

## **REQUEST FOR PROPOSALS**

Project Manager for  
Benicia Business Park Specific Plan Process

CITY OF BENICIA

March 17, 2009

### Important Dates:

Proposal Due Date: 5:00 P.M. April 9, 2009  
Selection Interviews: Week of April 20, 2009  
Award of Agreement: May 5, 2009  
Projected Agreement Start Date: May 18, 2009

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## I. INTRODUCTION

The City of Benicia (“City”) is requesting proposals from qualified persons to assist the City in managing a roughly 20-month specific plan and environmental impact report (EIR) process for the Benicia Business Park project. The project manager will work directly with City staff, the applicant, a citizen committee (9-to-11 members) nominated by the City Council and appointed by the Mayor, and a separately contracted specific plan/EIR consultant team to provide recommendations to the Planning Commission and City Council regarding future development of a 528-acre site currently zoned for commercial and industrial uses and bounded by Lake Herman road, East Second Street, and Reservoir Road.

A development project acceptable to the community could increase the City’s tax base and provide jobs consistent with the overarching City General Plan vision of sustainability by providing, among other features, campus design, Low-impact Development and LEED-ND features, LEED-certified buildings, a transit facility, and clean-fuel transit. The development would be subject to a Subsequent EIR that may utilize baseline information from a prior EIR completed in 2008, but must include new, thorough analysis of all potential significant impacts of the proposed development.

All costs related to the development other than staff time are borne by the applicant, including the fee for the project manager. The project would be required to contribute its fair share for City services, including funding and installation of all on-site infrastructure and necessary off-site utility connections; paying development and traffic impact fees; and providing sites and funding for fire, police, and public works facilities and operations.

The landowner has agreed to fund a project review process that includes a development agreement, subsequent EIR, specific plan that can accommodate changes to the General Plan if necessary, a community advisory panel, and a green/cleantech business recruitment program.

### **Background.**

The City of Benicia is a general law city located in southern Solano County.

The City is approximately 35 miles northeast of San Francisco and 57 miles southwest of Sacramento. Founded in 1847, Benicia operates under the Council-Manager form of municipal government. City limits cover 14 square miles (1.2 over water) and has a current population of roughly 28,000 people. There are approximately 10,500 housing units of which 98% are occupied. The median household income for Solano County in 2006 was \$61,533, whereas current median household income in Benicia is about \$80,000, according to realestate.aol.com.

Benicia was California’s State Capitol for 13 months during 1853 and 1854, and is a historic and family-oriented community. The city is home to numerous historic landmarks, including the oldest standing (and fully restored) State capitol building, former U.S. arsenal facilities, original site of Mills College and the first Protestant Church and Masonic Temple in California. Several years ago, the San Francisco Chronicle named Benicia as the #1 city for family life because of its low crime, good schools, affordable housing, culture and recreation, and other factors.

**Purpose of the Request.**

The City of Benicia seeks a qualified person to assist the City in managing a specific plan and environmental impact report process for the Benicia Business Park project.

**II. SCOPE OF SERVICES**

The Project Manager for the Benicia Business Park Specific Plan/EIR process will work with City staff, the applicant, and a City Council-nominated citizen committee to (1) issue a Request for Proposals for a specific plan/EIR consultant team, (2) recommend a consultant team for Council approval, (3) and review and comment on all specific plan/EIR deliverables. In addition, the Project Manager will be responsible for ensuring completion of the specific plan/EIR in accordance with the following estimated timetable.

Element/Milestone	Estimated Date	Month
Issue Specific Plan/EIR Request for Proposals	May/June 2009	
Council contract with Specific Plan/EIR consultant team	July 2009	
Begin Specific Plan process	August 2009	1
Planning Commission review of Draft Specific Plan	December 2009	5
Council action on Draft Specific Plan for Environmental Review	January 2010	6
EIR scoping meetings	February 2010	7
Release Draft EIR for public review	September 2010	14
Planning Commission review of Draft Plan/EIR	October 2010	15
City Council action on Specific Plan, EIR and Vesting Tentative Map	December 2010	17

The landowner and City Council have stipulated that the specific plan/EIR will include:

A. A Health Risk Assessment consistent with State law to address the potential health risks to the Semple School children, staff and surrounding residents within 200 feet on either side of East 2<sup>nd</sup> Street between Military East and Rose Drive. Air quality issues shall be based, in part, on data measured in Benicia;

B. A Market Analysis to evaluate the fiscal and economic feasibility of the proposed uses;

- C. An Urban Decay Analysis to evaluate the project's impact on the City's General Plan-designated primary downtown commercial district and other existing commercial centers;
- D. Green/cleantech emphasis including a recruitment program;
- E. Compliance with AB 32 and SB 375 and related implementing regulations;
- F. Rough grading plans for all phases of the project;
- G. Form-based code design prescriptions for all areas of site;
- H. Design and program measures to protect natural resources;
- I. Specific metrics and performance measures designed to allow measurement of the success of the various programs, such as the Green/cleantech recruitment, and any mitigation measures; and
- J. Transportation/traffic solutions designed to avoid and/or minimize significant air/noise/traffic impacts and reduce vehicle miles traveled to achieve the AB 32 and City of Benicia Climate Action Plan greenhouse gas emissions targets.

