



## **SOUTH FEATHER WATER & POWER**

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**TO: Board of Directors**

**FROM: Michael Glaze, General Manager**

**DATE: June 22, 2005**

**RE: Request for Qualifications – CEQA Consultant  
Petition for Extension of Water Rights Permits to SWRCB  
Agenda Item for 6/28/05 Board of Directors Meeting**

South Feather Water and Power Agency (SFWPA) and Yuba County Water District (YCWD) each currently have pending before the State Water Resources Control Board (SWRCB) Petitions for Extension of Time for their respective Water Rights permits.

The SWRCB is requiring the preparation of documentation under the California Environmental Quality Act (CEQA) for these petitions and any related changes in the water-right permits that are the subjects of the petitions and the new agreement between SFWPA and YCWD. Part I.9 and I.10 of the Agreement specifies the following.

*9...Because a single CEQA document addressing the deliveries of water under this Agreement and for all of the Petitions for Extension of Time will result in savings of time and expense, SFWPA and YCWD will proceed to prepare a single CEQA document for all of these petitions. Because SFWPA is the owner and operator of the SFPP storage, diversion and conveyance facilities that are used to provide water under these Permits, SFWPA will be the lead agency under CEQA for the preparation of this CEQA documentation.*

*10. SFWPA and YCWD will retain the services of a qualified consultant to assist in the preparation of this CEQA document. The contract with this consultant will be a joint contract, executed by both SFWPA and YCWD, and the consultant will be responsible to both SFWPA and YCWD as clients in connection with the preparation of this CEQA document. SFWPA and YCWD each will be responsible for one half of the consultant's costs for preparing this CEQA document, and SFWPA and YCWD each will provide the other with copies of all documents, working drafts, notes, or comments relevant to the preparation of this CEQA document. SFWPA and YCWD will jointly approve the agreement with said consultant, and SFWPA and YCWD each will ensure that both Parties have equal access to the consultant in connection with the preparation of the CEQA document.*

The SWRCB has imposed a June 1, 2006 deadline for completion of the CEQA documentation, as described above. Therefore, since time is of the essence, we need to select a CEQA consultant as soon as possible so that the work can be accomplished before the deadline.

Attached is a Request for Qualifications that I drafted for the purpose of initiating the consultant-selection process. It is patterned after the one I prepared for selecting our FERC relicensing consultant team. It was sent for review to YCWD General Manager, Dennis Parker, and legal counsel, Alan Lilly, last week (at this writing I have not received any response back). If approved, it would be placed on our web site and sent directly to everyone on the "Consultant List" at the SWRCB web site under "Water Rights."

The action I am requesting is:

**"I move approval and authorize publishing of the Request for Qualifications for the Provision of CEQA Consultant Services for SFWPA's and YCWD's Petitions for Extension of Water Rights Permits."**



## ***SOUTH FEATHER WATER & POWER***

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REQUEST FOR QUALIFICATIONS  
FOR THE PROVISION OF  
CEQA CONSULTANT SERVICES  
FOR  
SOUTH FEATHER WATER AND POWER AGENCY'S  
AND  
YUBA COUNTY WATER AGENCY'S  
PETITIONS FOR EXTENSION OF WATER RIGHTS PERMITS  
TO THE  
CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

Prepared by:

Michael Glaze, General Manager  
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Approved by SFWPA's Board of Directors  
June 28, 2005

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## **SECTION 1 - INTRODUCTION**

### **1.1 PROJECT SUMMARY**

South Feather Water and Power Agency (SFWPA) is seeking environmental consulting services to assist SFWPA and Yuba County Water District (YCWD) in complying with the California Environmental Quality Act (CEQA) regarding petitions for extension of time for SFWPA's water rights Permits 1267, 1268, 2492, and 1271 (Applications 1651, 2142, 2778, and 2979, respectively), and for YCWD's Permit 11516 and 11518 (Application 13957 and 14113, respectively), hereafter referred to as "the Project".

