

Mendocino Local Agency Formation Commission

Request for Proposals

To Provide:

**Two Municipal Service Reviews (MSR)
and Sphere of Influence (SOI) Updates**

For

**The City of Ukiah
and
The Ukiah Valley Sanitation District**

Response due by October 19, 2020 at 5:00pm

Issued September 18, 2020

MENDOCINO LOCAL AGENCY FORMATION COMMISSION

REQUEST FOR PROPOSALS

Overview

The Mendocino Local Agency Formation Commission (“Mendocino LAFCo”) is seeking qualified candidates to prepare a Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the City of Ukiah (“City”) and also an MSR/SOI for the Ukiah Valley Sanitation District (“UVSD”), as depicted in **Exhibit A**.

The schedule shown in **Table 1** anticipates that the UVSD MSR/SOI will be completed by June 2021 and the City MSR/SOI will be completed by June 2022. However, these dates are subject to change if additional funding becomes available from the subject agencies to assist and accelerate the process.

Multiple firms may propose to work together as a team or joint venture. Also, candidates may choose to submit a proposal for only one of the two studies under this RFP; however, due to the shared geography, history, and interrelated service delivery of the agencies involved, Mendocino LAFCo prefers that both studies be prepared by the same consultant(s).

Municipal Service Review (MSR) Required Content

The Cortese-Knox-Hertzberg Act requires LAFCo to complete MSRs to develop baseline information for updating SOIs. MSRs must be done before or in conjunction with SOIs. The statute sets forth the form and content of the MSR, which must inform the Commission on the following seven issues (California Government Code Section 56430):

1. Growth and population projections for the area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Capacity of public facilities, adequacy of public service and infrastructure needs or deficiencies.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared services.
6. Accountability for community service needs, including governmental structure and operation efficiencies.
7. Any other matter related to effective or efficient service delivery.

Sphere of Influence (SOI) Required Content

In determining the SOI of each local agency, the SOI study should consider and prepare a written statement of determinations with respect to each of the following (California Government Code Section 56425):

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 they are relevant to the agency.

5. The present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

Mendocino LAFCo has adopted local policies pertaining to Spheres and MSRs, which are located in Chapter 10 of the Mendocino LAFCo Policies & Procedures Manual and can be found on our website (mendolafco.org). Specific to SOIs are definitions of various sphere options and areas of interest, and policies related to disadvantaged unincorporated communities and agricultural and open space areas.

Focus Issues

The MSR/SOI Update must satisfy all of the above requirements mandated by California law and local Mendocino LAFCo policies. In addition, the following focus issues are important to consider in developing proposal(s) under this RFP.

Relationship Between the City and UVSD

UVSD and the City of Ukiah jointly provide wastewater services within a portion of the City per agreement with the City of Ukiah originating from the 1950s. There was a recently settled legal dispute in 2018 between the agencies that govern some aspects of the joint operation. The City has recently made application to LAFCo to detach the UVSD territory within the City from the District. This proposal is being opposed by the UVSD. Refer to the following links for more information:

<http://www.cityofukiah.com/projects/uvsd-vs-cou/#gsc.tab=0>
<https://www.uvsd.org/agreements.html>
<https://www.mendocinocounty.org/home/showdocument?id=28898>

City General Plan Update

The City of Ukiah is in the process of updating its General Plan which was last adopted in 1995. The City's MSR/SOI Update is intended to track with the General Plan update process to the extent possible. Refer to the City's website for more information: www.ukiah2040.com/.

Pending Applications

The Ukiah Valley is the largest urbanized area of Mendocino County and is subject to considerable development pressure and competing interests of providing affordable housing and jobs and preserving agricultural and natural resources. The Ukiah Valley area is served by the county, one city, one fire district, one sanitation district, four county water districts, and one flood control district also providing raw water. This mosaic of values and service providers occasionally results in complex and contentious issues related to change of organization applications.

The City of Ukiah is proposing several change of organization applications that will need to be analyzed in the SOI Update based on baseline information, analysis, and conclusions from the MSR.