In working with City staff, the Project Manager and citizen committee may recommend other desired items to be included in the Request for Proposals for a specific plan/EIR consultant team.

### III. PROPOSAL FORMAT

All proposals shall include, at minimum, the following information:

#### **Approach.**

A short discussion of the intended approach to the project that demonstrates the proposer's understanding of the issues and tasks and the proposer's ability to address them.

#### **Description of Organization, Management and Team Members.**

A description of the project manager organization, and a work plan that identifies the personnel to be assigned to each task. The organization description should clearly identify who will be the project manager and any other day-to-day contact person for the job.

#### **Organization Qualifications.**

Provide an outline of the individual/organization qualifications indicating relevant background experience and capabilities for this work. A list of major projects, both ongoing and planned, to which the organization is committed during the time frame of this project should also be provided. Include the staff resources devoted to those projects and the status of the projects.

**Scope of Work.**

The proposal should contain a description of each work task with an explanation of how the proposer plans to approach the tasks and the steps that will be taken to complete the task including analytical methods and tools. Proposers must demonstrate that they understand the magnitude and importance of each individual task. Tasks should be organized into phases constituting measurable deliverables.

**Proposed Project Schedule.**

Time is of the essence for this agreement. The proposal shall include a schedule to undertake the work program. The project is anticipated to start by May 26, 2009 and be completed by October 31, 2010.

**Proposed Budget.**

Indicate the costs and hours for the total project, on a task-by-task basis, and on a subconsultant basis, inclusive of reimbursables. Prices quoted must be binding for a minimum of one year or the life of the project.

**References, Related Experience and Examples of Work.**

Provide at least three client references with phone numbers for relevant work. Specify the client, location, consultant firm members and participating individuals and role on team (principal, project director, assistant etc.), type of work, implementation results or status, examples of work, and other relevant information as needed.

**IV. SELECTION PROCESS****Qualifications.**

All proposals received by the due date will be evaluated by the City. Only information received in response to the RFP or any subsequent interview will be evaluated. The City will judge the responses of each proposing firm in several critical areas. Selected proposers may be invited to an oral interview.

**Selection Criteria.**

The City will select the most qualified proposal based on the following factors. Responses to the RFP should address the following qualities and indicators:

1. Ability of the Proposer to Design an Approach and Work Plan to Meet the Project Requirements.

An assessment of the overall quality of the proposal. Qualities and indicators that will receive consideration include the proposer's performance in converting the Scope of Services into a work plan; the detail and clarity of the discussion as to the proposer's approach to undertaking the project; the proposer's performance in identifying any special problems or concerns that may be associated with the project and preliminary ideas about how these obstacles should be addressed; the inclusion of any unique approaches designed to save time and money or increase the benefits or effectiveness of the proposed work; the demonstrated ability to work with governmental bodies; and a full understanding of applicable laws or regulations that relate to the project.

2. Ability of the Proposer to Carry Out and Manage the Proposed Project.

An assessment of the past experience of the organization in general. Qualities and indicators that will receive consideration include the number and types of projects the proposer has completed; the variety of projects completed and a demonstration of the proposer's ability to undertake this project, the general level of experience in the areas of supervision, observing and monitoring projects; the proposer's ability to realize timetables and quality control objectives; and the demonstrated general ability to bring about a successful completion of the projects under the proposer's direction.

3. Capabilities of the Proposer.

Assessment of the capabilities of the individual that will be engaged in the project. Qualities and indicators that will receive consideration include the proposer's technical and educational achievements, applicable experience, and the specific involvement with similar projects.

4. Current Workload of the Proposer.

An assessment of the perceived ability of the proposer to devote the necessary resources and management attention to the project. Qualities and indicators that will receive consideration include the number and size of the projects presently being performed by the proposer; the status of existing projects; the past ability of the proposer to deliver projects on a timely basis; and the nature of the existing projects that are behind schedule or past the completion date.

5. The Proposer's Proximity to the Project.

An assessment of the geographic proximity to the project; the location of the office from which the proposed project will be administered; the perceived response time and general availability of the proposer to be on site, the perceived effect that project management location will have on price and the ability of the project to be completed on a timely basis; and the availability of special travel or communication plans that would effectively mitigate difficulties associated with location. The proposer should specify how many hours per week would be spent at City offices.

