



**REQUEST FOR PROPOSALS
TO PROVIDE
NPDES PROGRAM MANAGEMENT SUPPORT SERVICES
FOR THE CITY OF EL MONTE**

**CITY OF EL MONTE
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
JULY 2021**

REQUEST FOR PROPOSALS
TO PROVIDE
NPDES PROGRAM MANAGEMENT SUPPORT SERVICES
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JULY 14, 2021

IMPORTANT DATES

RFP ISSUED	July 15, 2021
REQUEST FOR INFORMATION DEADLINE: 12:00 PM	July 26, 2021
RELEASE OF INFORMATION REQUESTED	July 28, 2021
PROPOSAL DUE DATE/SUBMISSION DEADLINE: 4:30 PM	August 5, 2021
INTERVIEWS AND SELECTION	August 9-10, 2021
AWARD DATE	September 07, 2021
APPROXIMATE START DATE	September 20, 2021

1.0 Background

The City of El Monte (hereafter referred to as the “City”), the hub of the San Gabriel Valley, is located approximately 12 miles east of downtown Los Angeles. The City is the ninth largest city in Los Angeles County with a population of approximately 115,800 residents. The City encompasses two (2) primary watersheds – San Gabriel River (approx. 1,577 acres) and Los Angeles River (approx. 4,482 acres, including approx. 130 acres of tributary area draining to Legg Lake to the south). The City occupies approximately ten square miles and is primarily built-out, with a few remaining undeveloped parcels. The City is mostly residential, with a mixed use of commercial businesses and a minor number of industrial parcels. The City was incorporated in 1912 as a general law city and operates under the Council/Manager form of government. The City is governed by a five-member City Council and is administered by the City Manager.

The City is soliciting proposals from qualified and experienced firms to provide National Pollutant Discharge Elimination System (NPDES) program management support services and assist the City with compliance efforts related to the Los Angeles County Municipal Separate Storm Sewer System (MS4) ORDER NO. R4-2012-0175 as amended by R4-2012-0175-A01. The City seeks qualified firms to assist with the compliance efforts under the current permit and in accordance with the terms and conditions prescribed in this Request for Proposals (RFP). This permit may be viewed on the State of California Regional Water Quality Control Board–Los Angeles

website: https://www.waterboards.ca.gov/losangeles/water_issues/programs/stormwater/municipal/losangeles.shtml.

The anticipated scope of services includes a review of current Stormwater Program activities, recommendations for improvement, organizing and/or assisting with the development of policies, procedures, presentations, and forms. Assisting with the implementation tasks, recommending adjustments in procedures to facilitate implementation, conducting employee/contractor training, performing inspection services (if requested), assisting with development of implementation budgets, preparation of annual reports with appropriate documentation, and providing related strategic assistance. Respondents are advised to read this information carefully prior to submitting a proposal.

2.0 Scope of Services

Prospective proposers should have significant experience and familiarity in working with the Los Angeles Regional Water Quality Control Board (LARWQCB), complying with the MS4 NPDES Permit (Permit) program, Total Maximum Daily Loads (TMDLs) requirements for the San Gabriel River, Los Angeles River and Legg Lake, and be familiar with the Watershed Management Program (WPM) and Integrated Monitoring Program (IMP) submitted to the Regional Water Quality Control Board under the requirements of the Permit.

In addition to specific tasks identified in this RFP, it is the intent of the City that the selected firm will provide additional compliance related support, as needed, based on an approved schedule of hourly rates or prior negotiated lump sum. The City requests services for the period July 2021 through June 2022, with the option to renew for fiscal years 2022/23 and 2023/24.

The Scope of Work, may be modified through negotiation and/or by written addendum issued by the City, will be made a part of the Agreement. The selected firm will be expected to furnish all personnel to provide the following services:

A. Administration

The proposer shall assign a program manager that will be the main point of contact with City staff. The program manager must be available to:

1. Keep City staff informed of the various State and Regional Permit mandates, regulations and initiatives. Provide a written report to City staff on the discussion topics, critical dates, action items and recommendations on a quarterly basis.
2. Conduct a program review and develop recommendations that can be used to help determine annual and long-term effectiveness of the stormwater program.

