



*Daniel Woldesenbet, Ph.D., P.E., Director*

---

399 Elmhurst Street • Hayward, CA 94544 • (510) 670-5480 • [www.acgov.org/pwa](http://www.acgov.org/pwa)

# **ALAMEDA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT**

**ADDENDUM No. 1**

**to**

**RFQ No. FLO2016739**

**For**

**ON-CALL FACILITATION SERVICES FOR ACFCO**

**Specification, Terms & Conditions  
Clarification/Modification**

**This Alameda County Flood Control & Water Conservation District RFQ Addendum has been electronically issued to potential proposers via e-mail. E-mail addresses used are those in the County's Small Local Emerging Business (SLEB) Vendor Database or from other sources. If you have registered or are certified as a SLEB, please ensure that the complete and accurate e-mail address is noted and kept updated in the SLEB Vendor Database. This RFQ Addendum will also be posted on the GSA and ACPWA Contracting Opportunities website located at: [http://www.acgov.org/gsa/purchasing/bid\\_content/ContractOpportunities.jsp](http://www.acgov.org/gsa/purchasing/bid_content/ContractOpportunities.jsp), and <http://acgov.org/pwa/business/services.htm>**

The following Sections have been modified to read as shown below. Changes made to the original RFQ document are in bold print and highlighted, and deletions made have a strike through.

| EVENT                                     | DATE/LOCATION   |
|---|---|
| RFQ Issued                                | June 29, 2016   |
| Written Questions Due                     | <del>by 5:00 p.m. on July 6, 2016</del><br><b>by 5:00 pm on July 15, 2016</b> |
| <b>Addendum #1 Issued</b>                 | <del>July 11, 2016 (as needed)</del><br><b>July 12, 2016</b>                  |
| <b>Addendum #2 Issued</b>                 | <b>July 19, 2016 (as needed)</b>  |
| Response Due                              | July 25, 2016 by 5:00 p.m.  |
| Evaluation Period                         | July 26- August 2, 2016   |
| Consultant Interviews                     | August 15-16, 2016  |
| Board Letter/Packet<br>Recommending Award | September 13, 2016  |
| Board Consideration Award<br>Date         | September 27, 2016  |
| Contract Start Date                       | September 27, 2016  |

Insert the following section on page 17:

**R. PROPOSAL PROTEST/APPEALS PROCESS**

District prides itself on the establishment of fair and competitive contracting procedures and the commitment made to follow those procedures. The following is provided in the event that proposers wish to protest the proposal process or appeal the recommendation to award a contract for this project once the Notices of Intent to Award/Non-Award have been issued. Protests submitted prior to issuance of the Notices of Intent to Award/Non-Award will not be accepted by the District.

1. Any protest by any Proposer regarding any other proposal must be submitted in writing to the Alameda County Flood Control & Water Conservation District Director, located at 399 Elmhurst Street, Hayward, CA 94544, before 5:00 p.m. of the FIFTH (5th) business day following the date of issuance of the Notice of Intent to Award, not the date received by the Proposer. A protest received after 5:00 p.m. is considered received as of the next business day.
  - a. The protest must contain a complete statement of the reasons and facts for the protest.
  - b. The protest must refer to the specific portions of all documents that form the basis for the protest.
  - c. The protest must include the name, address, email address, fax number and telephone number of the person representing the protesting party.
  - d. The District will transmit a copy of the protest to all proposers as soon as possible after receipt of the protest.
  
2. Upon receipt of written protest, the District Director or designee will review and evaluate the protest and issue a written decision. The District Director, may, at his or her discretion, investigate the protest, obtain additional information, provide an opportunity to settle the protest by mutual agreement, and/or schedule a meeting(s) with the protesting Proposer and others (as appropriate) to discuss the protest. The decision on the protest will be issued at least ten (10) business days prior to the Board hearing date.

The decision will be communicated by e-mail or fax, and certified mail, and will inform the proposer whether or not the recommendation to the Board of Supervisors in the Notice of Intent to Award is going to change. A copy of the decision will be furnished to all Proposers affected by the decision. As used in this paragraph, a Proposer is affected by the decision on a protest if a decision on the protest could have resulted in the Proposer not being the apparent successful Proposer on the procurement.

