

LAKE COUNTY ADMINISTRATIVE OFFICE

REQUEST FOR PROPOSALS
for

Analysis of Effects of Proposed Scott Dam Decommissioning



COUNTY OF LAKE

RFP No. 24-32

Issued: May 2nd, 2024

Submission Deadline:

June 3, 2024, at 5:00 P.M.

By:

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Chief Deputy County Administrative Officer

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1. INTRODUCTION. The County of Lake invites qualified and experienced firms to submit proposals to conduct an analysis of the effects of PG&E's proposed decommissioning of Scotts Dam. This study shall be undertaken in accordance with the objectives, assumptions and requirements specified in the following Scope of Work.

The ideal firm will be prepared to assist in identifying/defining appropriate technical studies to address the areas of potential impact noted in the scope and carry out or subcontract for those studies and analyses. Within resource limitations, respondents are encouraged to suggest modifications to the Scope of Work that will enhance or clarify the data harvested.

Proposals must be submitted in accordance with the requirements of this solicitation, which are contained herein.

Background

For more than 100 years, the Upper Eel River basin has been home to Lake County's Lake Pillsbury. It was created by Scott Dam, one of two dams included in PG&E's Potter Valley Hydroelectric Project. Lake Pillsbury has long provided a rich habitat to diverse wildlife, including nesting bald eagles, migratory waterfowl, and a thriving Tule Elk population, and the cool water stored in Lake Pillsbury has supported salmonid populations below the dam in the face of persistently high temperatures. A community of about 450 families, home and business owners and ranchers has likewise developed, many of whom have multi-generational ties to the area. Thousands of visitors camp and recreate at Lake Pillsbury each year.

Lake Pillsbury has also acted as a natural barrier to forward progress in two of the largest wildfire events in our state's history: 2020's August Complex, California's first gigafire (*1 million+ acres*); and the Mendocino Complex, which consumed 459,123 acres over more than three months' time in 2018.

2,280-acre foot Lake Pillsbury and the Potter Valley Project likewise provide water releases that support the drinking and agricultural water needs of 600,000 Californians. At a time when it is expected we may see series of both very dry and very wet seasons, water storage has never been so crucial to California providing for sustainable water supply. The Sites Reservoir Project, for example, proposes to add resilience to our water management system by capturing excess water during major storms, to support farms and businesses in drier times. If Scott Dam were removed, the Upper Eel River may be dry for significant portions of the year, and water supply could be least secure at times when fire risk is greatest, underscoring the urgency of this analysis.

Lake County's Board of Supervisors and leaders have expressed great concern removing Scott Dam presents risks to regional water supply at a time of uncertainty; water insecurity carries the potential to affect residents and businesses in a multitude of ways.

Concern to protect our region from water insecurity and future gigafires, and ensure those risks are appropriately weighed against seismic concerns that have been raised regarding Scott Dam, drove County of Lake officials to engage with the California Department of Water Resources (DWR) and seek funding to ensure the potential effects of decommissioning of Scott Dam are well understood.

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DWR responded, providing \$700,000 in Water Shortage Management Program funding to support the “Lake County Resource Assessment, Impact Analysis, and Adaptation Strategy Evaluation Project.” The scope for this analysis is outlined below.

If PG&E’s Surrender and Decommissioning Plan is Approved by FERC and the dam comes down, more intermediate measures cannot be taken. Removal of the Klamath Dams has faced complications despite robust and decades-longer planning efforts.

The County of Lake is seeking a partner that will dig into these and other attendant issues described in the Scope of Service.

Additional background information can be found in this video, presented at an October meeting of the Russian River Water Forum:

<https://www.youtube.com/watch?v=Y8MRLEIIQZ4>

2. SCOPE OF SERVICE.

For all tasks associated with this Scope, responding firms will recommend appropriate technical studies to address the areas of potential impact. Within resource limitations, respondents are encouraged to suggest modifications to the Scope of Work that will enhance or clarify the data harvested.

Task A. *Assessment of Potential Impacts of Dam Removal to Lake County Resources*

Impact Areas to be analyzed include:

1. Recreation
2. Wildfire suppression
3. Ecosystem
4. Power
5. Sediment
6. Water supply
7. Infrastructure (e.g. Roads)
8. Others (*Please define, if applicable*)

Task B. *Identify Potter Valley Project Decommissioning and Climate Change Scenarios*

Perform modeling of existing conditions, plus one or two decommissioning scenarios. Perform climate change modelling and include scenarios that explore extreme drought and flood conditions in the Upper Eel River watershed.

