



**REQUEST FOR QUALIFICATIONS (RFQ)
ENVIRONMENTAL COMPLIANCE SERVICES
FOR THE
FRIANT-KERN CANAL WATER QUALITY GUIDELINES PROGRAM**



ISSUE DATE: July 25, 2022

DUE DATE: August 19, 2022

CONTACT:

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TABLE OF CONTENTS

	Page
PUBLIC NOTICE	1
A. INTRODUCTION.....	2
B. BACKGROUND	2
C. PROJECT DESCRIPTION	2
D. SCOPE OF SERVICES	3
E. RESPONSE -- STATEMENT OF QUALIFICATIONS	5
1. Cover Letter.....	5
2. Program Understanding	5
3. Experience and Qualifications	6
4. Fee Schedule	7
5. Cost Estimate	7
6. Contract Requirements	7
7. Licensures/Certifications	7
8. Disclosure of Conflict of Interest Statement	7
9. Acknowledgement of Addendums	7
F. COMMUNICATION	8
1. Restrictions on Communications	8
2. Questions	8
G. CONSULTANT SELECTION	8
H. SUBMISSION OF RESPONSES - SOQS.....	9
I. ANTICIPATED SCHEDULE	9
J. RESERVATION OF RIGHTS	10
K. PUBLIC RECORDS ACT	11
L. ATTACHMENTS	12

PUBLIC NOTICE

Request for Qualifications (RFQ)

THE FRIANT WATER AUTHORITY IS INVITING CONSULTANTS TO SUBMIT
STATEMENTS OF QUALIFICATIONS (SOQ)
FOR THE
FRIANT-KERN CANAL WATER QUALITY GUIDELINES PROGRAM

The Friant Water Authority (Friant), with its principal office in Lindsay, California, desires to select a qualified consultant (Consultant) to provide environmental compliance services for the Friant-Kern Canal Water Quality Guidelines Program (Program). Friant is requesting qualifications from firms with extensive experience in preparing initial studies, negative declarations/mitigated negative declarations, and environmental impact reports under the California Environmental Quality Act (CEQA) for public agencies in California, particularly with respect to water quality, as well as experience with environmental assessments, findings of no significant impact, and environmental impact statements under the National Environmental Policy Act (NEPA) due to Friant's coordination with the United States Bureau of Reclamation on the Program.

The Program involves comprehensive guidelines (Guidelines) that address the application review process, implementation procedures, and the responsibilities of water contractors and other parties authorized to introduce or receive water into or from the Friant-Kern Canal (FKC) from a direct source other than Millerton Lake to the head works of the FKC (Non-Millerton water), which is the reservoir that impounds waters of the upper San Joaquin River watershed at Friant Dam. The proposed Guidelines, which are in near-final draft form, will define the water quality thresholds and the required mitigation associated with introduced Non-Millerton water and corresponding water quality, as well as the methodologies and tools for monitoring and forecasting water quality in the FKC. The Guidelines are intended to ensure that water quality is protected for sustained domestic and agricultural use.

The selected Consultant will be responsible for all aspects of environmental compliance associated with the documentation necessary for the Friant Board of Directors (and the boards of the participating water contractors) to adopt and implement the Guidelines.

Qualified firms interested in proposing, can download a RFQ package by visiting www.friantwater.org and selecting RFQ Opportunities. For questions contact Ian Buck-Macleod via email at ibuckmacleod@friantwater.org, or by telephone at 916-496-5686.

Qualified firms are invited to submit a Statement of Qualifications (SOQ) to provide consulting services for the Program to: ibuckmacleod@friantwater.org

SOQs are due no later than 2 p.m. (PST) on August 19, 2022 to the email address noted above.

Friant reserves the right to reject any and all SOQs.

FRIANT WATER AUTHORITY REQUEST FOR QUALIFICATIONS (RFQ)

THE FRIANT WATER AUTHORITY IS INVITING CONSULTANTS
TO SUBMIT STATEMENTS OF QUALIFICATIONS (SOQ) FOR
THE FRIANT-KERN CANAL WATER QUALITY GUIDELINES PROGRAM

A. INTRODUCTION

The Friant Water Authority (Friant) desires to select a qualified firm (Consultant) to provide environmental compliance services for the Friant-Kern Canal Water Quality Guidelines Program (Program). Qualified Consultants with extensive experience in preparing initial studies, negative declarations/mitigated negative declarations, and environmental impact reports under the California Environmental Quality Act (CEQA), for public agencies in California, particularly with respect to water quality, as well as familiarity with environmental assessments, findings of no significant impact, and environmental impact statements under the National Environmental Policy Act (NEPA), are invited to submit a Statement of Qualifications (SOQ) for the Program as described in this RFQ.