3. The decision of the District Director on the protest may be appealed to the Auditor-Controller's Office of Contract Compliance (OCC) located at 1221 Oak St., Room 249, Oakland, CA 94612, Fax: (510) 272-6502. The Proposer whose proposal is the subject of the protest, all Proposers affected by the District Director's decision on the protest, and the protestor have the right to appeal if not satisfied with the District Director's decision. All appeals to the Auditor-Controller's OCC shall be in writing and submitted within five (5) business days following the issuance of the decision by the District Director, not the date received by the Proposer. An appeal received after 5:00 p.m. is considered received as of the next business day. An appeal received after the FIFTH (5th) business day following the date of issuance of the decision by the District Director shall not be considered under any circumstances by the District or the Auditor-Controller OCC.
  - a. The appeal shall specify the decision being appealed and all the facts and circumstances relied upon in support of the appeal.
  - b. In reviewing protest appeals, the OCC will not re-judge the proposal(s). The appeal to the OCC shall be limited to review of the procurement process to determine if the contracting department materially erred in following the RFQ or, where appropriate, County contracting policies or other laws and regulations.
  - c. The appeal to the OCC also shall be limited to the grounds raised in the original protest and the decision by the District Director. As such, a Proposer is prohibited from stating new grounds for a Proposal protest in its appeal. The Auditor-Controller (OCC) shall only review the materials and conclusions reached by the District Director or department designee, and will determine whether to uphold or overturn the protest decision.
  - d. The Auditor's Office may overturn the results of a RFQ process for ethical violations by District staff, District Selection Committee members, subject matter experts, or any other staff managing or participating in the competitive process, regardless of timing or the contents of a proposal protest. Any participating County staff, including County Counsel or Auditor-Controller, are doing so as staff of the District.
  - e. The decision of the Auditor-Controller's OCC is the final step of the appeal process. A copy of the decision of the Auditor-Controller's OCC will be furnished to the protestor, the Proposer whose Proposal is the subject of the Proposal protest, and all Proposers affected by the decision.
4. The District will complete the Proposal protest/appeal procedures set forth in this paragraph before a recommendation to award the Contract is considered by the Board of Supervisor.

The procedures and time limits set forth in this paragraph are mandatory and are each Proposer's sole and exclusive remedy in the event of Proposal Protest. A Proposer's failure to timely complete both the protest and appeal procedures shall be deemed a failure to exhaust administrative remedies. Failure to exhaust administrative remedies, or failure to comply otherwise with these procedures, shall constitute a waiver of any right to further pursue the protest, including filing a Government Code Claim or legal proceedings.

Replace the following section on page 8:

| LOCAL BUSINESS PREFERENCE |  |
|---------------------------|--|
|                           | <p>Local Preference: After total raw score is compiled, an additional five percent (5%) of consultant's total score will be added for consultants with a licensed business office located in Alameda County in which key personnel assigned to this project are based.</p> |
|                           | 5%   |

| SMALL LOCAL EMERGING BUSINESS PREFERENCE   |                   |
|--|-------------------|
| <p>Local Preference: Points equaling five percent (5%) of bidder's total score, for the above Evaluation Criteria, will be added. This will be the bidder's <u>final score</u> for purposes of award evaluation.</p> | Five Percent (5%) |
| <p>Small and Local or Emerging and Local Preference: Points equaling five percent (5%) of bidder's <u>final score</u> for purposes of award evaluation.</p>  | Five Percent (5%) |

Replace Section 12, Exhibit A, Page A 5 with the following:

12. The undersigned acknowledges ONE of the following (please check only one box):

- Consultant is not local to Alameda County and is ineligible for any bid preference; **OR**
- Consultant is LOCAL to Alameda County and is requesting 5% bid preference, and has attached the following documentation to this Exhibit:
  - Copy of a verifiable business license, issued by the County of Alameda or a City within the County; and
  - Proof of six (6) months business residency, identifying the name of the vendor and the local address. Utility bills, deed of trusts or lease agreements, etc., are acceptable verification documents to prove residency.

12. The undersigned acknowledges ONE of the following (please check only one box):

- Consultant is not local to Alameda County and is ineligible for any bid preference; **OR**
- Consultant is a certified SLEB and is requesting 5% bid preference; (Consultant must check the first box and provide its SLEB Certification Number in the Attachment (d) SLEB PARTNERING INFORMATION SHEET); **OR**
- Consultant is LOCAL to Alameda County and is requesting 5% bid preference, and has attached the following documentation to this Exhibit:
  - Copy of a verifiable business license, issued by the County of Alameda or a City within the County; and
  - Proof of six months business residency, identifying the name of the vendor and the local address. Utility bills, deed of trusts or lease agreements, etc., are acceptable verification documents to prove residency.

Responses to written questions received by July 6, 2016, 5:00 pm are as follows:

Q1) Are you able to share the estimated annual budget amount?

**A1) The annual budget for this work will not be disclosed at this time.**

Q2) As this is a submission for on call services, would you please clarify how the Cost Estimate Form (Attachment C) will be used? Will the budget amount on Attachment C be used to set the maximum budget annually for the contract?

**A2) The Cost Estimate Form (Attachment (c)) is for information and comparison purposes only. The budget amount in Attachment (c) will not be used to set the maximum budget for the contract.**

Q3) Under Scope of Services (Item C) and/or Desired Consultant Qualifications (Item D) possible services include grant preparation, website development, and preparation of invoices, status reports and monitoring budgets. These items are not included in the cost estimate form. Would you please clarify how additional services are to be added/included?