Task C. *Evaluate Impacts to Resources and Develop Adaptation Strategies*

Technical impact analysis includes hydrological, hydraulic, and sediment modeling of the Upper Eel River and Lake Pillsbury; recreational impact analysis; GIS and bathymetry data analysis, and economic modeling. Once impacts are identified, potential adaptation strategies will be developed.

Task D. *Evaluate Adaptation Strategies for Potential Implementation*

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Evaluate factors like technical complexity, cost, environmental concerns, social, and other considerations related to implementation of adaptation strategies.

Task E. Report Findings

Summarize the process, results, and key findings.

3. COMPENSATION.

To be defined by Agreement, not to exceed \$700,000.

4. PROPOSAL CONTENT.

4.1 Proposal Compliance: In order to enable direct comparison of competing responses, you must submit your Proposal in conformity to the requirements stated herein. Failure to adhere to all requirements may result in your Proposal being disqualified as non-responsive.

4.2 Proposal. Please assemble your Proposal in the following order.

A. Cover Letter. A standard business letter must be included which represents your agreement to supply the requested goods and/or services detailed in the RFP.

B. Company Profile. Provide a brief history of your company, a general description of your services and qualifications, and an executive summary of your response. Content should be no more than two pages.

C. Work Plan. Provide your specific proposal to address the Scope of Work outlined in Section 2 above. At the very least, this should describe in detail how the service shall be provided and include a description of major tasks, subtasks, a proposed timeline for completion, and disclosure of any anticipated subcontractors.

D. Samples of Work Plans. Provide similar Work Plans that have a similar scope.

E. References. Provide a minimum of two references.

F. Cost Proposal. All prices submitted are non-binding at this stage of the procurement process and are subject to negotiation.

G. Disclosures. As stated earlier in this solicitation document, Scott Dam is part of Pacific Gas & Electric Company's (PG&E's) Potter Valley Project. Information gathered through this analysis may be used in connection with FERC proceeding P-77. Due to the purpose of this data collection, the County requests all respondents (*and any proposed subcontractors*) disclose and explain any present and/or anticipated engagement with PG&E, and/or projects for other entities that may reasonably come into conflicting positions with the County of Lake surrounding FERC's P-77 proceeding. Please include in this disclosure statement discussion of any existing contractual and other relationships that may frustrate your firm's ability to carry out and report the analysis in a manner that is unbiased and otherwise consistent with the needs of the County of Lake. Existing or previous engagement with PG&E does not constitute an automatic bar to consideration.

5. PROPOSAL SUBMITTAL. Proposals submitted must meet the following criteria to be acceptable for consideration regarding this project:

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5.1 In order to be considered, responses may be submitted either on paper or electronically through the County Purchasing Agent. Hard copy responses submitted must include one (1) original and five (5) unbound copies of the proposal. Electronic submissions must be in either Microsoft word or PDF format, and sent to LakeCountyPurchasingAgent@lakecountyca.gov. Proposals whether submitted electronically or via hard copy must be received no later than Monday, June 3, 2024, **by 5:00 PM.**, and addressed to:

RFP No. 24-32 for Request for Proposals for
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CONFIDENTIAL
Administrative Office
Attn: Matthew Rothstein
255 N. Forbes Street
Lakeport, CA 95453

Normal business hours are Monday through Friday 8:00 am to 5:00 pm. Staff can be reached at (707) 263-2580.

Proposals may be mailed through the United States Postal Service or any other courier service and they may be delivered in person to the above office. Faxed or emailed proposals will NOT be accepted.

5.2 In order to receive addenda and information regarding this RFP, proposer must register online at: <https://www.lakecountyca.gov/Bids.aspx>. Proposers are cautioned to read the scope of services and proposal contents herein and be sure to respond to all items listed in these sections.

5.3 Proposals received incomplete or late, for any reason, shall not be accepted.

5.4 All Questions regarding this Request for Proposals may be submitted in writing at any time prior to Friday, May 24, 2024, at 5:00 p.m. to Chief Deputy County Administrative officer Matthew Rothstein at: Matthew.Rothstein@lakecountyca.gov. Only written questions will be accepted. Questions will be answered by Thursday, May 30, 2024, at 5:00 p.m. and uploaded as an addendum to the website listed in the above paragraph.

Proposers may contact only the individual identified above and are specifically directed not to contact other County personnel for meetings, conferences, or other technical discussions related to this RFP. No questions will be answered by other County staff.

