



Solano Local Agency Formation Commission

675 Texas St. Ste. 6700 • Fairfield, California 94533
(707) 439-3897 • FAX: (707) 438-1788

Staff Report

DATE: February 26, 2018
TO: Local Agency Formation Commission
FROM: Michelle McIntyre
SUBJECT: **Reclamation District 2034 Update**

The Commission received an application from the majority landowner of Reclamation District (RD) 2034 to detach their properties from the District. In order to process the change of organization, the Commission must first have a current municipal service review (MSR) and sphere of influence (SOI) for the District. The applicant has agreed to pay for all costs associated with their detachment application including the costs of the studies.

LAFCO staff issued a request for proposal for the MSR and SOI studies on January 12 and proposals are due on February 23. Staff may provide further update at the Commission meeting of February 26, 2018.

RECOMMENDATION:

Receive and file.

Attachment:

RFP - MSR and SOI Update for RD2034

Commissioners

Nancy Shopay, Chair • Harry Price, Vice-Chair • Pete Sanchez • Jim Spering • John Vasquez

Alternate Commissioners

Len Augustine • Shawn Smith • Skip Thomson

Staff

Rich Seithel, Executive Officer • Michelle McIntyre, Analyst • P. Scott Browne, Legal Counsel

REQUEST FOR PROPOSALS FOR RECLAMATION SERVICES MUNICIPAL SERVICE REVIEW SPHERE OF INFLUENCE UPDATE

The Solano Local Agency Formation Commission (LAFCO) is soliciting proposals from qualified consultants to prepare a municipal service review (MSR) and sphere of influence (SOI) update of Reclamation District 2034.

I. Objective

The Solano Local Agency Formation Commission (LAFCO) completed a MSR covering reclamation services in Solano County in 2009; the study is available at the Solano LAFCO website. LAFCO is currently seeking a more robust and detailed reclamation district MSR and SOI Update.

This MSR and SOI study is to be conducted by a professional consulting firm under the direction of the LAFCO Executive Officer. The work is to be performed in accordance with applicable California Government Code provisions and Solano LAFCO policies and procedures.

LAFCO has received an application for a detachment from the District's majority landowner. This MSR and SOI update is intended to serve as a tool to facilitate dialogue among the various stakeholders with the objective of coordinating, collaborating, enhancing services and efficiencies, and affordability of the Reclamation District; and to provide information to support LAFCO actions, including: SOI update and potential boundary and/or governance changes. LAFCO may use the MSR and SOI update, together with additional analysis where necessary, to pursue boundary and/or governance changes.

II. About Solano County and Reclamation District 2034

Located approximately 45 miles northeast of San Francisco and 45 miles southwest of Sacramento, Solano County is bordered by Napa, Yolo, Sacramento, and Solano counties.

The county covers 909.4 square miles, including 84.2 square miles of water area. There are seven cities, and 47 special districts including 24 Reclamation Districts.

Reclamation District 2034 is comprised of eleven parcels totaling approximately 1,523 acres. The District is generally located in the Suisun Marsh south of the City of Fairfield, north east of Grizzly Bay, and bisected by Chadbourne Road.

III. Background

In 1963, the State Legislature created LAFCOs to help direct and coordinate California's growth in a logical, efficient, and orderly manner. Each of the 58 counties in California has a LAFCO. LAFCOs are charged with discouraging urban sprawl, encouraging orderly

boundaries and formation of local agencies, preserving agricultural lands and open space, and regulating the extension of services outside jurisdictional boundaries.

In 2001, pursuant to the enactment of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH Act"; Government Code Section (GC§) 56000 et seq.), LAFCO acquired responsibility for preparing MSRs. On or before January 1, 2008, and every five years thereafter, LAFCO shall, as necessary, review and update the SOI for each local agency. In conjunction with the SOI updates, LAFCO shall prepare corresponding MSRs.

For MSRs, GC §56430 require LAFCO to prepare and adopt a written determination for each of the following considerations:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy. (Solano LAFCO's Standards and Procedures can be found online <http://www.solanolafco.com/application.htm>)

For SOI updates, GC §56425 require LAFCO to prepare and adopt a written statement of determination with respect to the following considerations:

1. The present and planned land uses in the area, including agricultural and open-space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

IV. Scope of Services

The MSR and SOI study will include:

1. Determinations on each of the above 12 topics as provided in Section III and as required by the CKH Act.
2. An identification of required governance and operational functions of the District in accordance with the Reclamation District's Principal Act/Enabling Legislation.
3. Identification of opportunities for collaboration with alternative service providers.
4. Implications of possible boundary changes including: detachment and dissolution of the district.
5. Analysis and recommendations for governance structure, enhancing services, efficiencies, and affordability.

Preparation of the studies will include the following activities and work products:

1. Data Collection
 - Collect and verify information through all available data sources including: interviews, meetings, surveys, and research.
2. Administrative Draft
 - Prepare an administrative draft for LAFCO staff to review.