B. BACKGROUND

Friant is a Joint Powers Authority whose members include various irrigation and water districts and the City of Fresno. Friant operates and maintains the Friant-Kern Canal (FKC) under a contract with the United States Bureau of Reclamation (Reclamation). The FKC stretches approximately 151 miles from Lake Millerton behind the Friant Dam to the Kern River in the City of Bakersfield. Lake Millerton, Friant Dam, and the FKC are all components of the Friant Division of the Central Valley Project (CVP or Project). See www.friantwater.org for further information about Friant and the FKC.

C. PROJECT DESCRIPTION

The majority of agencies (Contractors) that intend to participate in the Program have long-term water delivery contracts with Reclamation pursuant to which Project water is to be supplied to them from or through CVP facilities, including the FKC. In the recitals and substantive provisions of such water delivery contracts, Reclamation and the applicable Contractor acknowledge the shared goal to “pursue measures to improve ... water quality ... for all Project purposes,” including through the “implementation of partnerships.” Nevertheless, each water delivery contract also includes a provision that states that “the United States does not warrant the quality of the water delivered to the Contractor and is under no obligation to furnish or construct water treatment facilities to maintain or improve the quality of water delivered to the Contractor.”

Certain other Contractors that plan on participating in the Program have a legal or contractual right to convey, deliver, or receive water, including water other than Project water, through the FKC such as contracts under the Warren Act (43 USC 523 and following), and Section 215 of the Reclamation Reform Act of 1982 (96 Stat. 1263), and under other pump-in, wheeling or conveyance agreements using the FKC that are binding on Reclamation. Similar to the water delivery contracts noted above, under these agreements, Reclamation also does not warrant the quality of the water delivered through the FKC.

As the operations of the Friant Division have evolved, from time to time water is introduced into the FKC other than directly from Millerton Lake to the headworks of the FKC (collectively, Non-Millerton water). In general, such Non-Millerton water is of a lower quality than that conveyed directly from Millerton Lake.

In order to ensure that the quality of water conveyed through the FKC is protected for sustained domestic and agricultural use, Friant and the Contractors have cooperatively developed certain Guidelines for Accepting Water into the Friant-Kern Canal (Guidelines) that define certain water quality thresholds and the required mitigation associated with the introduction of Non-Millerton water, as well as establish methodologies, procedures and tools for forecasting, monitoring and managing water quality in the FKC. A copy of the current draft of the Guidelines is attached as **Exhibit A**.

As Friant is proposed to manage the Program, it has agreed to serve as the lead agency for the preparation of all requisite analysis and documentation under the California Environmental Quality Act (CEQA). At this time, it is unclear what, if any, formal action may be required of Reclamation with respect to approval of the Program, and as such, what environmental compliance may be required under the National Environmental Protection Act (NEPA). If NEPA compliance is required, Friant and Reclamation may agree to coordinate on a joint CEQA/NEPA document.

Friant's current schedule is to complete the preparation of environmental documentation prior to April 1, 2023, or as soon thereafter as feasible, so that the Friant Board of Directors and the boards of the participating Contractors can take formal action on the Program.

The Consultant will become a member of the Program team and will be required to coordinate regularly with Friant staff, and Friant's technical consultant, Stantec Engineering Services (Stantec), as well as the participating Contractors, in finalizing the Program.

Because the Program is anticipated to be carried out by Friant and the Contractors using state and local funds, the services will generally need to follow the requirements of CEQA. However, because the FKC is a federal facility, the selected Consultant may also need to ensure that the Program complies with certain federal environmental procedures as directed by Friant and the Reclamation.

The contract with the Consultant will have an identified "not-to-exceed" amount based on the final determination with respect to the most appropriate level of CEQA review (e.g., a Mitigated Negative Declaration versus of Environmental Impact Report) and the potential application of NEPA to the Program.

The selected Consultant is expected to commence services within 14 days for the issuance of a Notice to Proceed.

D. SCOPE OF SERVICES

Task 1: Initial Study

The Consultant will begin with the preparation of an Initial Study to evaluate potential environmental impacts associated with the proposed Program based on the environmental checklist included in the State CEQA Guidelines. The Consultant will confirm with Friant staff the appropriate policies and regulatory thresholds used in the analysis. Identified impacts will be

designated as significant or insignificant pursuant to the criteria set forth in CEQA (Public Resources Code 21000 et seq.) and the State CEQA Guidelines (California Code Regulations, Section 15000 et seq.).

