

REQUEST FOR PROPOSALS

Fee Nexus Study for the Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan

COACHELLA VALLEY CONSERVATION COMMISSION

The Coachella Valley Conservation Commission (CVCC) has issued the enclosed Request for Proposals for preparation of a Fee Nexus Study for the Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan. Interested consultants should submit proposals to:

COACHELLA VALLEY CONSERVATION COMMISSION
ATTN: JIM SULLIVAN
73-710 FRED WARING DRIVE, SUITE 200
PALM DESERT, CA 92260

Proposals must be received by the CVCC by Noon (12 pm local time) March 26, 2010. Late proposals will not be accepted, nor will faxed or electronically submitted proposals.

Technical questions regarding this Request for Proposals should be directed to:
Jim Sullivan, 760-346-1127, jsullivan@cvag.org.

REQUEST FOR PROPOSALS

Fee Nexus Study for the Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan

The Coachella Valley Conservation Commission (CVCC) is seeking Proposals from qualified consultants to prepare a Fee Nexus Study for the Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan (CVMSHCP/NCCP).

I. BACKGROUND AND GENERAL DESCRIPTION

The overall goal of the CVMSHCP/NCCP is to enhance and maintain biological diversity and ecosystem processes while allowing future economic growth. The CVMSHCP/NCCP covers the entire Coachella Valley area and surrounding mountains, an area of approximately 1.1 million acres. The CVMSHCP/NCCP is a conservation plan that will protect over 240,000 acres of open space and protect 27 species, safeguarding the desert's natural heritage for future generations. The CVMSHCP/NCCP provides a regional vision for balanced growth to meet the requirements of federal and state endangered species laws, while promoting enhanced opportunities for recreation, tourism and job growth. The CVMSHCP/NCCP complies with the California and Federal Endangered Species Acts for land in the Coachella Valley under a single permit, a significant departure from the conventional process that requires permits for each individual property on which development is proposed.

The CVCC was formed for the purpose of implementing the CVMSHCP/NCCP on behalf of the Local Permittees (the County, eight cities, several state agencies, and various special districts) under Section 6500 et. seq. of the Government Code. The Coachella Valley Association of Governments (CVAG) provides administrative support and staffing for the CVCC. For more information on CVAG see www.cvag.org.

The Local Permittees, represented by the CVCC, are responsible for the conservation of approximately 87,000 acres of currently private land within the Conservation Areas over the next thirty years. The primary means of conservation is acquisition from willing sellers at market value. Funding for these acquisitions is primarily from a Local Development Mitigation Fee (LDMF) charged on all new development in the CVMSHCP/NCCP Plan Area. A Fee Nexus Study is needed to revise the LDMF to reflect current real estate market conditions. A Fee Nexus Study is required under California law to determine the amount that can be charged for a mitigation fee. A market study to determine the current value of private land within Conservation Areas is currently in progress.

Additional information on the CVMSHCP/NCCP, including all Plan documents, can be found at www.cvmshcp.org.

II. PURPOSE

The goal of the proposed project is to complete a Fee Nexus Study for use in revising the LDMF.

III. SCHEDULE

Request for Proposals mailed to consultants.....March 5, 2010
Deadline for receipt of proposals.....Noon (12 pm local time) March 26, 2010
Potential Interviews\selection of consultant.....March 29-April 2, 2010
Expected Contract Award.....April 8, 2010
Contract Duration.....12 weeks

Location:

Coachella Valley Conservation Commission
73-710 Fred Waring Dr., Suite 200
Palm Desert, CA 92260

IV. SCOPE OF WORK

Task 1. Coordination Meeting with CVCC Staff

The selected consultant will meet with CVCC staff to review the requirements of the CVMSHCP/NCCP, the current LDMF, and scope of the new Fee Nexus Study. Proposals must contain a schedule for completion of the final report for Fee Nexus Study within twelve (12) weeks of contract approval.

Task 2. Justification of LDMF per AB 1600

The selected consultant will determine the validity of the LDMF in accordance with the requirements of AB 1600. The current Fee Nexus Study (MuniFinancial, January 15, 2007) limited the use of the LDMF to expenses related to land acquisition. Proposals must address the validity of using the LDMF to fund other elements of the CVMSHCP/NCCP such as management and monitoring.

Task 3. Determination of rate of Development for the five year period 2010-2015

A key component of calculating the LDMF is the expected rate of development that is subject to the LDMF over the five (5) year life of the Fee Nexus Study. The selected consultant, in coordination with CVCC staff, will determine a rate of development subject to the LDMF over the next five (5) years. The City of Desert Hot Springs (DHS), is now processing a Major Amendment to become a Permittee under the CVMSHCP/NCCP. All calculations related to the LDMF are to be done considering both DHS as a Permittee and the current status of land within the jurisdiction of DHS not being subject to the LDMF. Proposals must contain a suggested methodology for determining a reasonable rate of Development for the next five (5) years.

Task 4. Determination of LDMF Fee Schedule

The current Fee Nexus Study (MuniFinancial, January 15, 2007) developed a Fee Schedule based on a per unit charge for residential Development in three (3) categories of density and a per acre charge for commercial/industrial Development. The selected consultant will calculate a LDMF Fee Schedule based on: 1) the current categories; 2) a single Fee per disturbed acre; 3) a per unit charge for residential Development in two categories, attached units and detached units and a per acre charge for commercial/industrial Development and; 4) a single per unit fee for residential units and a per acre charge for commercial/industrial Development.