5.5 All proposals submitted in response to this RFP will become the property of the County and will not be returned. The County reserves the right to make use of any information or ideas contained in the proposals. The proposal itself shall not constitute a contract, but will, if accepted, be incorporated into the contract between the County and the selected proposer.

Please note: The successful Proposer shall be expected to fully meet all representations made in its proposal, including demonstration of project understanding, work plan, project schedule, project team, and cost proposal.

6. PROPOSAL EVALUATION AND AWARD. The County is using the competitive proposal process, wherein the experience and responsiveness of each submitted proposal is evaluated as it relates to the Scope of Services. Administrative staff will evaluate the proposals as described below.

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6.1 Proposals shall be opened and checked to ensure that each complies with the requirements of the RFP. The absence of required information may render the proposal non-responsive and may be cause for rejection.

6.2 All proposals will be evaluated to determine whether they meet all the requirements of the RFP.

6.3 A Consultant Selection Panel may be convened to review, discuss, and rank the proposals, using the following criteria:

A. Criteria

- a. Ability to meet the requirements of the Scope of Services
- b. Responsiveness to the RFP
- c. Previous performance in providing similar services
- d. Demonstrated understanding of the County of Lake's objectives and capacity to provide assurance of a quality work product, as evidenced by your Proposal and follow-up interview(s), if applicable.
- e. Timeline for completion of the study (*information gathered may be used to inform the County of Lake's engagement in FERC's 2025 P-77 Proceeding*).
- f. Cost: Relationship and reasonableness of anticipated costs to proposed services.

6.4 Prior to final selection, a short list of qualified and responsive Consultants may be requested to participate in an interview. The purpose of the interview will be to provide an opportunity for each Consultant to present their qualifications and proposals in person and/or to answer any questions that County staff may have regarding the Consultant's submittals. If interviews are to be held, the time and place of the interview will be arranged after the short list is completed. Typically a minimum of three (3) proposals will be selected for the Short List; however, the County may, at its option, choose to interview more or less than three (3) qualified Consultants or select consultants based solely on evaluating written proposals.

6.5 If an agreement cannot be reached with the top ranked Consultant(s), the County will then contact the next highest ranked firm and attempt to negotiate a contract scope of work and fee. This process will be continued until a contract scope of work and fee is successfully negotiated, or until the County determines to cease negotiations with any firm.

6.6 County reserves the right to select multiple contractors.

6.7 The County of Lake is an Equal Opportunity/Affirmative Action Employer and the successful Consultant(s) will be required to comply with the provisions of Federal Executive Order 11246 and applicable state and federal laws. Consultants should be familiar with the Employers' Practical Guide to Reasonable Accommodations under the Americans with Disabilities Act as published by the Job Accommodation Network, a service of the U.S. Department of Labor's Office of Disability Employment Policy.

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7. PROTEST PROCEDURE. The County of Lake will follow the Appeal Procedure in their Consultant Selection Policy as follows:

7.1 Appeal Procedure:

Any party with a direct financial interest who is aggrieved by any alleged material irregularity in connection with the intended RFP award, may file a protest with the Purchasing Agent or Assistant Purchasing Agent, where such protest is based on alleged violations of Federal, State, or local law or ordinance, or alleged material irregularity in either the County's RFP invitation or in the proposal to which an award is intended. Generally, non-material irregularities in a RFP response are those that substantially conform to the RFP requirements and do not affect the RFP price, time or conditions in such a way as to affect the amount of the RFP or provide a competitive advantage or benefit not allowed to other bidders. Material irregularities in a RFP invitation provide a competitive advantage or benefit to one (1) bidder that is not enjoyed by other bidders. The Purchasing Agent or Assistant Purchasing Agent may determine whether an alleged irregularity exists and whether it is material or non-material and shall have the authority to waive non-material irregularities. A RFP protest must:

- (a) Be written,
- (b) State the specific alleged violation of law or alleged material irregularity,
- (c) Request a determination of the appeal,
- (d) Provide a telephone number and email address at which the appellant can be contacted,
- (e) Be filed no later than seven (7) days after the date of the Notice of Intent to Award Letter and/or formal Bid Opening (holidays excepted). Any protest filed after this time will not be considered.

7.2 The party filing the appeal ("appellant") must concurrently transmit a copy of all appeal documents and any attachments to all other parties with a direct financial interest which may be adversely affected by the determination of the appeal.

