.

Background:

Staff met with the INRMP Stakeholders Advisory Committee (ISAC) and the Plant and Wildlife Technical Advisory Committee (PAWTAC) to review the draft INRMP Request for Proposals on October 2 and 14, 2008, respectively. Members provided staff with comments on the draft RFP, and the revised draft RFP was redistributed (and posted on the committees' respective webpages) and members were invited to comment further on the revision. Attachment 1 reflects a draft INRMP RFP which has been circulated three times to the committees with revisions made based on members' recommendations. Written comments provided by individual members are reflected in Attachment 2.

A summary of individual members' written comments is as follows:

1. One commenter made a presentation to PAWTAC and provided written comments regarding the report authored by Saving & Greenwood, and pulled out the sections that he believed to be pertinent to the INRMP study. The commenter suggests that the work being requested in the RFP has already been done before by Saving & Greenwood, and the consultant should address the parameters/assumptions and mapping done by Saving & Greenwood to check for validity, before doing further modeling or a literature search, so as not to duplicate efforts and create further expenditures.
2. Two commenters suggest that the RFP should be republished, and not limited to consultants on the Planning Services approved environmental contract firms list.
3. A commenter suggests that the RFP should not assume a Negative Declaration environmental document, but that the environmental document should be an EIR. In addition, the commenter suggests that the RFP should address the possibility of an EIR to proposers.
4. A commenter suggests that initial studies need to be done to define why we are trying to attempt a north-south corridor, and that we have clearly established much more corridor than we need. This commenter feels that in doing more studies, significant CEQA review will need to be done. He expressed concerns that the policy was poorly written and does not believe the Savings and Greenwood study justifies the need for a connector.
5. A commenter suggests that there are experts who are good at the mapping/targeting work, with other experts who are effective at the institutional arrangements, and also suggested that possibly experts at CSU or UC would be interested in participating if the RFP is circulated to institutions.
6. Other commenters made specific wording suggestions that are incorporated into the attached draft INRMP RFP.
7. Verbal commenters were concerned that the Board did not intend this effort to include anything other than implementation of Policy 7.4.2.8 (not the Important Biological Corridors [IBCs], Policy 7.4.4.5, or other related policies).

Discussion:

The draft INRMP RFP before you is a result of staff utilizing Policy 7.4.2.8 and considering the needs of related policies and implementation measures (such as IBCs) that utilize the studies that will need to be conducted for Policy 7.4.2.8, in order to maximize economies of scale and contain costs in general plan implementation efforts. In addition, Adina Merenlender, PhD., contributed the base wording for the mapping effort.

Staff believes that the draft INRMP RFP is worded such that it gives consultants direction in the studies/mapping effort while allowing the proposers to prepare scopes based on their knowledge and experience, and addresses committee members' requests that studies should determine whether a north-south corridor is appropriate. It is staff's belief that the Board wished to use prior studies (such as Saving & Greenwood) as much as possible to contain costs.

The RFP relies on proposers assuming a Negative Declaration will be the appropriate environmental document. Staff believes that it is the Board's intention to implement the

INRMP, and has not indicated that it wishes to change Policy 7.4.2.8. If that is the case, then if Policy 7.4.2.8 is implemented as stated in the General Plan, and as it is a mitigation measure of the General Plan EIR, then it would be covered under the General Plan EIR. It is assumed that the initial study would likely lead to a Negative Declaration. If the studies illustrate a notable difference in the IBCs, for example, or if the Board wished to amend Policy 7.4.2.8, then a Mitigated Negative Declaration (MND) or EIR could be required. For the purposes of the proposal, unless the Board directs otherwise, staff assumes that the proposers should bid based on a Negative Declaration. This does not preclude the possibility of a MND or an EIR.

Development Services has identified four consulting firms from the approved departmental environmental contract firms list that have experience with habitat plans. In addition, Development Services will send the RFP to the two consulting firms that had won the bid for work on the prior phases of the INRMP, for a total of six firms. The six firms are interested in bidding for the project. Development Services chose this route rather than reopening the RFP bidding as these firms have been pre-qualified by Procurement & Contracts and intra-departmental staff evaluation and it is our understanding from the Board that time is of the essence.

Next steps, after receiving the Board's direction today, are to: send the RFP to bid, receive bids, evaluate bids, and bring a recommendation back to the Board as to a qualified consultant choice.

Attachments: Attachment 1 - INRMP RFP
Attachment 2 - INRMP RFP Comments