



January 29, 2009

Re: **Request for Proposals:
Construction Management Services
for the South Bay Salt Pond Phase I Actions at Eden Landing**

Dear Consultant:

You are invited to submit your proposal for the referenced project. *Proposing teams or firms must have completed construction management services for at least one similar wetlands restoration project of at least 250 acres.*

This is a one-step procurement method. Qualifications and proposals will be evaluated and a short-list of the three to five top-ranked consultants will be invited for oral interviews. On the basis of both the proposals and the oral interviews, one firm will be selected to enter into a "Standard Agreement" contract with the District.

There is a mandatory pre-proposal meeting on **February 13, 2009**. Proposals are due on **March 9, 2009**. More detail about the required scope of services and proposal submittal requirements are provided in the attached request for qualifications (RFP).

If you have any questions about this project, please contact Sybil Hatch, P.E. at 510-558-8825. Thank you for your interest.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stanley Fung".

Stanley Fung
Deputy Director
Engineering & Construction Department

Enclosures

**ALAMEDA COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**
REQUEST FOR PROPOSAL
Construction Management Services
for the South Bay Salt Pond Phase I Actions at Eden Landing

January 29, 2009

I. Introduction

The Alameda County Flood Control and Water Conservation District (“District”) is seeking proposals from firms (“Consultant”) that wish to provide construction management services related to the construction of the South Bay Salt Pond Phase I Actions at Eden Landing, located in Hayward, California. The District intends to enter into a contract with the Consultant for a period of at least three years.

This Request for Proposal (RFP) describes the project, the required scope of services, and the information that must be included in the proposal. Failure to submit information in accordance with the RFP requirements and procedures may be cause for disqualification.

This is a one-step RFP method. The District will evaluate written proposals on the basis of thoroughness, completeness, and content, as described in Section V of this RFP, “Form of the Proposal.” The three to five top-ranked firms will be invited to oral interviews. On the basis of the proposals and oral interviews, one firm will be selected to enter into a Standard Agreement contract with the District.

II. Background – South Bay Salt Pond Restoration Project

In 2003, Cargill sold 15,100 acres of South Bay salt ponds to the California Department of Fish and Game (DFG) and the U.S. Fish and Wildlife Service (FWS). The South Bay salt ponds encompass three sites, one of which is Eden Landing, the subject of this RFP. The long-term restoration plan for these ponds is being developed through the South Bay Salt Pond (SBSP) Restoration Project, a habitat restoration and enhancement plan that will be implemented over the next 30-plus years.

The SBSP Restoration Project has been planned by a collaborative team of resource managers and landowners, and has included extensive education and outreach efforts for, and contributions by, the people in the surrounding communities. The key partners on the SBSP Restoration Project’s Management Team are the Coastal Conservancy, DFG, FWS, the District, the Santa Clara Valley Water District, and the U.S. Army Corps of Engineers. Complete information on the SBSP Restoration Project is available at www.southbayrestoration.org.

The SBSP Restoration Project, including the project’s Phase 1 Actions, is the subject of a

Final EIS/R that was released in December 2007. The District is the local agency responsible for implementing the program outlined in the EIS/R. Design of the Phase 1 Actions at Eden Landing is proceeding with funding from the Coastal Conservancy and the District. Collectively, construction of the Phase 1 Actions at Eden Landing is estimated to cost about \$12,000,000, with funding anticipated to be provided by the District; grants from the FWS, the Coastal Conservancy, the Wildlife Conservation Board (WCB), and the U.S. Geological Survey; and various other grants (NAWCA, Coastal Wetlands, NFWF, etc.).

The SBSP Phase 1 Actions at Eden Landing include the Ponds E8A, E9, and E8X tidal restoration, the Ponds E12 and E13 reconfigured managed pond restoration, and public access and recreation components. Implementation of the Eden Landing Phase 1 Actions is expected to be a coordinated construction effort with a duration of three or more years.

Ponds E8A, E9, and E8X Tidal Restoration

The Eden Landing Ponds E8A, E9, and E8X will be restored to create approximately 730 acres of tidal salt marsh and tidal channel habitat. The District is funding the Ponds E8A, E9, and E8X tidal restoration preliminary design and has hired Philip Williams & Associates (PWA) to carry out the design.