### **1.2 OBJECTIVES**

SFWPA and YCWD have filed petitions to extend by 40 years the time to place to beneficial use water available to them under their respective consumptive water rights. Because YCWD, by agreement, uses SFWPA's diversion, storage and conveyance facilities to supply water to YCWD facilities and customers, SFWPA's and YCWD's objective is to jointly comply with the State Water Resources Control Board's (SWRCB) order that the two agencies – prior to June 1, 2006 – prepare and submit completed environmental documentation in support of their respective petitions for extension of time of their respective water rights.

It is anticipated that a single CEQA document addressing the deliveries of water to the two agencies and for all of the petitions for extension of time will result in savings of time and expense. Therefore, SFWPA and YCWD will proceed to prepare a single CEQA document for all of these petitions. SFWPA and YCWD have agreed to appear and take other actions, as necessary, before the SWRCB or any other agency or court exercising jurisdiction regarding these petitions, to support the issuance of the extensions of time that are requested in these petitions.

Because SFWPA is the owner and operator of the storage, diversion and conveyance facilities that are used to provide water under these permits, SFWPA will be the lead agency under CEQA for the preparation of the necessary documents. SFWPA and YCWD understand that the Project will require independent findings and conclusions by SFWPA and YCWD under Section 21081 of the Public Resources Code and Sections 15091 through 15096 of the CEQA Guidelines.

SFWPA and YCWD desire to retain the services of a qualified consultant to assist in all aspects of the Project. The contract with this consultant will be a joint contract, executed by both SFWPA and YCWD, and the consultant will be responsible to both SFWPA and YCWD as clients in connection with the Project. SFWPA and YCWD each will be responsible for one half of the consultant's costs, and SFWPA and YCWD each will provide the other with copies of all documents, working drafts, notes, or comments relevant to the Project. SFWPA and YCWD will jointly approve the agreement with the consultant, and SFWPA and YCWD each will ensure that both agencies have equal access to the consultant in connection with the Project.

## **SECTION 2 – SCOPE OF SERVICES**

### **2.1 GENERAL**

The requested services include all aspects of complying with the CEQA requirements for the Project, as directed by the management staff of SFWPA and YCWD.

### **2.2 WORK TASKS**

The work tasks listed below are only estimates of the tasks that will comprise the total scope of work. No inference is intended that the Consultant's services are to be limited to these tasks if other tasks are required to successfully, efficiently and economically obtain SFWPA's YCWD's objectives. Respondents are encouraged to submit their best thinking relative to work scope and specific tasks as required to provide SFWPA and YCWD the best end product to aid in successfully completing the Project.

- a. Work in partnership with the agencies' general managers and legal counsels to develop a strategy for Project CEQA compliance.
- b. Provide SFWPA and YCWD with information and advice on environmental issues that may impact the Project including an opinion as to the scope of the environmental documentation (EIR or Negative Declaration) that will, in respondent's view, be required.
- c. Identify all procedural tasks and supporting activities that will be necessary to complete the Project no later than June 1, 2006.
- d. Identify contentious and costly issues likely to be involved in the Project and recommend alternative strategies to deal with those issues.
- e. Prepare an event timeline identifying when various activities need to be completed in order for the Project to be completed prior to June 1, 2006.
- f. Schedule and assign resources for meeting the deadlines and associated activities identified in the Project timeline.
- g. Develop and implement a work plan to be presented for SFWPA's and YCWD's respective approvals.
- h. Prepare all documents necessary for the Project including all required written responses to oral and written comments received on the draft documents.
- i. Attend meetings of SFWPA's and YCWD's respective boards of directors as necessary to report progress and answer questions, including the noticing, scheduling and conduct of all required public hearings/meetings required for the completion of the environmental documentation.
- j. Perform studies and/or conduct assessments that are either required for, or support, the Project.

- k. After filing CEQA documentation, respond to any further requests for additional information.
- l. Assist SFWPA and YCWD in defending and advocating the filed documentation before the SWRCB and other jurisdictional bodies and appropriate forums.