3. Meet quarterly or as required with City staff to review progress in performing required tasks involved with Permit compliance and WMP and IMP implementation.
4. Develop and deliver Permit training to three (3) groups/audiences of City staff annually.
5. Proposer shall update the City's NPDES Program folders with MS4 permit related documents as necessary.
6. Provide Public Education and Outreach materials for distribution.
7. Review, edit, update, and/or assist with the development relevant ordinances or other regulatory mechanisms to maintain adequate legal authority to meet the requirements of the Permit.
8. Assist the City in reviewing the effectiveness of the enforcement program and recommend changes to improve the enforcement program.
9. Prepare, with input from the City, the Los Angeles County MS4 Permit Annual Report for submittal to the Regional Water Board by December 15th of each year.
10. Assist with the preparation of the Report of Waste Discharge (new Permit reapplication documents) as required by the Permit. Reapplication documents are due 180 days prior to Permit expiration.
11. City has installed Automatic Retractable Screens (ARS) and Connector Pipe Screen (CPS) on City-owned and Los Angeles County-owned catch basins. Provide updates and recommendations to verify compliance with Statewide Trash Amendments.
12. Develop recommendations, policies and procedures to achieve compliance with TMDLs.
13. Verify and/or assist City with compliance plans to minimize stormwater pollution impacts from City-owned or operated facilities and activities. Prepare/update an inventory and map of all Permittee-owned or operated facilities are up to compliance. Verify that implemented activity specific BMPs such as catch basin cleaning, open channel maintenance, street sweeping, and appropriate pesticide applications are up to current compliance standards.
14. Identify funding opportunities and assist the City in applying for stormwater-related grants.

B. Industrial/Commercial Facilities Inspection Program

1. Perform stormwater related inspections of all designated (approximately 600) industrial and commercial facilities as required by the Permit.
2. Update the Watershed-based database of all industrial and commercial facilities.
3. Distribute appropriate BMPs to facilities (e.g. CASQA manual) during inspections. Verify proper implementation of BMPs at industrial/commercial facilities to reduce the contribution of pollutants to the MS4 from industrial/commercial activities.
4. Conduct follow-up inspections as required by the Permit.

C. Development Construction Program

1. Provide guidance and assist staff in record keeping as part of the NPDES-compliance inspections efforts for ongoing construction projects (as requested).

D. Illicit Connections and Illicit Discharges (IC/ID) Elimination Program

1. Evaluate existing policies and enhance existing procedures for eliminating the source of IC/IDs. Provide support in implementing requirements such as identifying and assessing priority areas, GIS mapping, identifying and inspecting specific types of businesses and stormwater pollution sources, conducting illicit discharge detection and elimination source investigations and corrective actions, and, preparing, reviewing and updating the spill response plan.
2. Verify that the developed and implemented Outfall Screening and Inventory Program is updated.
3. Verify that the developed procedures for conducting source investigations for IC/IDs are current and in compliance regulations and standards.

E. Implement Integrated Monitoring Program

1. Coordinate with EWMP/WMP groups performing receiving water monitoring, and obtain copies of monitoring data for City staff for use in reporting to the LARWQCB. Part of this process requires working with existing MOUs and other agreements.
2. Prepare/update a GIS-based outfall inventory including all fields required by the MS4 permit.
3. Perform stormwater outfall-based monitoring at sites identified in the City's IMP three times per year and/or as required by the NPDES permit. Cost includes lab testing for listed or revised list of constituents in permit.
4. Coordinate inspection of City outfalls and record observations of any significant non-storm water flow.
5. Investigate any discovered significant non-storm water flows to determine the source of the flow.

F. Statewide Trash Amendments submittal

1. Prepare and submit electronically the jurisdictional maps with information as requested in the 13383 Order from the Regional Water Board.

G. Adaptive Management Process submittal

1. Prepare and submit electronically an Adaptive Management Process every two years as required by the Permit.

H. Load Reduction Strategy implementation assistance

1. Assist the City with implementation of a Load Reduction Strategy as part of the Los Angeles River Bacteria TMDL (dry weather portion).

I. Reasonable Assurance Analysis update

1. Prepare and submit electronically an updated Reasonable Assurance Analysis as required by the Permit and Regional Water Board direction.

J. Report of Waste Discharge preparation and submittal

1. Assist with the preparation and electronic submittal of the Report of Waste Discharge (new Permit reapplication documents) as required by the Permit. The reapplication documents are due to the Regional Water Board 180 days prior to the current permit expiration date.

K. Perform Additional As-Needed NPDES Services

In addition to specific tasks identified above and upon prior approval from the Public Works and Utilities Director 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 price. Prior to commencing additional services, an executed Work Order must be issued by the City. Additional services may include, but are not limited to:

1. Develop/update a GIS database to track inspections of construction projects within the City. Database shall include all fields required by the LA MS4 Permit.
2. Update database on a monthly basis with information provided by the City.
3. Develop/update a GIS database of all City-owned or operated facilities. Database shall include all fields required by the LA MS4 Permit.
4. Coordinate with staff to verify proper Best Management Practices (BMPs) at facilities that currently do not have proper BMP implementation.
5. Assist the City with preparing a list of candidate retrofitting opportunities for the implementation of infiltration BMPs on or at City facilities.
6. Develop/update a GIS-based database for all reported and investigated IC/IDs. Database shall include all fields required by the LA MS4 Permit.