Deliverable: One (1) electronic copy of the Draft and Final Initial Study.

Task 2: Preparation of Negative Declaration, Mitigated Declaration or Environmental Impact Report, as appropriate (either task 2A or 2B):

After completing the Initial Study, the Consultant will assist Friant staff as follows:

TASK 2A. Completion of a Negative Declaration (ND) or Mitigated Declaration (MND). The Consultant will provide a negative declaration or appropriate mitigation measures to reduce impacts to below a level of significant. The ND or MND must meet all of the requirements set forth in CEQA and the State CEQA Guidelines.

Or

TASK 2B. Completion of an Environmental Impact Report (EIR). If the Initial Study finds that significant impacts are created by the proposed Program and/or Friant determines that an EIR will be more defensible than a MND, than an EIR may be required. The EIR must meet all of the requirements set forth in CEQA and the State CEQA Guidelines. It is anticipated that Task 2A or 2B will require Friant and Contractor review of draft documents prior to finalization. Therefore, the Consultant should assume the preparation of internal administrative drafts of the document. The Consultant will be required to participate in conference calls and/or meetings with Friant staff and legal counsel to discuss questions or issues.

Deliverable: One (1) electronic copy of the Draft IS/ND/MND or EIR.

TASK 3. Circulation of Environmental Documents/Determination:

Upon receipt of the Friant's comments and finalization of the Initial Study, the Consultant will address Friant's revisions and comments and will prepare a Draft ND/MND or EIR for public release. Consultant will be responsible to distribute copies of the document and appropriate notices to the State Clearinghouse and other responsible public agencies per the State CEQA Guidelines (specifically Articles 5, 6 and 7). The Consultant will assist Friant with preparation and filing of all required notices for the environmental determination, and will provide Friant with a list of all mailings for the administrative record. Friant will be responsible for any filing fees. Additionally, the Consultant will be responsible for any required consultations (including tribal consultations) required under the CEQA Guidelines.

Deliverable: Distribute hard copies of the IS/ND/MND or EIR as required in the CEQA Guidelines (specifically Articles 6 and 7). Prepare Notice of Intent or Notice of Preparation as required and file with applicable County Clerk(s). Complete required consultations.

TASK 4. Response to Comments and Final Environmental Document:

The Consultant will respond to public comments received and will prepare a Response to Comments document for Friant for review and approval, and then incorporation into the Final CEQA document.

Deliverable: One (1) electronic copy of the Responses to Comments document in containing the proposed responses to public comments.

TASK 5. Mitigation Monitoring and Reporting Program (MMRP), (If Required):

The Consultant will prepare a draft and final MMRP for inclusion in the Final CEQA document, pursuant to Section 1081.6 of the Public Resources Code. Consultant will submit to Friant for review and approval (if required).

Deliverable: One (1) electronic copy of the MMRP.

TASK 6. Public Hearings: The Consultant will attend, as necessary, Friant Board of Director meetings to answer any questions that may arise related to the CEQA analysis.

Deliverable/meetings: Consultant to attend at least two (2) public meetings.

TASK 7. Notice of Determination:

Consultant will distribute copies of the appropriate document(s) and appropriate notifications to the State Clearinghouse and other responsible public agencies per the State CEQA Guidelines (specifically Articles 6 and 7) after an environmental determination has been adopted by the Friant Board.

Deliverable: Consultant to prepare and distribute notice of determination.

Note: All deliverables and work produced by the Consultant, whether in hard copy or electronic form, will become public record and the property of Friant.

E. RESPONSE -- STATEMENT OF QUALIFICATIONS

The SOQ must include at a minimum the information listed in this part; incomplete or unclear information may be grounds for rejection. The SOQ must be organized as follows:

1. Cover Letter

The SOQ must be submitted with a cover letter. The letter accompanying the SOQ must provide the name, title, address, telephone number, and signature of the individual(s) authorized to negotiate and bind the Consultant contractually.

2. Program Understanding

Provide a brief description (No more than 3 pages) of the Consultant's understanding of the Program, including any special considerations or unique qualifications that selection of the Consultant would provide to Friant.