## **SECTION 3 – STATEMENT OF QUALIFICATIONS**

### **3.1 General**

Firms that are interested in providing professional services for the tasks described above are to submit a Statement of Qualifications (SOQ). The SOQ should contain, at a minimum, sufficient information for an objective evaluation of the criteria described in Section 5. The respondent will describe the qualifications of the respondent's team in terms of project management, corporate qualifications, and performance on previous similar projects. (The term "team" represents the applicant and all subcontracting firms that may be used for the Project.) In addition to other information the respondent may want to include, the response to this RFQ shall include the following information:

- a. Identification of the principal and subcontracting firms, including key personnel and lead persons to be assigned to the Project. Be specific about education and professional experience of all individuals listed. Resumes and references (one for each project or task listed in 3.1b and 3.1c) must be provided for all key personnel.
- b. A description of similar water rights related projects undertaken – including petitions for extension, applications for new rights, and petitions for additional uses or places of use – for which the respondent was employed in connection with the preparation of environmental documentation in a project management, prime contractor, or subcontractor role. All projects should be included whether or not they have been taken to completion, and whether or not respondent is still engaged on said project. Specifically identify those projects that are similar to SFWPA's and YCWD's Project, and which pose similar issues in the CEQA process. Provide information on the approach to project management and commitment to the task described in Section 2. Provide evidence of the respondent's responsiveness to current and previous clients' requirements, both with respect to timeliness and quality of performance, as they relate to the tasks described in Section 2. The response to this item must include a discussion of the respondent's plan for communications and coordination within respondent's team, schedule control, budget control, and quality assurance control. This component of the response should also describe the outcome of any litigation or administrative review contesting the adequacy of respondent's work product, and the current status of such proceedings, if incomplete.
- c. A description of CEQA projects completed by subcontracting firms within the recent past that are similar to those described in Section 2.
- d. Demonstration of knowledge of, and experience with CEQA and other laws, rules, regulations, ordinances, policies, etc., relevant to environmental documentation processes.

- e. Demonstration of knowledge of, and experience with water-rights-specific issues, including water-demand projections and issues that will have to be addressed in the CEQA documentation.
- f. A statement of understanding of the project and the scope of services to be provided. The respondent must demonstrate its understanding of the issues that the two agencies are likely to face during the Project. Issues discussed may be regulatory, procedural, or scientific in nature. This discussion is meant to be a general treatment of the emerging CEQA issues and trends that are facing water-right permittees in California. In describing these issues, the respondent should suggest different approaches to addressing them that may be implemented by SFWPA and YCWD to increase the likelihood of a successful Project.
- g. A general description and schedule of how the respondent plans to proceed with the tasks described in Section 2.
- h. A schedule of billing rates.
- i. The name of the consultant or consulting firm submitting the response to this RFQ, including mailing address, telephone number, and the individual with whom to communicate if further information is desired.

## **SECTION 4 – PROPOSAL SUBMITTAL REQUIREMENTS**

### **4.1 RESPONSES**

Responses shall be submitted to: Michael Glaze, General Manager  
South Feather Water and Power Agency  
P.O. Box 581  
Oroville, CA 95965

### **4.2 DEADLINE**

Five (5) copies of the SOQ must be received (mailed or hand delivered) at 2310 Oro Quincy Highway, Oroville, CA, no later than Friday, July 29, 2005, to ensure eligibility for consideration. The documents shall be sealed in an envelope or box and clearly marked "Reponse to Request for Qualifications for Environmental Consulting Services".

## **SECTION 5 – SELECTION PROCESS**

### **5.1 SELECTION CRITERIA**

Responses will be evaluated in terms of qualifications and experience, understanding and approach to addressing issues specific to SFWPA's and YCWD's Project, project management, and billing rates.

### **5.2 SELECTION PROCEDURE**

A review panel consisting of the respective general managers and legal counsels of SFWPA and YCWD will make an initial evaluation of the SOQs. Additional information or a presentation may be requested of the most highly qualified respondents.

Once the panel has ranked the responses, SFWPA's and YCWD's general managers will together begin negotiating with the highest ranked respondent. Negotiations will include details regarding the work to be performed and the price for that work based upon a schedule of hourly rates for all personnel, including the cost of support personnel and any other costs associated with performing the requested services.

The negotiated agreement will then be submitted to the boards of directors of the two agencies for consideration. If one or both of the boards of directors does not approve the agreement, SFWPA's general manager will resume negotiations with the highest ranked respondent. If an agreement cannot be negotiated that is acceptable to both boards of directors, SFWPA's general manager will commence negotiations with the next best-qualified respondent, and so on.