3.0 Proposal Format

All proposals shall include the following information and comply with the associated page limit restrictions and one limited to 20 pages or less. Note that one (1) page includes the front side of an 8.5"x11" sheet of paper and the cover does not constitute a page.

- 1) **Cover Letter.** Maximum 1 page cover letter signed by an officer of the firm, binding the proposer to all of the commitments made in the submittal. The letter shall include name, address and phone number of the person authorized to represent the proposer and shall include the following Statement:
 - a. I HAVE READ, UNDERSTOOD, AND AGREED TO ALL STATEMENTS IN THIS REQUEST FOR PROPOSAL AND ACKNOWLEDGE RECEIPT OF ALL ADDENDUMS/AMENDMENTS AS WELL AS TO THE TERMS, CONDITIONS, AND ATTACHMENTS REFERENCED.
- 2) **Proposer's Background.** Background on the proposer and its area(s) of professional expertise relevant to this RFP. An additional one (1) page may be included to highlight the background of each proposed sub-consultant to be used by the proposer and the specific task(s) or functions the sub-consultant will perform.
- 3) **Qualifications and Experience of Proposer's Personnel.** Summary of the relevant experience, work history, training, education and special certifications of the proposer's personnel who will be performing the professional services contemplated under this RFP on the proposer's behalf. Briefly discuss the Consultant team's qualifications and experience with program management of a similar magnitude and nature. Proposers shall provide identical information for all sub-consultants' performing any of the tasks or services contemplated under this RFP on the proposer's behalf. The summary shall also include the office location of key personnel proposed to work on this contract. Relevant experience can include your company's overall experience, experience with similar programs and the experience of individuals on your proposed team. Show how your experience relates to the demands of this project.
- 4) **Project Approach.** Summary of the proposed approach to complying with the Permit. The proposer shall explain the way in which the proposer will timely complete all of the tasks called for under the RFP along with an estimate of the time it will take to complete each task. Include a brief overview of the Consultant's understanding of the program. The content will reflect the particular viewpoint of the Consultant.
- 5) **Proposed Personnel.** Resumes for the project manager and 1 page resume for each of the other key personnel, including sub-consultants, which will be performing the majority of the work on this contract. Resumes for corporate leadership should not be included unless said individuals will be performing substantial work on this program. The designated Program Manager shall be the primary contact with the City during the contract period and shall function in that capacity while employed by the firm. In addition, the City must approve changes of personnel.

- 6) Quality Assurance/Quality Control Procedures.** Brief description of the consultant's approach to implementing a Program-specific Quality Control approach to the Permit. The Proposer shall describe the firm's policies and procedures for assuring high quality work, including monitoring of any proposed sub-contracts. Identify the QA/QC manager and his qualifications.
- 7) References.** Each proposal must include at least three public agency references in Los Angeles County going back not more than five (5) years from the issuance of this RFP in which the proposer was engaged to perform tasks similar to those requested under this RFP. References should place an emphasis on past programs in which the personnel to be used by proposer for this project were deployed. The references should include the name, title and contact information of the public agency officer or employee responsible for overseeing the proposer's work with contact information.
- 8) Schedule and Schedule Control.** Provide schedule detailing when the specific Tasks will be completed. Proposers should factor in additional time that may be required due to reasonably foreseeable types of delays. The proposal shall identify all critical task sequencing and critical paths required to ensure that the work is timely and completely completed. The Consultant shall submit a detailed project schedule outlining the tasks, activities, deliverables, milestone and duration required for the completion and submission of each of the deliverables as required by the NPDES/MS4 permit. The schedule shall also factor in reasonable review and feedback periods for draft deliverables by City staff as well as any and all legally mandated review and comment period, including those that may be required by the Regional Board or other enforcement agency.
- 9) Fee Schedule/Cost Proposal.** A detailed all-inclusive cost proposal for performing specific Tasks identified in the RFP and a schedule of rates for each proposed personnel that may be tasked to complete the Project. The Task-specific cost estimate shall include an estimate of the number of hours per staff member by proposed task and clearly identify an hourly rate schedule for the proposed staff. The proposal shall indicate the compensation structure for performing specific services identified in Tasks A through F (e.g. flat lump sum or hourly rate structure) for each Task. The proposal shall also include costs and expenses related to photocopying, postage, travel, etc. (i.e. Reimbursement expenses). To the extent that a proposal contemplates the use of sub-consultants to perform any one or more of the above described tasks on the proposer's behalf, the proposal shall include a List of Sub-consultants identifying all sub-consultants and state the fee for each sub-consultant in the Fee Schedule under the appropriate Task under which the service will be provided. In so far as the proposer's proposal contemplates an increase in compensation rates or charges prior to the completion of Tasks A through F, and during the term of the portion of the PSA or any extension term, the proposal shall clearly indicate when such increases will take effect and by how much.

