

DEPARTMENT OF PUBLIC WORKS

BUREAU OF SANITATION
BUREAU OF CONTRACT ADMINISTRATION
JOINT BOARD REPORT NO. 1
July 23, 2012

CD: ALL

**AUTHORITY TO DISTRIBUTE A REQUEST FOR PROPOSALS (RFP) AND
NEGOTIATE A CONTRACT FOR A STORMWATER PUBLIC EDUCATION
PROGRAM**

RECOMMENDATIONS:

Authorize the Director of the Bureau of Sanitation (Bureau) to:

1. Distribute and advertise the transmitted RFP (Transmittal No. 1) to provide expert and specialized consulting services to comply with public education requirements as they relate to the National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater MS 4 Permit and related Total Maximum Daily Load (TMDL) regulations.
2. Evaluate the proposals, then select and interview the most qualified proposer(s) based on established rating criteria.
3. Negotiate a contract with the most qualified proposer(s).
4. Return to the Board of Public Works (Board) for authority to award and execute the contract.

TRANSMITTALS

1. Copy of the RFP to provide a Stormwater Public Education Program.

DISCUSSION

Project Background

The storm drain system in the City of Los Angeles (City) encompasses more than 34,000 catch basins and 1,500 miles of closed pipes and open flood control channels. This system is designed to prevent flooding by collecting stormwater runoff from urbanized areas and conveying it untreated to regional receiving waters, i.e. lakes, rivers, creeks and the ocean.

Stormwater pollution is considered a non-point source of pollution; the pollution comes from numerous sources (e.g. the general public, industrial/commercial businesses, and construction activities) which cumulatively have a negative impact on the quality of water entering our storm drain system. This can negatively affect the quality of the receiving waters (e.g. Los Angeles River, Ballona Creek, Santa Monica and San Pedro Bays).

The Bureau of Sanitation's, Watershed Protection Division has been engaged in a program to reduce the amount of pollutants entering the City's storm drain system since 1990. On December 13, 2001, the City was issued a National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit with the County of Los Angeles from the California Regional Water Quality Control Board, Los Angeles Region (CRWQCB) to control and reduce pollutants entering the storm drain system. As part of the City's effort to meet NPDES Permit provisions, the City is required to implement a Stormwater Public Education Program to educate the public about what they can do to prevent pollution and keep local waterways clean. The City's program uses a variety of different outreach efforts to educate the general public about the impact their individual actions have on the environment. Current outreach activities include an Internet-based social marketing campaign, as-needed mass media advertising campaigns, point-of-purchase education, business outreach and an elementary school assembly program. In 2012, the CRWQCB intends to issue a new NPDES Municipal Stormwater Permit to the City and all incorporated cities within the County of Los Angeles. The new permit will include more requirements than the previous permit as the Public Education and Outreach Program has proven to be an effective tool in modifying human behavior and reducing the amount of pollution into the stormwater system. This in turn reduces the overall cost of implementation to meet the TMDL requirements.

Scope of Services

The City of Los Angeles is seeking a contractor to assist in the implementation of this stormwater public education program and to implement a stormwater public education program for the City in compliance with the NPDES Municipal Stormwater Permit, that works to ensure compliance with TMDL regulations, and reduces pollutants in regional waterways and includes the following elements:

1. An Internet-based education program.
2. An educational program targeting the reduction of specific pollutants of concern as outlined in the NPDES Municipal Stormwater Permit, Part 4, Section B, 1, d, Table 1.

<i>Watershed</i>	<i>Target Pollutants for Outreach</i>
Ballona Creek	Trash, Indicator Bacteria, Metals, PAHs
Malibu Creek	Trash, Nutrients (Nitrogen), Indicator Bacteria, Sediments
Los Angeles River	Trash, Nutrients (Nitrogen), Indicator Bacteria, Metals, Pesticides, PAHs
San Gabriel River	Trash, Nutrients (Nitrogen), Indicator Bacteria, Metals
Santa Clara River	Nutrients (Nitrogen), Coliform
Dominguez Channel	Trash, Indicator Bacteria, PAHs

3. A school education program.
4. A business outreach and municipal employee training program.
5. A mass media advertising / media relations program.
6. Document and report the Stormwater Public Education Program activities to the RWQCB to ensure the City's compliance with NPDES Permit requirements.

Request for Proposals

The City seeks to solicit proposals from potential consultants to develop, implement and expand the current stormwater public education program. The selected consultant(s) must be able to provide expert services in:

- Outreach and marketing expertise and experience with using the Community Based Social Marketing (CBSM) methodology as a tool in changing behavior and knowledge of current trends in the applied social psychology discipline with experience in applying social normative principles in shifting behavioral trends.
- Online outreach knowledge and social media skills including the programming and administration of Content Management Systems (CMS); hosting, programming and maintenance of the program's blog (www.LAStormwater.org/blog), quarterly electronic newsletter, and web site (www.LAStormwater.org); maintenance and administration of the program's interactive event calendar; content development, maintenance and promotion of the program's *Facebook* page and *YouTube* channel.

Page 4

- Knowledge of the stormwater field and environmental trends and issues with specific recommendations on how they are tied in with stormwater issues and past, current and upcoming legislation that affects stormwater issues; familiarity with TMDL's, the NPDES Permit, Stormwater Pollution Prevention Plans (SWPPPs) and Best Management Practices (BMPs) and steps needed in the area of public education BMPs to assure the City's compliance with the NPDES Permit.
- Knowledge of TMDLs and the outreach strategies utilized to comply with TMDL requirements.
- Research and evaluation knowledge regarding the design of surveys for varied audiences (e.g. dog owners, gardeners, etc.) in order to assess behavior change and identify specific barriers/motivators hindering or assisting in changing behavior and the analysis of statistically significant data.