3. Experience and Qualifications

- a. Provide a brief history of the firm, including: name of the firm, the year the firm was established under the current name, the principal place of business, and the location of all its offices. Indicate any other previous names for the firm during the last five years and the year any name change was effective.
- b. Provide a list of at least three prior assignments within the last five years that best illustrate the firm's relevant qualifications for this Program. The performed services should be similar to those outlined in this RFQ. The list must include the following information for each assignment:
 - i. Name of client
 - ii. Location (city and state)
 - iii. Name and brief description of the project
 - iv. Duration of assignment
 - v. Scope and role in the project
 - vi. Outcome of the assignment (completion relative to schedule and budget; client satisfaction, etc.)
 - vii. Provide three clients as a reference, including at least two for whom services were rendered during the past twelve months, preferably for services similar to those outlined in this RFQ; include contact information for each reference.
- c. List all water agencies, if any, for whom services in excess of \$100,000 on any single project have been provided by the firm in the past seven years.
- d. Identify the personnel that will be assigned to key positions necessary to complete the Scope of Services, together with a percentage of time each will be available during the course of the work; provide a brief resumé and highlight special qualifications for each of the key personnel. The resumes must include:
 - i. Total years of experience, including number of years with the current firm.
 - ii. Education (for individuals who hold current professional registration identify the registration number, state, and discipline).
 - iii. Work experience of up to five recent relevant projects. Include a brief description of the project (scope, size, cost, etc.), the individual's specific role on the assignment, the year the individual's

work on the assignment was completed, and the individual's employer for the assignment.

- e. Provide an explanation as to how you intend to approach execution and management of services for the Program in an organized and cost-effective manner. This should include the means and methods by which you intend to coordinate regularly with Friant and Friant's technical consultant Stantec to allow for the entire Program team to have access to your progress.
- f. Provide an explanation as to how you propose to interact with public outreach efforts for the Program.
- g. Provide a list of any proposed sub-consultants that you may work with to complete the services, including the resume of the key personnel in accordance with subsection 3(e) above.

4. Fee Schedule

Provide a proposed fee schedule, include at a minimum, the rates for all personnel who would be assigned.

5. Cost Estimate

Provide an estimate of the total cost (a range is acceptable) to prepare: (a) a Mitigated Negative Declaration; and (b) an Environmental Impact Report. For each document, include an additive budget if a joint NEPA document is prepared with Reclamation.

6. Contract Requirements

Friant will be utilizing its standard Professional Services Agreement (Agreement), which is attached as **Exhibit C**. The general terms of the Agreement are not subject to negotiation, however, Friant will consider minor, nonsubstantive clarifications or changes. The Consultant must comply with applicable local, state, and federal laws including, as applicable, prevailing wage rates.

7. Licensures/Certifications

Provide a list of applicable licenses and certifications (including agency identification numbers) held by the Consultant and key personnel.

8. Disclosure of Conflict of Interest Statement

The Disclosure of Conflict of Interest Statement attached as **Exhibit B** must be completed and submitted as part of the response to the RFQ.

9. Acknowledgement of Addendums

Respondents must acknowledge receipt of any addendum to this RFQ by the time and date specified for receipt of SOQs.

F. COMMUNICATION

1. Restrictions on Communications

Respondents or their representatives are prohibited from communicating with any Friant employees or contractors not expressly noted in this RFQ. This communication restriction applies from the time the public notice is published until any contract award has been approved by the Friant Board of Directors or there has been a rejection of all SOQs or this RFQ has been canceled.

Generally, a respondent or its representatives are prohibited from communicating with Friant officials and employees except as provided under part F.2 below. This includes “thank you” letters, phone calls, e-mails, and any contact that results in the direct or indirect discussion of the RFQ and/or SOQ submitted by Respondents.

Violation of this provision by the respondent and/or their agent may lead to disqualification of the respondent’s SOQ from consideration.

2. Questions

- a. Respondents may submit questions concerning this RFQ in writing only to the following contact: Ian Buck-Macleod via email at ibuckmacleod@friantwater.org. Verbal questions are not permitted other than as described by this section and during interviews, if any.
- b. No inquiries/questions regarding this RFQ will be accepted after 5 p.m. (PDT) on August 5, 2022. Responses to questions that may impact or cause amendment to this RFQ will be summarized and distributed, to those interested parties who have expressed an interest in responding to this RFQ.
- c. Friant reserves the right to contact any Respondent for clarification after responses are opened if such is deemed desirable by Friant.

G. CONSULTANT SELECTION

This solicitation for a SOQ does not commit Friant to enter a contract or to pay any costs incurred in the preparation of the SOQ.

Friant reserves the right to accept or reject any and all SOQs, and to negotiate with any and all qualified Consultants, or to cancel in part or in its entirety this RFQ for SOQs.

The scope of services for the Program may be task based, phased, increased, decreased, or modified by Friant to bring it into its budgetary capabilities.