As mentioned previously, the first proposal involves detaching from UVSD an area within the boundary of both the City and UVSD referred to as the "Overlap Area" and which currently receives a joint provision of service. Determining the appropriate service provider for the "Overlap Area" will necessarily be addressed in the MSR/SOI Update for both agencies by establishing appropriate future boundary lines.

The second proposal involves annexing to the City undeveloped territory located north of the City limits referred to as the “Masonite” and “Brush Street Triangle” properties. These properties are currently in the boundary of the UVSD and Willow County Water District. The proposal also includes annexing City-owned land with developed City facilities. The annexation proposal may affect surrounding special districts providing like services.

The third proposal involves annexing into the Ukiah Valley Fire District the entire City jurisdictional boundary. Fire services are currently being provided under a JPA formed between the two agencies. The purpose of the annexation is to clarify and improve governance and finances.

Agency Capacity and Service Structure

Mendocino LAFCo is not interested in simply restating information from past MSR/SOI studies and other technical reports. It is important for the RFP proposal to demonstrate an approach that focuses on current agency service capacity and the logical and orderly municipal service delivery structure for the Ukiah Valley area, in addition to sufficiently addressing the required areas of determination, without becoming a huge compendium of information.

The MSR should provide extensive analysis and quantitative conclusions on the service and financial capacity of the agency and the adequacy of service provision for the agency and nearby agencies providing similar services. For example, in dealing with wastewater, the MSR should confirm current capacity with the agency(ies) and the Regional Water Quality Control Board, and quantify available connections. In addition, the MSR should identify appropriate government restructure options to optimize long-term service delivery and efficiency. The SOI should rely on the MSR information, analysis, and conclusions to determine the appropriate municipal service provider or municipal service delivery structure for existing and future municipal service areas in the Ukiah Valley area.

Expectations of the Consultant(s)

The successful consultant(s) will accomplish the following:

1. Sufficient data and information should be collected to construct a clear, concise, and comprehensive report. The report(s) should use any and all available information relevant to the MSR and SOI such as interviews, surveys, previous research, land use plans, housing elements, general plans, specific and area plans, population projections, socioeconomic data, engineering reports, capacity studies, management plans, adopted district budgets, audit reports, capital improvement plans, regulatory permits, compliance orders, state and local health department reports, ordinances, resolutions, codes, environmental documents, previous MSR and SOI studies (<http://www.mendolafco.org/>), authorities under the law, etc.
2. The report(s) should include the appropriate charts, graphs, and maps to provide clear and organized documentation for the findings, conclusions, and recommendations.
3. The report(s) should address consistency with local policies of Mendocino LAFCo and other government agencies in Mendocino County, where applicable.
4. The report(s) should include logical determinations, propose reasonable solutions to service and policy issues, and identify feasible opportunities to enhance service efficiency.

5. Development of the report(s) should be conducted in a fair, accurate, and objective manner. The intent is to provide valuable and practical conclusions and recommendations to improve municipal service delivery in the Ukiah Valley.
6. Development of the report(s) should provide effective and meaningful opportunities for public participation in the review process.
7. The report(s) should, except as otherwise directed by LAFCo staff, reflect the template of recent studies adopted by the Commission related to style, organization, and content to ensure consistency across reports.

Scope of Work

Preparation of each report will include the following steps:

1. **Data Collection**: Distribution of a request for information (RFI), as well as soliciting the subject local agencies for additional information, interviews, research of existing information and documents available to prepare the report(s). **Note - an RFI response has already been provided by UVSD.*
2. **Outreach**: Conduct outreach to the agencies and relevant stakeholders to ensure that all parties have an opportunity to voice their opinions during the MSR and SOI Update process.
3. **Review, Interpretation, and Analysis**: Review and analysis of all the information collected.
4. **Administrative Draft MSR/SOI**: Produce Administrative Draft MSR/SOI Update for the agencies, including GIS maps, figures, charts, and tables, and make appropriate findings, determinations, and recommendations for Mendocino LAFCo staff review (electronic PDF and Word versions, and original GIS data). A copy of all reference materials should also be provided.
5. **Workshop Public Draft MSR/SOI**: Modify the Administrative Draft based on feedback from LAFCo staff and submit a Public Draft MSR/SOI to Mendocino LAFCo for distribution to the Commission and affected agencies for comment (electronic PDF and Word versions). Attendance/presentation at the Commission meeting(s) for the Public Workshop item is required, depending on available budget and COVID restrictions.
6. **Public Hearing MSR/SOI**: Preparation of the proposed final draft MSR/SOI addressing comments from the Commission, Mendocino LAFCo staff, the subject local agency, other affected and interested local agencies, and the general public. This includes findings, determinations, and recommendations (electronic PDF and Word versions). Attendance/presentation at the Commission meeting(s) for the Public Hearing item is required, depending on available budget and COVID restrictions.
7. **Final MSR/SOI and Distribution**: Following Commission approval of the MSR/SOI, prepare the Final MSR/SOI addressing any Commission directed changes and provide to Mendocino LAFCo with a final electronic version (both PDF and Word versions) for distribution and posting online.

**MSR/SOI Update study development is an inherently dynamic and iterative process. The scope of work outlined above is intended to capture the salient aspects of the process, while acknowledging the ultimately unforeseeable nature of the public process, which can result in additional activities.

Contents of Proposal

The proposal shall be specifically responsive to this request and shall include, but not necessarily be limited to, the following:

1. General statement by the firm or individual about the proposal including an understanding and general approach to accomplishing the work as outlined. The statement should demonstrate the experience and qualifications to perform the required duties.
2. Specifically substantiated statement of the firm or individual's qualifications to perform the work, ability to stay within budget, and meet deadlines, including the ability of the firm or individual to prepare multiple MSR/SOI Updates prior to the dates indicated in **Table 1**.
3. Identification and designation of the individual(s) who would perform the work, including resumes documenting their experience and competence to perform that work. Note that any subsequent changes in staff performing the work will require prior approval by Mendocino LAFCo.
4. For each report the firm or individual consultant is proposing to prepare, provide a general time line and scope of work required to complete the documents in the most efficient and timely manner. The timeline should identify check-in meetings with Mendocino LAFCo staff as appropriate. Please note the MSR/SOI deadlines in **Table 1**.
5. Each proposing firm or individual should also indicate whether they are available to provide services on an as needed basis for other MSR and SOI Updates, including an hourly rate/fee schedule for each individual who will perform the work.
6. Estimate of hours for each report the firm or individual consultant is proposing to perform and identification of basic work tasks, including a detailed cost proposal listing the hourly rates for each individual who will perform the work, the estimated number of hours each individual will contribute, and any additional costs or expenses required for completing the scope of work. For each report, the consultant should provide an estimate of hours for an abbreviated study and a comprehensive study, if needed. The proposal should specify deliverables as well as the number of meetings and presentations included in the fee. *Provide a separate hour/cost estimate for GIS services, such as data collection/creation, analysis, and map preparation.
7. Disclosure of any previous work performed for the agencies included in the scope of work under this RFP and include an indication of the scope of involvement in that work.
8. List of references including contact information.
9. Sample of a comparable study or report prepared by your firm (a link to a prepared document available on an accessible website is acceptable).
10. Mendocino LAFCo will be responsible for determining the appropriate level of environmental review and CEQA compliance for the MSR/SOI Update. While CEQA analysis should not be addressed in the scope of work for the proposal, Mendocino LAFCo encourages qualified consultants to note in the proposal their qualifications and experience in providing CEQA services. Any CEQA services would be considered a new scope of work requiring a separate contract.

Evaluation Process

The Mendocino LAFCo RFP Ad Hoc Committee will review each proposal and evaluate the ability of consultant(s) to meet the expectations defined herein. Mendocino LAFCo reserves the right, where it may serve LAFCo's best interest, to request additional information or clarifications from RFP responders, or to allow corrections of errors or omissions.

References will be contacted. The proposals will be ranked and the top firms may be invited to an interview with staff, Commissioners, and potentially representatives from the subject agencies. A consultant or multiple consultants will then be selected and the contract approval process will begin. Mendocino LAFCo may modify this evaluation process as appropriate or needed.