- a. The Fee Schedule/Cost Proposal shall be uploaded in a separate file to planetbids.

The City reserves the right to delete specific task(s).

4.0 Evaluation Criteria

Each proposal shall be evaluated on the basis of the proposer's expertise, experience and training and the expertise of its key personnel along with prior contracting history, approach to the program, cost, proposed schedule and compliance with the RFP requirements including the terms of the attached PSA. Each such factor shall be weighted by the City as follows:

- 1) Expertise, Experience & Training Plus Prior Contracting History (50%) – The expertise, experience and training of the proposer and its key personnel and previous experience with similar work in similar fields and qualifications and depth of the staff that will perform the work on this project. This factor includes evaluation of the proposer's prior contracting history, including the review of the proposer's certifications relating to false claims, debarment and civil litigation.
- 2) Project Approach (30%) – The proposer's responsiveness in developing a comprehensive plan while meeting regulatory requirements and the City's specific needs.
- 3) Schedule (10%) – Proposal for completing the project in a timely manner, inclusive of the proposer's ability to identify critical paths for the timely and competent completion of all work contemplated under the RFP.
- 4) Compliance with RFP (10%) – The ability of the proposer to comply with all instructions set forth under this RFP as well as the proposer's ability to agree to all of the terms and conditions of the attached PSA without modification, particularly as relates to indemnification, insurance requirements and standards of care.

5.0 Selection Process

A selection committee, comprised of City staff will review the proposals. Proposals will be ranked on qualifications and the selection committee may choose to interview several of the top ranked proposers. However, at its sole discretion the selection committee may dispense with interviews and select a proposer to perform the work.

6.0 Proposal Requirements

The Consultant's proposal must be comprehensive, concise and to the point. Current company brochures and resumes of key personnel should be included as well as examples of previous work. However, a proposal is a voluntary response on the part of a Consultant, and this RFP does not commit the City to pay any costs incurred in its preparation. The City reserves the right to accept or reject optional elements of this proposal, or the proposal in part, or its entirety.

This RFP is a solicitation for proposals only, and is neither intended, not to be construed as an offer to enter into an agreement or engage in any formal rule competitive bidding or negotiation pursuant to any statute, ordinance or regulation.

All data, documents, and other products used or developed during the project will become the property of the City, even in the situation where the project is cancelled.

The deadline to submit a proposal is August 5, 2021 at 4:30 p.m. Proposals received after the deadline will not be considered. Proposer is required to submit an "ebid" through PlanetBids online platform. See link below:

<https://www.planetbids.com/portal/portal.cfm?CompanyID=43375>

A copy of the Request for Proposal (RFP) and subsequent addenda to the RFP are available on the PlanetBids online platform on the link listed above.

It is the proposer's responsibility to ensure that the most complete and current version of the solicitation, including addenda, has been downloaded. Submission of a proposal shall constitute acknowledgement and acceptance of all terms and conditions contained in this RFP and all exhibits and attachments hereto.

Proposers shall be bound to the terms of their proposal following the Submission Deadline, however, the City, in its sole and absolute discretion, reserves the right to accept post deadline modifications if it is determined that such modifications are in the best interests of the City. The City also reserves the right to waive minor non-substantive informalities or allow the proposer to correct them.

- a) Proposers shall be solely and exclusively responsible for all costs incurred in connection with the preparation and submission of the proposals; demonstrations; interviews; preparation of responses to questions and requests for additional information; for contract discussions; or for anything in any way related to this RFP. The City is not liable for any costs incurred by a proposer in response to this RFP. Whether or not a proposer is awarded a contract pursuant to this RFP, no proposer shall be entitled to reimbursement for any costs or expenses associated with the proposer's participation in this RFP process.
- b) Late proposals will not be considered.
- c) The City reserves the right to reject any and all proposals received as a result of this RFP. The City's potential award of a contract will not be based on any single factor nor will it be based on the lowest cost proposal. If a contract is awarded, it

will be awarded to the proposer who in the judgment of the City has presented an optimal balance of relevant experience, technical expertise, quality of service, work history and other factors which the City may consider relevant and important in determining which proposal is best for the City.