Rationale for using an RFP

The City of Los Angeles is required to implement a Public Education and Outreach Program to comply with the provisions of the NPDES Municipal Stormwater Permit. To date, the City has made significant progress in the area of stormwater public education and changing behavior and is recognized as an award-winning national leader in this field. The emergence of the Internet and social media as an essential outreach tool necessitates a contractor with skills and expertise beyond that of current City staff. Therefore, the Bureau seeks to solicit proposals from potential contractors to provide additional staffing and expert services to ensure that the City's stormwater public education program continues to change behaviors and improve regional water quality with its educational messages and ensure the City's compliance with NPDES Permit requirements and TMDL regulations.

Selection Process and Evaluation Criteria

The Bureau will form a selection committee comprised of Bureau management and key project staff to rate the proposals and conduct interviews. The Bureau will then negotiate a contract with the best-qualified proposer(s) and return with a recommendation for the Board to review the contract and forward it to the Mayor and City Council for approval.

Each proposal will be reviewed and ranked based on the following criteria:

Evaluation Criteria	Percentage
The Proposer's proven track record and/or demonstrated skills and ability to successfully provide the CITY with the scope of services being requested.	20%
Proposal's Innovation.	15%
The Proposer's demonstrated flexibility and leadership skills.	15%
The Proposer's state-of-the-art industry knowledge and demonstrated creativity and ability to apply that knowledge to a municipal government or similar environment.	30%
Proposal's cost and Proposer's demonstrated ability and commitment to complete projects within budget.	20%
TOTAL	100%

Proposed Term of Contract

The contract will be for three (3) years, with two (2) options to renew for one (1) additional year. (5 years total possible).

Contract Administration

The responsibility for the administration and management of this contract will rest with the Bureau of Sanitation's Watershed Protection Division (WPD).

Cost Estimate of Contract/Source of Funds

The cost ceiling of the contract will be \$2,250,000. Funding source will be the Stormwater Pollution Abatement Fund (SPA).

World Wide Web

The RFP will be posted on the City Web Site, www.labavn.org in compliance with City Council Motion 95-1060-S2.

Compliance With Board RFP Policy

As per Board policy, this RFP was delivered to the Secretary of the Board prior to Board consideration thereof.

Business Inclusion Program

The Business Inclusion Program (BIP) will be administered in compliance with the Mayor's Executive Directive No. 14. The anticipated participation levels for this RFP are eighteen percent (18%) MBE, four percent (4%) WBE, twenty-five percent (25%) SBE, eight percent (8%) EBE, and three percent (3%) DVBE for this project. Proposers will be required to perform a BIP Outreach utilizing the Los Angeles Business Assistance Virtual Network. Failure to comply with the BIP Outreach requirements will result in the proposal being deemed non-responsive.

Other City Requirements

Proposers shall be required to comply with all of the City's requirements including:

- Nondiscrimination/Equal Employment practices/Affirmative Action Program
- Insurance Requirements
- Child Support Obligations
- Municipal Lobbying Ordinance
- Los Angeles Residence Information
- City of Los Angeles Contract History
- Non-Collusion Affidavit
- Americans with Disabilities Act
- Service Contractor Worker Retention and Living Wage Ordinances
- Equal Benefits Ordinance
- Slavery Disclosure Ordinance
- First Source Hiring Ordinance
- Contract Bidder Campaign Contribution and Fundraising Restrictions
- Business Tax Registration Certificate (BTRC)

Attachments and forms pertaining to these requirements are included in the RFP.

Local Business Preference Program

The City's Local Business Preference Program will be administered on this RFP. Proposers certified as a Local Business will receive an increase to their total evaluation score equal to 8 percent of the total evaluation points available. Alternatively, a Non-Local Business Proposer may receive a preference of up to 5 percent by utilizing certified Local Business Subconsultants.

Contractor Responsibility Ordinance

All Consultants participating in this program are subject to compliance with the requirement specified in the City of Los Angeles' Contractor Responsibility Ordinance #173677, (Article 14, Chapter 1, Division 10, L.A.A.C.). Failure to comply with all requirements specified in the Ordinance will render the proposer's contract subject to termination pursuant to the conditions expressed therein.

Bureau of Sanitation
Bureau of Contract Administration
Joint Board Report No. 1
July 23, 2012

Page 7

L.A.A.C/Contractor Performance Evaluation

In accordance with Article 13, Chapter 1, Division 10 of the City of Los Angeles Administrative Code, the appropriate City personnel responsible for the quality control of this Personal Services Contract shall submit Contractor Performance Evaluation Reports to the Bureau of Contract Administration.

Notification of Intent to Contract and Charter Section 1022

The required Notification of Intent to Contract was filed on February 3, 2011 with the CAO Clearinghouse. A request was sent to the CAO for its Charter Section 1022 determination on December 6, 2011.

FUTURE ACTION

Upon authorization by the Board, the RFP will be posted on LABAVN.org. A selection committee will review and rank all proposals and select the most qualified proposer(s). The Bureau will then negotiate with the selected proposer and return to the Board for authority to award and execute the Contract.

Respectfully submitted,



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