Consultant Selection

The following attributes will be considered in determining the award of the contract:

1. Understanding of the project and commitment to meet the expectations outlined in this RFP
2. Ability to work well with Mendocino LAFCo and subject agency staff
3. Expertise with writing MSR/SOI
4. Ability to produce a clear, well-researched, and definitive product
5. Providing a clear and reasonable outline of cost estimates and past performance of staying within budget and on schedule
6. Amount of Proposed Cost

Schedule

The following schedule may be modified as needed.

Table 1. Schedule

Task	Schedule
RFP released	September 18, 2020
Proposal deadline	October 19, 2020, 5:00 p.m.
Proposal review	October 20-23
Recommendation to Commission	November 2
Work commences	December 2020
UVSD MSR/SOI Update completed	By June 2021
City of Ukiah MSR/SOI Update completed	By June 2022

Additional Information

Agreement:

No prior, current, or post award verbal conversations or agreement(s) with any officer, agent, or employee of Mendocino LAFCo shall affect or modify any terms or obligations of the RFP, or any contract resulting from this RFP. The proposal(s) of selected consultant(s) will become part of the agreement. Price quotations and other time-dependent information contained in any proposal shall remain firm for a minimum of 90 days from the proposal submission deadline.

The resulting agreement(s) for consulting services shall be for a one or two-year term, with the option to extend annually, up to a total three-year term for any agreement, at the discretion of Mendocino LAFCo. For any additional MSR and SOI Update work to be performed by the selected consultant(s), a subsequent task order will be executed, which shall include a scope of services, budget, and project schedule.

Contract Provisions:

Mendocino LAFCo reserves the right to reject any and all proposals, waive any irregularity in the proposals and/or to conduct negotiations with any firms or individuals, whether or not they have submitted a proposal. The Mendocino LAFCo standard contract form will be used as the basis for establishing contract provisions and executing an agreement with the selected consultant(s).

Non-Conforming Terms and Conditions:

Any proposal that includes terms and conditions that do not conform to this RFP is subject to rejection as non-responsive. Mendocino LAFCo reserves the right to waive any informalities or minor irregularities in connection with proposals received. Mendocino LAFCo reserves the right to permit a consultant to withdraw non-conforming terms and conditions from their proposal prior to the Commission taking action.

Collusion Among Respondents:

Each consultant, by submitting a proposal, certifies that it is not party to any collusive action relating to this RFP.

Conflict of Interest:

Consultants and consultant firms submitting proposals in response to this RFP must disclose to Mendocino LAFCo any actual, apparent, or potential conflicts of interest that may exist relative to the services to be provided pursuant to this RFP. If the consultant or firm has no conflict of interest, a statement to that effect shall be included in the proposal. Consultants should disclose any work performed for the agencies included in the scope of work under this RFP and include an indication of the scope of involvement in that work.

Consultants:

During the preparation phases, Mendocino LAFCo reserves the right to hire consultants as necessary, in its discretion, to represent the Commission in this project.

Expenses Incurred:

There is no expressed or implied obligation for Mendocino LAFCo to reimburse consultants for any expenses associated with this RFP.

Late Submissions:

Any proposal received after 5:00 pm PST on October 19, 2020, will not be considered.

Public Records:

Until award of a contract(s), the proposals shall be held in confidence and shall not be available for public review. No proposal shall be returned after the date and time set for the opening thereof. All proposals shall become the property of Mendocino LAFCo, and upon award of a contract(s) to the successful proposer(s), all proposals shall be public records.

Inquiries

Any questions regarding this proposal shall be submitted electronically to eo@mendolafco.org.