- d) The City reserves the right to cancel or modify this RFP. There is no guarantee that the City will award a contract.
- e) The City reserves the right to investigate the qualifications of any proposer under consideration including proposed subcontractors and parties otherwise related to the proposer and require confirmation of information furnished by a proposer, or require additional evidence of experience and qualifications to provide the services or otherwise discharge the obligations required by this RFP.
- f) Following the Submission Deadline, the City, pursuant to the California Public Records Act (Govt. Code Section 6250 et seq.) reserves the right to make copies of all submitted proposals available for inspection and copying by any interested member of the public, except to the limited extent the City determines that any information contained in a proposal is legally privileged under the California Public Records Act. By submission of a proposal, proposers acknowledge and agree that their proposal and any information contained therein may be disclosed by the City to interested members of the public, including other proposers.
- g) The City reserves the right to approve or disapprove of particular subcontractors, joint venture partners, or other proposed team members.
- h) The City reserves the right to evaluate responses in terms of the best interests of the City, applying criteria provided in this RFP and any other criteria the City, in its sole discretion, deems pertinent.
- i) By the submission of a proposal, each proposer accepts and agrees to execute a written Professional Services Agreement (PSA) in the form attached hereto as Exhibit 1. By submission of a proposal, each proposer agrees to execute a PSA with the City in the form attached hereto as Exhibit 1, inclusive of all stated terms and conditions relating to indemnification, required insurance and standard of care requirements. If a proposer is unable to agree to any of the terms or conditions of the PSA in the form attached hereto, the proposer must identify the provision(s) in question and provide an explanation as to why the proposer cannot comply with such provisions. If a proposer's objection to a certain provision of the PSA is merely a question of added cost, the proposer shall indicate in the proposal the difference in cost associated with complying with the provision(s) versus the cost associated with the City's waiver or modification of the provision(s). The City shall be under no obligation to make modifications to the PSA after a contract has been awarded and proposers shall be deemed to have incorporated all costs associated with compliance with the PSA into their proposal. A proposer's inability to comply with one or more provisions of the PSA shall be a factor that will be considered by the City in determining which proposal

will serve the best interest of the City when all other factors are taken into account.

- j) All proposals must remain valid for a minimum period of ninety (90) calendar days after the Submission Deadline. Responses may not be modified or withdrawn by the proposer during this period of time except in accordance with this RFP and with written permission granted by the City.
 - k) All questions or requests for clarification shall be submitted via email to Leonardo Torres at gcambero@elmonteca.gov by the REQUEST FOR INFORMATION DEADLINE. All questions received by this deadline will be addressed and posted on the City's PlanetBids portal by the RELEASE OF INFORMATION REQUESTED DATE.
 - l) If it becomes necessary to revise any part of this RFP, written addenda will be posted on the City's PlanetBids portal. It shall be the sole responsibility of the proposer to check for any addenda to the RFP that may be issued by the City.
 - m) It is presumed that each proposer has read and is thoroughly familiar with the scope of services to be performed under this RFP.
 - n) The proposer agrees that, if a contract is awarded to a proposer, the proposer shall make no claim against the City or any of the funding agencies because of any estimate or statement made by any employees, agents, or consultants of the City which may prove to be erroneous in any respect.
 - o) Proposers may withdraw their proposal prior to the Submission Deadline.
- Fee Schedule/Cost Proposal.

Provide a detailed cost estimate as described in Section 3i.

7. Insurance Requirements

The selected consultant shall provide the following at the time of contract execution.

Insurance coverage must include naming the City of El Monte as additional insured (Form CG2010 or Equivalent), policy number, expiration date, and amounts (limits). GENERAL LIABILITY CARRIER MUST HAVE A S CURRENT A.M. BEST RATING OF "A VI" OR HIGHER. WORKERS' COMPENSATION CARRIER MUST HAVE A CURRENT A.M. BEST RATING OF "A-VII" OR HIGHER. CARRIERS MUST BE ADMITTED IN CALIFORNIA. MINIMUM ACCEPTABLE LIMITS: GENERAL LIABILITY; GENERAL AGGREGATE \$2,000,000 AND PRODUCTS-COMP/OP AGG \$2,000,000. WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY: E.L. EACH ACCIDENT \$1,000,000 AND E.L. DISEASE-EA EMPLOYEE \$1,000,000 AND E.L. DISEASE – POLICY LIMIT \$1,000,000. Sample is available upon request

- END OF DOCUMENT –

PLEASE SEE PLANETBIDS FOR SUPPORTING DOCUMENTATION