**A3) Other than the items specifically listed in Attachment (c), scope items mentioned in Sections C and D or elsewhere in the RFQ should not be included in proposer's response to Attachment (c).**

Q4) Attachment C is a Cost Estimate Form for specific tasks whereas on page 10 (K. Pricing and Fees) number 1 states that the consultant must provide a complete cost estimate of services outlined in the Statement of Work, Sections D and E. Would you please clarify how additional services are to be added/included? Is Attachment C going to set the total annual budget for all services?

**A4) See response to Questions #2 and #3.**

Q5) With regard to website preparation and maintenance, would you clarify whether you are interested in a brand new website and a change in direction from the currently maintained CHARG website? And if so, is there a platform preference, e.g. WordPress, SharePoint, Squarespace. Do you want the site to be a collaborative site, e.g. Wiki and Google Docs?

**A5) ACFCD is interested in having the consultant develop a new website. Platform preferences will be discussed as part of the negotiated scope of services after contract award.**

Q6) Where might we go to understand more about the District's vision for this process?

**A6) The RFQ and its addenda serve as the primary source of information about this procurement.**

Q7) Are there additional resources that describe the composition of the participants? For example, will the facilitated group consist of government agencies, academics, non-profits, private landowners and other stakeholders OR will the group be limited to a subset of these?

**A7) ACFCD will have varying facilitation needs for different groups throughout the contract term. Most of the groups will include government agencies, academics, non-profits, and private entities.**

Q8) What is the approximate size of the facilitated group(s)?

**A8) The size of the groups will vary depending on the effort being supported.**

Q9) Will the selected contractor participate in strategic planning with ACFCD leadership and/or other stakeholders prior to invitations or solicitations to participate OR will the facilitator be expected to work with the group already compiled by the District?

**A9) Strategic planning is expected to be part of the required scope of services. In some instances, groups have already been formed, but solicitation/invitations to participate will also be part of the work performed by the consultant.**

Q10) Would the awardee be responsible for establishing the group(s) described in the RFQ or do these group(s) already exist in some form?

**A10) See response to Question #9.**

Q11) Is there a project budget or overall workload estimate for the project that might help us understand the desired depth and availability of team resources required?

**A11) The annual budget or workload estimate for this work will not be disclosed at this time.**

Q12) The scope of work outlined on pages 1-2 suggests a variety of tasks that are not included in the bid estimate (Attachment C). Should our cost estimate include ONLY the meeting facilitation schedule outlined in Attachment C, or should we also include estimates for the Scope Items outlined under Section D 1-11 on pages 2-4 (e.g., organizational structure, engagement, website, etc.)?

**A12) See response to Question #3**

Q13) For Attachment C (Cost Estimate Form), is there an approximate duration and group size associated with the 5 items listed?

**A13) Duration and group size will vary.**

Q14) Does the District prefer a single individual facilitator (with support) or a small TEAM of facilitators?

**A14) ACFCDD does not have a preference.**

Q15) Will the facilitator have to comply with any specific public meeting laws or regulations?

**A15) ACFCDD expects that its consultants comply with all applicable laws and regulations pertinent or germane to the services provided.**

Q16) Is there an existing (or recent) incumbent for this job? If so, please provide the name of the firm or individual?

**A16) Convey, Inc. has been supporting ACFCDD with similar services to-date.**

Q17) Can you tell me if this is the CHARG effort that has been discussed previously?

**A17) CHARG is just one group that may be supported by this scope of work.**

Q18) On page A-2, #4 there is a reference to "CHARG" – what is this acronym or system?

**A18) CHARG stands for Coastal Hazards Adaptation Resiliency Group.**

Q19) Do any of the mentioned steering committees or working groups currently exist? If so, are there meeting notes or minutes available to review?

**A19) Some CHARG steering committees and working groups exist. Agendas and minutes from past CHARG meetings can be accessed at <http://www.acfloodcontrol.org/SFBayCHARG/>, although CHARG is just one group that may be supported by this scope of work.**

Q20) The RFP says that one consultant firm will be selected for this RFP. Does that firm have to provide ALL desired services, or can a firm provide some services and achieve others – such as graphic artists and graphics, or website development – as an expense (outside vendor)?

**A20) The selected firm will be the primary consultant. The primary consultant can work with others (as a subconsultant, teaming partner, joint venture, or other arrangement) to achieve the requested services. ACFCDD desires that all requested services be offered by the consultant and/or consultant team.**

Q21) The Cost Estimation form does not show a line for direct expenses. Should direct expenses be included in the cost for the overall cost for a specific item?

**A21) The items in Attachment (c), "Cost Estimate Form" are on a per-unit basis. Consultant should include applicable labor and expenses in its unit estimates, as applicable.**