Friant reserves the right to accept any SOQ received, to reject any or all SOQ submittals, in whole or in part, to waive irregularities, formalities, or both, as deemed appropriate, to request clarification of any qualification submittal, and to negotiate with the preferred firm to provide the requested services. If contract negotiations with the preferred firm are at an impasse as deemed

by Friant, Friant reserves the right to contact other firms to negotiate a contract to provide the requested services.

Friant hereby notifies all potential Consultants that no person will be excluded from participation in, denied any benefits of, or otherwise discriminated against in connection with the award and performance of any contract on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, or veteran status.

H. SUBMISSION OF RESPONSES - SOQs

SOQs must be submitted in an envelope clearly marked "Request for Qualifications for Consultants to Provide Environmental Compliance Services for the Friant-Kern Canal Water Quality Guidelines Program." SOQs must be sealed and submitted prior to **2:00 PM (PDT), August 19, 2022**. Late SOQs may not be accepted.

1. Respondents to this Request for Qualifications must one (1) electronic copy via email to:

Ian Buck-Macleod
Water Resources Manager
ibuckmacleod@friantwater.org

2. Responses should be clear, concise, and complete. They should be submitted using an 8 1/2" by 11" portrait format.
3. SOQ responses may not exceed 30 pages (single sided) of written material, including the transmittal letter. SOQs failing to comply with the page limitation will be considered non-responsive to the submittal requirements and disqualified from the selection process and will not be evaluated. The page limitation includes any written, photographic, or graphic material contained in the body of the SOQ and any appendices, brochures, or pamphlets.
4. The page limitation does not include the cover of the SOQ, title page, table of contents, resumes, blank pages, Disclosure of Conflict of-Interest.
5. By submission of a response, the Respondent acknowledges that it has read and thoroughly understands the Scope of Services, agrees to all terms and conditions stated herein, and acknowledges that it can perform all tasks, as required.
6. Submittals will not be opened publicly, and Friant will not issue a list of respondents.

I. ANTICIPATED SCHEDULE

The anticipated schedule is summarized as follows:

Milestone	Date
Issuance of Request for Qualifications	July 25, 2022
Last day to submit written requests for clarification	August 5, 2022
Last day for Friant to provide response to questions	August 10, 2022
Deadline to submit Statement of Qualification	August 19, 2022
Consultant Selection	Week of August 22, 2022

Note: The above process activities and dates may change any time during this selection process due to submittals and/or negotiation process at the sole discretion of Friant.

J. RESERVATION OF RIGHTS

1. Friant reserves the right to:
 - a. Reject any and all SOQ responses received.
 - b. Issue a subsequent RFQ.
 - c. Cancel the entire RFQ.
 - d. Remedy technical errors in the RFQ process.
 - e. Negotiate with any, all, or none of the Respondents to the RFQ.
 - f. Waive informalities and irregularities.
 - g. Accept multiple responses.
 - h. Make multiple recommendation(s) to the Friant Board of Directors.
 - i. Request additional information or clarification.
 - j. All responses and their contents will become the property of Friant.
2. Friant will not reimburse Consultants or sub-consultants for any costs associated with any travel and/or per diem incurred in any presentations or for any costs in preparing and submitting a SOQ response.
3. Friant reserves the right to end, in its sole discretion, negotiations at any time with any or all Consultants. This RFQ does not commit Friant to enter into a contract, nor does it obligate it to pay any costs incurred in the preparation and submission of responses or in anticipation of a contract.

K. PUBLIC RECORDS ACT

All SOQs submitted in response to this RFQ will become the property of Friant upon submission and a matter of public record pursuant to applicable law (including the California Public Records Act, Government Code section 6250 and following). Friant reserves the right to make copies of all SOQs available for inspection and copying by interested members of the public as records of Friant and Friant will be under no obligation to the Consultant to withhold such records. Insofar as a SOQ contains information that the Consultant regards as proprietary and confidential, it is the responsibility of the Consultant (and not Friant) to specifically identify which items of information are proprietary and clearly identify in writing which specific pieces of information are proprietary. It will be insufficient for the Consultant to merely identify the entire SOQ or an entire page or set of pages of proprietary information. Not-to-exceed sums, hourly rates and the like that may be set forth in the SOQ will not constitute proprietary information nor will any information readily available to the general public or any other information not regarded as proprietary and confidential under federal or state law.

L. ATTACHMENTS

Exhibit A – Draft Guidelines

Exhibit B – Conflict of Interest Form

Exhibit C – Standard Form of Friant Professional Services Agreement