Submittal

Proposals shall be submitted electronically to eo@mendolafco.org or mailed to:

Mendocino LAFCo
200 South School Street
Ukiah, CA 95482

Proposal deadline: **October 19, 2020, 5:00 pm**

Respectfully requested,



Uma Hinman
Executive Officer

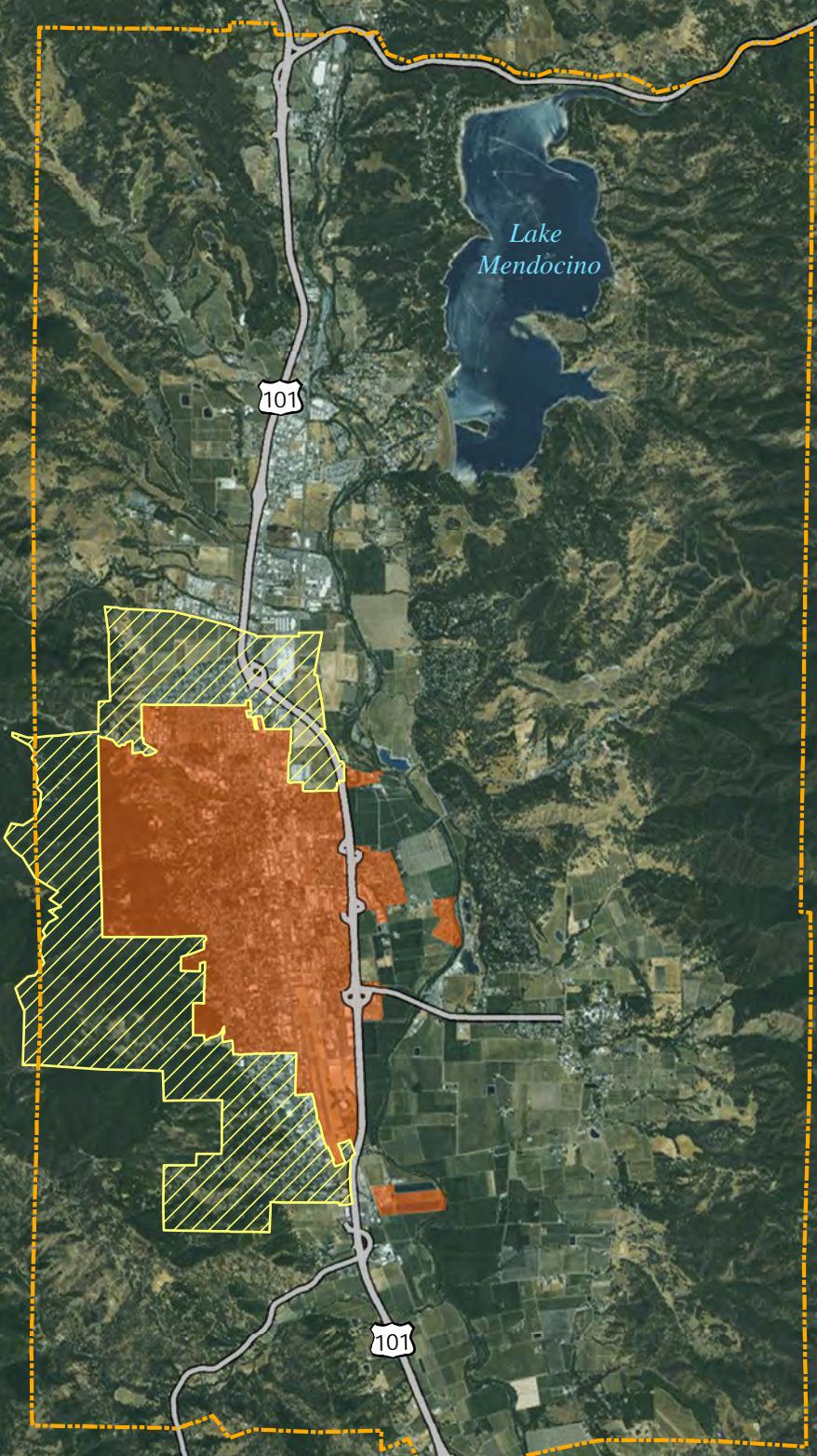
EXHIBIT A

City of Ukiah Map
Ukiah Valley Sanitation District Map

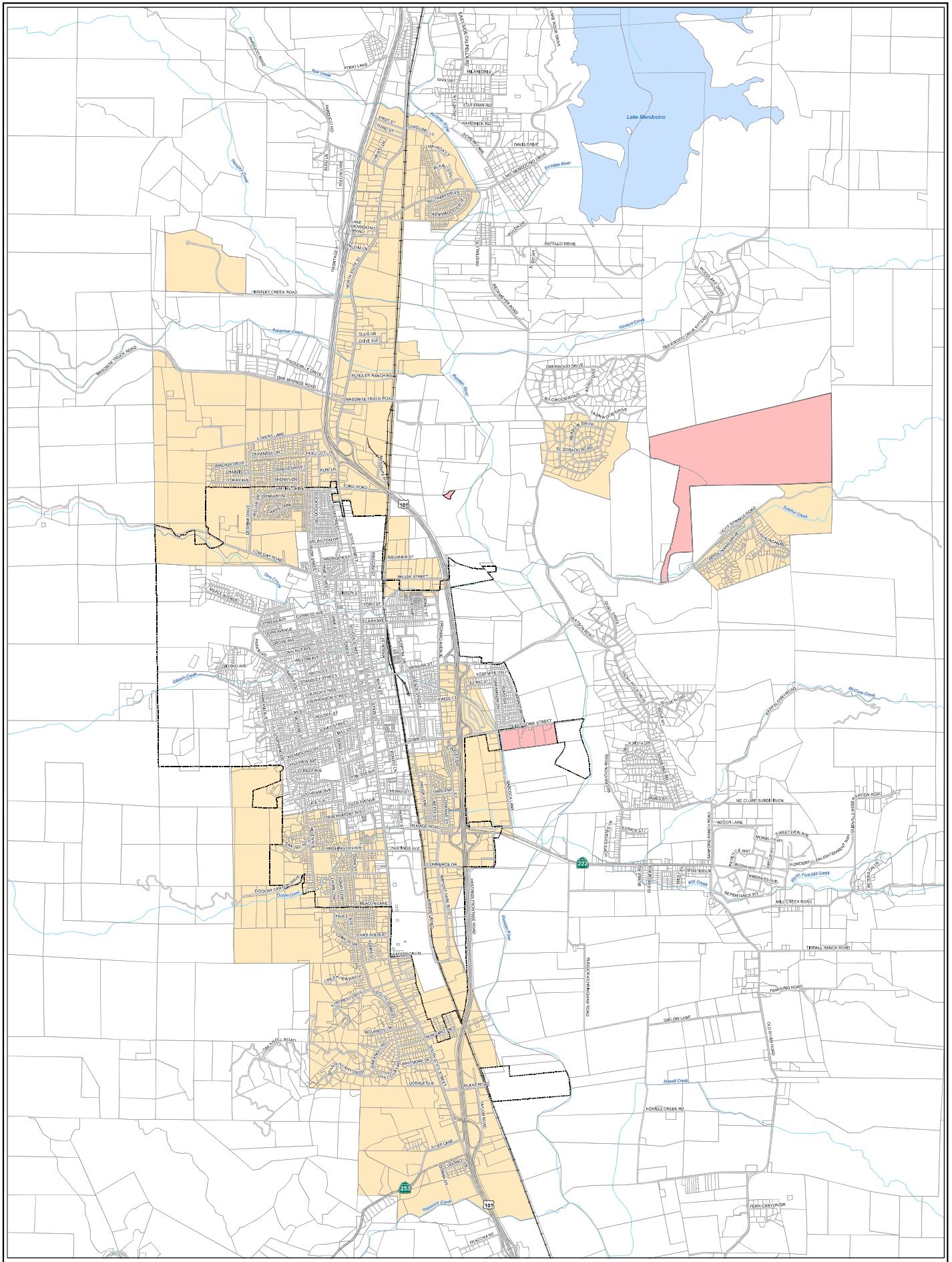


City of Ukiah

- City Limits (Solid Orange)
- 1980s SOI (Dashed Orange)
- 1995 GP SOI (Hatched Yellow)



0 0.5 1 2 Miles



Ukiah Valley Sanitation District

Source: This map was prepared by the Mendocino County Department of Information Services GIS Program, April 2013.
Note: This map is not a survey product.

- Ukiah Valley Sanitation District
- Out of District Service Area
- City of Ukiah
- Parcels

- Highways
- Roads
- Railroads
- Streams

0 625 1,250 2,500 Feet