Ponds E12 and E13 Reconfigured Managed Pond Restoration

The Eden Landing Ponds E12 and E13 will be reconfigured to create shallow water foraging habitat for migratory shorebirds with a range of salinities, and a limited number of islands for nesting bird habitat. These ponds total 230 acres and are owned by DFG. DFG is working collaboratively with the District and the other agencies on this restoration activity. The Coastal Conservancy is funding the design of these ponds and has hired PWA to carry out the design.

Ponds E12 and E13 Recreation and Public Access

Recreation and public access features for the Ponds E12 and E13 restoration include a viewing area of historic salt works and a seasonal loop trail around the two ponds. The Conservancy is funding the design of this element and has hired Callendar & Associates to carry out the design.

II. Scope of Work

The scope of work for this contract includes providing all construction management and inspection services for construction of the pond E8A, E9 and E8X restoration, the pond E12 and E13 restoration, and the recreation and public access improvements for ponds E12 and E13.

These projects are at various phases of design, permitting, and funding. The construction timing is controlled by tidal flows into the site, the presence of several endangered species, and weather-related construction challenges. *Construction may not take place during the nesting season or when the marshes are excessively wet during the rainy season.* This effectively limits the construction season to August through November.

A staged construction approach is recommended and proposers will need to plan the construction schedule in a manner that efficiently coordinates all of these variables. Proposing firms should highlight how their prior experience qualifies them to manage construction of this type.

The District plans to enter into a multi-year contract. However, for purposes of this RFP, we are requesting proposers to provide a detailed scope of work only for the work specified in the Eden Landing Ponds E8A, E9, and E8X Preliminary Design Report (PDR) dated April 2008 and prepared by Philip Williams & Associates, Ltd. (PWA) and H. T. Harvey & Associates. The Eden Landing Ponds E8A, E9, E8X Preliminary Design Report and a set of preliminary plans is posted on PWA's FTP server for your download. In Internet Explorer, paste in the following URL:

<ftp://ftp.pwa-ltd.com/outbox/EdenLanding>

Both the username and password are:
ftp-out

The scope for subsequent stages will be negotiated when PDRs and construction plans become available. Extension of this contract to subsequent stages of the project will be dependent on the Consultant's performance, funding availability, and lessons learned from the current contract. A specific task for scoping the next stage work program should be included in your proposal.

Services to be provided, for the first year, at a minimum, include:

- Meeting with the Project Management Team (PMT), other agencies, and citizens, as required, during the project. The PMT meets once a month and periodic progress reports are anticipated.
- Becoming familiar with existing pond operations. This will include meeting with the DFG operator and reviewing current and proposed operations.
- Becoming familiar with the conditions imposed by the various funding sources. For example, the Proposition 50 grant funds require compliance with the Labor Compliance Program (LCP) for hourly wage workers. An LCP fact sheet prepared by the State Water Resources Control Board is presented as "Attachment A."
- Becoming familiar with the regulatory permit conditions for the project.
- Becoming familiar with the District's engineering and construction branch staff and determining an efficient process for coordinating items that require Board of Supervisors action - as well as developing an efficient process for routine payments and record-keeping compatible with the District's in-place construction management systems.
- Working with the design team (PWA) and District and DFG staff to develop a specific construction project staging plan for 2009 and to issue suitable construction plans and specifications for bidding. Design of the pond E8A, E9 and E8X restoration project is expected to be completed by May 2009. It is desirable that the Ponds E8A, E9, and E8X project be advertised for construction contract bids in June 2009 so the selected bid can be presented to the Wildlife

Conservation Board at their August 2009 meeting, with a construction start in September 2009.

- Working with the design teams and District and DFG staff to prepare grant-funding applications and assist in administering the grants.
- Working with the design teams and District and DFG staff to develop a more general multi-year construction schedule that includes subsequent stages of work.
- Attending and assisting District staff in preparations for Board of Supervisors meetings.
- Assisting District staff in managing the final design process and budget.
- Preparing an opinion of probable construction cost for each construction phase.
- Preparing a constructability/bidability review during key stages of the final design process.
- Developing strategies to pre-qualify quality general contractors for each phase of construction.
- Assisting District and design team staff in preparing pre-bid documents, advertising the project, conducting a pre-bid meeting with potential bidders, evaluating the bids, and advising on the award to the lowest responsible bidder.
- Managing the submittals and “request for information” processes; reviewing and approving/denying requested change orders; preparing progress payments; managing punch list items; and overseeing delivery of as-built plans.
- Providing on-site support, as appropriate, to perform contract administration, resident engineering, construction inspection, dispute resolution, and quality assurance programs. Monitoring construction activities to ensure compliance with permitting conditions and coordination with the DFG operations program.
- Providing a budget tracking program that includes a monthly project billing.
- Providing detailed documentation of “small local emerging business” (SLEB) participation in the construction management and construction elements of this project. See Section V.D.4. for SLEB participation criteria.
- Preparing a detailed scope of work for the next stage of the contract.