6. Willingness to Comply with the Proposed Agreement Terms.

A sample agreement is attached. Proposals will be rated based on any exceptions taken to the proposed agreement.

7. Cost of Proposal.

Cost, while not determinative, may be considered in the selection process. The cost estimate should be based on a specific billing rate for the project manager, assuming an average of 20 hours per week dedicated to the project.

**Proposed Selection and Project Schedule.**

Proposal Due Date: 5:00 P.M. April 9, 2009  
Selection Interviews: Week of April 20, 2009  
Award of Agreement: May 5, 2009  
Projected Agreement Start Date: May 18, 2009

**Award of Contract.**

It is anticipated that any award of an agreement for services will be made by the City Council at its May 5, 2009 meeting.

**V. PROPOSAL DUE DATE AND DELIVERY**

Five (5) sealed copies of the proposal, clearly marked with the project description, should be submitted no later than:

5:00 P.M April 9, 2009

to the address below. All copies received by that time will be date and time stamped. Proposals will not be accepted after this time. Proposals should be addressed to:

Charlie Knox  
Community Development Director  
250 East "L" Street  
Benicia, CA 94510

Faxed proposals will not be accepted. Hand carried proposals will be accepted at the above address.

## VI. CONDITIONS OF REQUEST

### **General Conditions.**

The City reserves the right to cancel or reject all or a portion or portions of the request for proposals without notice. Further, the City makes no representations that any agreement will be awarded to any organization submitting a proposal. The City reserves the right to reject any and all proposals submitted in response to this request or any addenda thereto.

The City also reserves the right to reject any subconsultant or individual working on a consultant team and to replace the subconsultant or individual with a mutually acceptable replacement.

Any changes to the proposal requirements will be made by written addendum.

### **Liability of Costs and Responsibility.**

The City shall not be liable for any costs incurred in response to this request for proposals. All costs shall be borne by the person or organization responding to the request. The person or organization responding to the request shall hold the City harmless from any and all liability, claim or expense whatsoever incurred by or on behalf of that person or organization. All submitted material becomes the property of the City of Benicia.

The selected proposer will be required to assume responsibility for all services offered in the proposal whether or not they possess them within their organization. The selected lead consultant will be the sole point of contact with regard to contractual matters, including payment of any and all charges resulting from the contract.

### **Validity.**

The proposer agrees to be bound by its proposal for a period of ninety (90) days commencing April 9, 2008, during which time the City may request clarification or correction of the proposal for the purpose of evaluation. Amendments or clarifications shall not affect the remainder of the proposal, but only the portion so amended or clarified.

### **Standard Agreement.**

A sample agreement has been provided as Appendix A for the proposer's review and comment. If a proposer wishes to take exception to any of the terms and conditions contained in the consultant agreement, these should be identified specifically; otherwise,

it will be assumed that the proposer is willing to enter into the agreement as it is written. Failure to identify contractual issues of dispute can later be the basis for the City disqualifying a proposer. Any exceptions to terms, conditions, or other requirements must be clearly stated. Otherwise, the City will consider that all items offered are in strict compliance with the RFP, and the successful proposer will be responsible for compliance. The City will consider such exceptions as part of the evaluation process, which may constitute grounds for rejection of the proposal. The agreement will not be executed by the City without first being signed by the proposer.

**Permits and Licenses.**

Proposer at its sole expense, shall obtain and maintain during the term of any agreement, all appropriate permits, certificates and licenses including, but not limited to, a City Business License, which will be required in connection with the performance of services hereunder.

**Oral and Written Explanations.**

The City will not be bound by oral explanations or instructions given at any time during the review process or after the award. Oral explanations given during the review process and after award become binding when confirmed in writing by an authorized City official. Written responses to question(s) asked by one proposer will be provided to all proposers who received this requests for proposals.

**Proposer's Representative.**

The person signing the proposal must be a legal representative of the firm authorized to bind the firm to an agreement in the event of the award.

**Deliverables.**

All Project Manager reports are to be supplied in electronic form to the Community Development Director.

**Restrictions or Conditions based on funding of project.**

None.

**Insurance.**

General liability, automobile, professional liability, and workers' compensation insurance are required in the amount set forth in the attached sample agreement (Appendix A).

## VII. AVAILABILITY OF DOCUMENTS

Copies of this RFP, the City's General Plan and Zoning Ordinance, and materials pertaining to prior review of the Benicia Business Park are available at the Planning Division located at 250 East "L" Street. These documents are also available online on the City's website [www.ci.benicia.ca.us](http://www.ci.benicia.ca.us), with the project documents under City Departments / Community Development / Planning / Current Projects.

### Appendix:

#### A. Standard Contract