Work product: Consultant must deliver to LAFCO a MSWord formatted version and a .pdf formatted version.

3. Draft Report
 - Address comments from the administrative draft and prepare a draft report for public review and comment.
 - Consultant will present the draft report to the LAFCO at a public hearing.

Work product: Consultant must deliver to LAFCO a MSWord formatted version and a .pdf formatted version.

4. Final Report
 - Respond to comments and prepare a final report including required determinations.
 - Consultant will present the final report to the LAFCO at a public hearing.

Work product: Consultant must deliver to LAFCO a MSWord formatted version, a .pdf formatted version of the final report, 10 bound copies, and one unbound copy for reproducing.

V. Budget

Proposals that demonstrate that the final product will meet the requirements of the CKH Act and provide useful information in a concise format at a reasonable cost will be looked upon most favorably. A final budget amount for this project will be negotiated with the firm selected for the work prior to an agreement.

VI. Schedule

The timeline will be negotiated with the firm selected to conduct this review, and will be included with the professional services agreement to be approved by LAFCO. A tentative schedule is outlined in Section VIII of this document.

VII. Proposal Requirements

Responses to this RFP must include all of the following:

1. A statement about the firm that describes history, as well as the competencies and resumes of the principal and all professionals who will be involved in the work. This statement should address the following:

General Expertise

- Familiarity with the CKH Act, the role and functions of LAFCO, and the MSR process
- Understanding of how municipal services are financed and delivered
- Experience in governmental organization analysis, including performance measurement and evaluation
- Ability to analyze and present information in an organized format
- Ability to interpret varied budget and planning documents
- Ability to facilitate and synthesize input from stakeholders
- Familiarity with public input processes and experience presenting and disseminating public information for review and comment in a public setting
- Experience in fostering multi-agency partnerships and cooperative problem-solving
- Ability to provide flexible and creative alternatives where necessary to resolve service and policy issues

Reclamation Service Expertise

- Solid understanding of how reclamation services are delivered and financed
- Knowledge of land owner district governance

- Knowledge of the relationship between local reclamation districts and the State and federal governments (e.g., California Department of Fish & Wildlife, California Department of Water Resources, Delta Protection Commission, Federal Emergency Management Agency, U.S. Army Corps of Engineers, etc.)
 - Knowledge of reclamation service agencies and ability to evaluate and identify government structure options (e.g., consolidation, reorganization) and advantages and disadvantages of these options
 - Knowledge of the California Water Code
2. Identification of the lead professional responsible for the project and identification of the professional(s) who will be performing the day-to-day work.
 3. Identification of any sub-consulting firms who will be involved. If sub-consultant firms are proposed, describe the work they will perform and include the same information for each sub-consultant as required for items 1 and 2 above.
 4. Description of similar or related experience accomplished in the last three years and references for each such project, including the contact name, address and telephone number, and email address.
 5. Description of the anticipated approach for this project, explicitly discussing and identifying any suggested changes to the Scope of Services.
 6. Description of what you anticipate to be the critical areas to explore in the MSR.
 7. Disclosure of potential conflicts of interest with local agencies in Solano County.
 8. Identification of any information, materials and/ or work assistance required from the Solano LAFCO and/or subject agencies to complete the project.
 9. Provide a preliminary project schedule showing start and ending times for each work task, and indicate strategies for adhering to the schedule.
 10. Include information about the availability of all the professionals who will be involved in the work, including sub-consultants.
 11. Provide the anticipated project cost, including:
 - a. A not-to-exceed total budget amount.
 - b. The cost for each major sub-task identified in the draft scope of services.
 - c. The hourly rates for each person who will be involved in the work, including the rates for any sub-consultants.
 12. Include comments about the draft scope of services, ability of the firm to meet the insurance requirements, and other comments or questions.

VIII. Non-Discrimination & Equal Opportunity

The Solano LAFCO is an equal opportunity employer.

IX. Conflict of Interest

Proposers warrant and covenant that no official or employee of the Solano LAFCO, nor any business entity in which an official of the Solano LAFCO has an interest, has been employed or retained to solicit or aid in the procuring of the resulting contract, nor that any such person will be employed in the performance of such contract without immediate divulgence of such fact to the Solano LAFCO. Proposers will notify LAFCO of any potential conflict of interest regarding other work or third party contracts.

X. Insurance Requirements

The successful proposer shall be required to maintain throughout the term of the contract, and for a minimum of six months following completion by consultant and acceptance by LAFCO of all services under the contract, the following insurance coverage:

- 1) *comprehensive general liability insurance*, with a minimum combined single limit coverage of \$1,000,000 per occurrence for all damages, including consequential damages, due to bodily injury, sickness or disease, or death to any person or damage to or destruction of property, including the loss of use thereof, arising from each occurrence;
- 2) *personal automobile liability insurance* for owned, non-owned and hired automobiles, with a minimum combined single limit coverage of \$500,000 per occurrence;
- 3) *employer's liability insurance*, with minimum coverage of \$100,000 per employee;
- 4) *professional liability insurance*, with minimum coverage of \$1,000,000 per claim and \$1,000,000 aggregate; and
- 5) *workers' compensation insurance* coverage for its employees at statutory limits.