III. Conduct of the Study

The Consultant will work closely with District staff throughout the project, and this assignment is intended to be a cooperative effort between the District and Consultant staff.

The Consultant is expected to provide all the necessary technical resources and skills, support services, and the related project management of these resources. Consultant is required to provide a management plan as described under Section V.D.4. District staff will provide overall project management and administrative direction.

IV. Requisite Consultant Qualifications

Consultants responding to this RFP must have completed construction management services for at least one similar wetlands restoration project of at least 250 acres in size. Additionally, respondents must demonstrate the following expertise, at a minimum:

- Construction management for wetlands restoration, public access, and viewing facilities such as walkways and viewing platforms
- Familiarity with the engineering and scientific analysis associated with and required for wetlands restoration projects.
- Construction inspection for similar projects
- Contract administration
- Resident engineering
- Dispute resolution
- Quality assurance for construction
- Plans, specifications, and cost estimates review

V. Form of the Proposal

Proposal content and completeness are important and, although proposal length is not limited, the District appreciates brevity. Clarity and conciseness are essential and will be considered in assessing the proposer's capabilities. In order to simplify the process and to obtain the maximum degree of comparability, the proposal should be organized in the following manner:

- A. Transmittal Letter
- B. Title page – show the RFP subject, the name of the proposer's firm or team, address, telephone number, name of the contact person, and the date.
- C. Table of Contents – include clear identification of the material by section and page number.
- D. Proposal Content:
 1. **Overview and Summary** - this section should clearly convey the Consultant's understanding of the work and project approach. Consultant should address the following:
 - a. Understanding of the purpose of the project as specified in Section II, "Scope of Work." The scope of work described in Section II is only a rough outline. Identify other activities that you propose to implement in support of the required tasks. Identify all tasks or activities that would be fully supported by your organization and those that would require assistance from the District.
 - b. Summary of the overall approach to the project and the methodologies that will be used, and administrative and operational management expertise that will be employed.

2. Detailed Work Plan

The Consultant shall include a full description of the work elements and the proposed methodology. The work description should be detailed to a sufficient level (work elements, sub-elements, etc.) to show a clear understanding of the precise work required to meet project goals and objectives.

3. Schedule

Include a schedule with major milestones. Assume a contract approval date of April 21, 2009.

4. Management Plan

This section should describe the Consultant's approach to management of the work. If the proposal is a team effort, the allocation of work to the team members should be indicated. The management plan should describe the following:

- a. Organizational work assignments structure, including work elements and sub-elements performed by subcontractors.
- b. Staffing plan, including the names and qualifications of key personnel and the assignment of personnel to individual work elements. Resumes should be attached as appendices. Staffing assignments should be specific enough to demonstrate understanding of skills required and commitment of proper resources. Any changes in staffing must be mutually agreed upon by the Consultant and District.
- c. Management approach, including the role of the prime contractor and subcontractors, and any specific features of the management approach that require explanation. Include a description of subcontractor supervision.
- d. SLEB participation: - The District supports Alameda County's efforts to contract with small local emerging businesses (SLEBs). The District's requirement is to have at least 20 percent of the contract work be performed by Alameda County SLEB-certified firms. Indicate whether proposing firm(s) and other firms serving as subcontractors are certified as Alameda County SLEBs. Indicate the percentage of work to be performed by SLEBs. Indicate if prime Consultant has an office located in Alameda County.

For more information regarding the SLEB program, go to:

<http://www.acgov.org/auditor/sleb>

- 5. Quality Assurance and Quality Control Procedures** - Provide a description of the techniques used by the firm to provide quality control and assurance.