Task 5. Development of Financing Alternatives

As with any financing plan, there are significant uncertainties regarding revenue assumptions in developing the LDMF. The Fee Nexus Study will describe financing alternatives to consider should revenues fall short of those projected in the Fee Nexus Study.

Task 6. Up to Six Meetings with CVCC Staff and Stakeholders

Proposals must allow for up to six (6) meetings with stakeholders such as the Building Industry Association, environmental groups, and local jurisdictions.

Task 7. Draft Report

A Word document of the Draft Report will be submitted to CVCC staff for review and comment. As needed, a conference call may be held to discuss comments and questions.

Task 8. Final Report

A Final Report will be completed. In addition to twenty copies of the printed report, the Final Report will also be delivered in electronic, Adobe Portable Document Form (pdf).

Task 9. Presentation to the Coachella Valley Conservation Commission

A presentation on the final report to the elected officials of the CVCC may be required at the option of CVCC. A presentation to CVCC should be included as a specific line item in the cost estimate. This presentation may occur at a regularly scheduled meeting of the CVCC which may occur beyond the twelve week period for the preparation of the Final Report.

V. PROPOSAL REQUIREMENTS

The requirements of this section are mandatory and failure to comply completely will deem the proposal non-responsive.

- A. Submittal will not exceed fifteen (15) pages double-sided (size 8 ½" x 11") including the organizational chart, and staff resumes, excluding the cover letter.

- B. Six (6) paper copy original proposals are required along with an electronic copy of the proposal in Adobe Portable Document Form (pdf). Facsimile machine (FAX) proposals or electronically submitted proposals will not be accepted. Please use recycled paper.
- C. The proposal will include the name of the consultant submitting proposal, mailing address, telephone number, and the name of the individual to contact if further information is desired.
- D. The proposal will include a detailed description of the methodology proposed by the bidder.
- E. The prospective consultant will designate the project manager by name. The selected consultant will not substitute the project manager without prior approval of CVCC. The consultant shall obtain City business license if required by the City of Palm Desert.
- F. Specify personnel, with resumes, to be assigned to the project. If sub-consultants are to be used, identify the responsibility and qualifications of each.
- G. All proposals must be received in the CVCC offices by **Noon (12 pm local time) March 26, 2010. Late Proposals will not be accepted.** Proof of receipt before the deadline is a CVCC date stamp. Proposals must be submitted to:

Coachella Valley Conservation Commission
Attn: Jim Sullivan
73-710 Fred Waring Dr., Suite 200
Palm Desert, CA 92260

- H. Each proposal must include the following items:
 - 1. Technical Proposal
Describe in detail your approach, skills, understanding and experience related to performing the necessary tasks as described in above Scope of Work.
 - 2. A schedule for preparation of the Fee Nexus Study, including a date for submittal of the Final Report. Include time for meetings with stakeholders and review of a draft report as described in Tasks 6 and 7. Task 9 may occur at a regularly scheduled meeting of the CVCC which may be beyond the twelve week period for the preparation of the Final Report.
 - 3. Related Experience Listing
Describe the personnel to prepare Fee Nexus Study and their roles and

responsibilities. List any relevant licenses and permits. Describe experience with fee nexus studies.

4. Cost estimate. This should include a detailed cost of the work performed, identifying by position the hours associated with each task, as well as direct, indirect, and overhead costs. A presentation to CVCC should be included as a specific line item in the cost estimate.
- I. All professional services proposals will remain in effect until December 31, 2010.
 - J. Cost of developing the proposal is the responsibility of the proposer and will not be chargeable to CVCC.

VI. RESPONSIBILITY OF PROPOSER

If it is found that a proposer is not responsible (i.e., has not paid taxes, is not a legal entity, submitted a proposal without an authorized signature, falsified any information in the proposal package, etc.), the proposal will be rejected.

VII. CONSULTANT SELECTION

- A. Each proposal will be reviewed by an evaluation group to determine if it meets the proposal requirements. Failure to meet the requirements of the Request for Proposals will be cause for rejection of the proposal.
- B. The evaluation group may ask for formal oral presentations by the selected consultants. The number 1 ranked consultant will then proceed to contract negotiation.
- C. The prospective consultant is advised that should this Request for Proposals result in award of a contract, the contract will not be in force until it is approved and fully executed by CVCC.
- D. The consultant will be selected for final negotiation of a contract based upon the following factors:
 - Project understanding: Degree of understanding the project and familiarity with the area
 - Scope of Work: Proposed approach to the project including the expected time commitment of key personnel and technical approach to the project
 - Project Managers/Staff Qualifications: Qualifications of the staff assigned to

manage and conduct the project

- Firm Qualifications/Consultant References: Past experience in projects related to the outlined Scope of Work
- Project Cost

E. CVCC reserves the right to reject any or all offers, to waive any discrepancy or technicality and to split or award the contract in any manner determined to be the most advantageous to CVCC.

VIII. INSURANCE

Before signing a contract or commencing work on this project, the contractor shall provide evidence that the following insurance requirements are in place. Please indicate if your firm would be able to provide proof of the CVCC insurance requirement as follows:

- A. Worker's Compensation as required by law;
- B. Professional Liability in the amount of \$1,000,000.

Each policy of insurance required by this section shall provide for no less than 30 days advance notice to CVCC prior to cancellation. Each policy shall be endorsed to waive all right of subrogation against CVCC by reason of any payment made for claims under the above coverage.