Additional Insured Endorsement

The comprehensive general liability insurance policy will be endorsed to include LAFCO and its officers and employees as additional insureds as to all services performed by consultant under the contract. Said policies will constitute primary insurance as to LAFCO and its officers and employees, so that other insurance policies held by LAFCO or its self-insurance program(s) will not be required to contribute to any loss covered under consultant's insurance policy or policies unless otherwise noted in the contract.

Evidence of Insurance - Before commencing any operations under the contract, the successful proposer shall furnish the Solano LAFCO with a Certificate of Insurance and copies of all applicable endorsements evidencing compliance with the above insurance requirements and that such insurance will not be canceled or materially changed without 30 days advance written notice.

Duration of Insurance Coverage - All required insurance coverages shall be maintained during the entire term of the contract. Insurance coverage written on a claims-made basis shall be maintained during the entire term of the contract and further until at least six month(s) following termination and acceptance of all work under the contract, with the retroactive date of said insurance concurrent with the commencement of activities pursuant to this contract.

All required insurance shall be placed with insurers with a current A.M. Best's rating of no less than A: VII or equivalent, and with deductible amounts acceptable to the Solano LAFCO.

XI. Proposal Submittal

- An electronic copy in Adobe (.pdf format) or hard copy of the proposal shall be received no later than 4:00 p.m., on Friday, February 23, 2018. No faxed proposals will be accepted. Proposals received after the deadline will not be considered. If delivery is to be in person, please call the LAFCO office at (707) 439-3897 to arrange a delivery time.
- All proposals will become property of the Solano LAFCO.
- Cost of preparation of proposals shall be borne by the proposers.
- Proposals shall be signed by an authorized employee or officer in order to receive consideration.
- Solano LAFCO is not responsible for proposals delivered to a person/location other than that specified herein.

XII. Selection Process

Based on relevant work experience, completeness of the responses, budget and the overall project approach identified in the written proposals received, the most qualified firms will be invited, at their expense, for an interview with a selection committee. Interviews are tentatively scheduled for the week of March 5, 2018.

Final selection of the consultant will be based upon the evaluation of both the written and oral responses. Following interviews, the most qualified firm will be selected and a recommended agreement including budget, timeline and a final service agreement will be negotiated. The successful firm will enter into a contract to be awarded by Solano LAFCO. Action on the service contract by LAFCO is tentatively scheduled for Monday, April 9, 2018.

The selection committee will use the criteria listed below to evaluate the proposals. At the discretion of the selection committee, additional information may be requested to clarify and explain proposals.

- *Applicability of overall experience and qualifications relating to required services.* Consultant shall have the general and technical expertise as described in Section VII above.

- *Evaluation of the scope of services, examining in particular any special techniques, approaches, ideas, and insights to be used in performing the services, along with additional consideration of how previous experiences may contribute to the proposer's ability to carry out the services.* Consultant shall possess the ability to initiate, develop and carry out effective strategies in preparing the MSR/SOI updates in accordance with State law and LAFCO requirements.
- *Evaluation of background, general experience, knowledge, and special capabilities or qualities brought to the project by the consultant.* Consultant shall possess all permits, licenses and professional credentials necessary to perform the required services.
- Proposals that demonstrate that the final product will meet the requirements of the CKH Act and provide useful information in a concise format at a reasonable cost will be looked upon favorably. A final budget will be negotiated with the selected firm.

Other Provisions: Solano LAFCO reserves the right to award a contract to the firm(s) or individual(s) that presents the proposal which, in the sole judgment of Solano LAFCO, best accomplishes the desired results. Solano LAFCO reserves the right to reject any or all proposals, to waive minor irregularities in said proposals, or to negotiate deviations with the successful firm. After the award of the contract, the Solano LAFCO may revise the work program to meet budget constraints.

XIII. Tentative Schedule

The tentative schedule associated with the circulation of the RFP and submission of proposal is as follows:

DATE	TASK
Jan 12, 2018	Issue RFP
Feb 23, 2018	Proposals Due
March 5-9, 2018	Interviews of Selected Proposers
April 9, 2018	Award of Contract by LAFCO
May 1, 2018	Consultant Begins Work

XIV. LAFCO Contact

Rich Seithel, Executive Officer
 Solano LAFCO
 675 Texas St. Ste. 6700
 Fairfield, CA 94533

Voice: (707) 439-3897

Email: rseithel@solanolafco.com

XV. Attachments

1. Map of Reclamation District 2034

XVI. Reference Information

For general information about LAFCOs, visit the CALAFCO website: www.calafco.org

For information about Solano LAFCO along with previously completed MSRs, please visit our website: www.solanolafco.com

Attachment 1:

Map of Reclamation District 2034