6. Comments on RFP; Cost Proposal

The proposed budget for this project is anticipated to be \$750,000. In the proposal, provide suggestions or comments for improvement on this RFP, for instance, additional tasks, comments on the budget, etc. Submit a cost proposal for construction management for the first stage (only) of the construction project in a separate sealed envelope.

7. Experience and References

- a. Describe the firm's and the project team's expertise, which must include at least the following:
 - 1) Construction management for salt pond restoration and public access and viewing facilities such as walkways and viewing platforms
 - 2) Construction and special inspection for similar projects
 - 3) Contract administration
 - 4) Resident engineering
 - 5) Dispute resolution
 - 6) Quality assurance for construction
 - 7) Plans, specifications and cost estimates review
- b. Include brief descriptions of your organization's experience with similar projects.
- c. Provide a project listing of similar work, including organizations' names and reference contacts (minimum two).

VI. Pre-Proposal Meeting

A mandatory pre-proposal meeting will be held on **February 13, 2009** at the Alameda County Public Works Agency building, located at 399 Elmhurst Street, 3rd Floor Annex Training Room, in Hayward.

VII. RFP Submittal Deadline

One original, signed by an officer authorized to bind the company, and three copies of the proposal must be received at the Alameda County Public Works Building at the address below by **4:00 p.m. on March 9, 2009**.

Alameda County Public Works Agency
Attn: Ralph Johnson, P.E., Project Manager
399 Elmhurst Street, Room 113
Hayward, CA 94544-1307

Submittals received after that date/time will not be considered, and any submittal received after the scheduled time shall be returned to the consultant unopened. Faxed or e-mailed submittals are not acceptable.

VIII. Important Dates

Mandatory Pre-proposal Meeting	February 13, 2009
Proposal Submittal Deadline	March 9, 2009

Interviews (tentative)	Week of March 23, 2009
Negotiations (tentative)	Week of April 6, 2009
Board of Supervisors Approval (tentative)	April 21, 2009

District reserves the right to reject any and all proposals or issue subsequent RFPs. It is to be understood and agreed by the Consultant that this RFP does not obligate District to pay any costs incurred by consultant in the preparation and submission of a proposal, or an oral interview, if conducted. District reserves the right to approve or reject any sub-consultants proposed for work under this proposal.

If you have any questions regarding this project, please contact Sybil Hatch, P.E. at 510-558-8825.

Attachment A

Labor Compliance Program Fact Sheet

Source: California Environmental Protection Agency,
State Water Resources Control Board website: <http://waterboards.ca.gov>

LABOR COMPLIANCE PROGRAM (FOR PROJECTS FUNDED BY PROP 50 GRANTS)

The newly enacted Senate Bill 278 (Labor Code Section 1771.8) requires that entities undertaking construction, and third-party entities collaborating in improvement projects adopt and enforce a Labor Compliance Program (LCP) when the public works project is financed in any part with funds from the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Prop 50). The LCP is used to ensure that workers employed by contractors on these projects are paid according to minimum labor standards.

California Labor Code Section 1771.5(b) states that an LCP shall include, but not be limited to, the following requirements:

1. All bid invitations and public works contracts shall contain appropriate language concerning the requirements of this chapter.
2. A pre-job conference shall be conducted with the contractor and subcontractors to discuss federal and state labor law requirements applicable to the contract.
3. Project contractors and subcontractors shall maintain and furnish, at a designated time, a certified copy of each weekly payroll containing a statement of compliance signed under penalty of perjury.
4. The awarding body shall review, and, if appropriate, audit payroll records to verify compliance with this chapter.
5. The awarding body shall withhold contract payments when payroll records are delinquent or inadequate.
6. The awarding body shall withhold contract payments equal to the amount of underpayment and applicable penalties when, after investigation, it is established that underpayment has occurred.

The Department of Industrial Relations (DIR) has developed a program guidebook to help interested parties earn LCP approval and included some sample LCPs, which may be modified by entities receiving Prop 50 grants. This information is on their website at <http://www.dir.ca.gov/lcp.asp#LCPlist>. A list of private entities that may be contracted with to provide LCP development and implementation services can also be found on this website. The Director of DIR must approve an LCP and has the authority to revoke approval of an LCP.

We encourage you to review these documents to understand the scope of these requirements and the format of previously approved programs. Please contact Scott Couch with the State Water Resources Control Board at 916-341-5658 or by e-mail at scouch@swrcb.ca.gov if you have questions regarding these requirements.