7.3 Within seventy-two (72) hours of receipt of appeal, the Purchasing Agent or Assistant Purchasing Agent shall provide written notification to the appellant of the determination. A determination under this procedure shall be final except that the Purchasing Agent's decision may be appealed to the County Administrative Officer in writing within forty-eight (48) hours from the Purchasing Agent's or Assistant Purchasing Agent's notification to appellant.

8. GENERAL TERMS AND CONDITIONS. By your submission of a proposal, you agree to be bound by the following conditions:

8.1 To the fullest extent allowed by law, RFP's will not be public record until discussion and negotiations with Respondent have been completed, as such premature disclosure would jeopardized the County's and the Respondents negotiating interests. If any proposal contains trade secrets or other information that is confidential or proprietary by law, Respondent shall label all such

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pages with a stamped annotation such as: “**CONFIDENTIAL-PROPRIETARY TRADE SECRETS, DO NOT DISCLOSE**”, and further, provide written notification to the County of its request to keep said information confidential. A Respondent’s request for confidentiality must be made in writing and enclosed in the envelope containing the proposal. The proprietary or confidential data must be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal.

8.2 The County reserves the right to cancel this RFP at any time, even after opening of proposals.

8.3 County is not liable for any costs incurred by Proposer in the preparation, presentation or in any other aspect of the Proposal.

8.4 Disposition of Proposal(s) and Contract Award:

A. All proposals shall become the property of Lake County.

B. Failure to furnish all information requested in this RFP or to follow the proposal format may disqualify a proposal.

C. County reserves the right to accept or reject all or any part of any proposal, waive immaterial defects, informalities, irregularities, negotiate with all qualified Respondents, and award the contract to the firm or individuals, who, in the sole judgment of the County, best serves the interests of the County. The County may terminate negotiations if, in its opinion, they are unsuccessful and begin negotiations with other respondents.

D. A response to this RFP is an offer to contract with the County based upon the terms, conditions, scope of work and/or specifications contained herein. County shall have no contractual or other obligation to a Respondent under any successfully negotiated contract until the contract has been approved and signed by both parties. The contents of the proposal submitted by the successful Respondent and this RFP will become part of any contract awarded.

E. Issuance of this RFP in no way constitutes a commitment by the County to procure or contract for the articles of goods or services solicited.

F. Proposers may be required before the award of any contract to show, to the complete satisfaction of the County, the necessary facilities, ability, and financial resources to provide the services specified in a satisfactory manner.

8.5 Respondent shall indemnify and defend County and its officers, employees, and agents against and hold them harmless from any and all claims, losses, damages, and liability for damages, including attorney's fees and other costs of defense incurred by County, whether for damage to or loss of property, or injury to or death of person, including properties of County and injury to or death of County officials, employees or agents, arising out of, or connected with the use of any copyrighted or uncopyrighted composition, secret process, patented or unpatented invention, articles or appliances furnished or used under this Request and any subsequent Contract, unless such damages, loss, injury or death is caused solely by the negligence of County.

8.6 Default by Respondent: In case of default by the successful Respondent, Lake County may procure the articles or services from other sources and may deduct from any monies due, or that may thereafter become due to the Respondent, the difference between the price named in the Purchase Order, Contract, or Agreement with said Respondent and the County’s subsequent cost to

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obtains substitute articles or services. Prices paid by the County must be considered the prevailing market price at the time such purchase is made.

8.7 Lake County reserves the rights to amend, alter, or change the rules and conditions contained in this RFP prior to the deadline for submission and to request additional data after the deadline. If it becomes necessary to do so, an addenda or supplements to the RFP will be issued and shall become a part of the RFP. The County is not responsible for any other explanation or interpretation. It is the responsibility of the Respondent to ensure that he/she has received all addendums and/or supplements prior to submitting a proposal.

8.8 It is the County's intent that this Request for Proposal (RFP) permits competition. It shall be the Respondent's responsibility to advise the County in writing if any language, requirement, specification, etc., or any combination thereof, inadvertently restricts or limits the requirements stated in this RFP to a single source. Such notification must be received by the County not later than ten (10) days prior to the date set for acceptance of proposals.

8.9 Errors and Omissions: If prior to the date fixed for submission of proposals, a respondent discovers any ambiguity, conflict, discrepancy, omission or other error in the RFP or any of its exhibits, it shall immediately notify the designated County contact of such error in writing and request modification or clarification. Modifications and clarifications will be made by written addenda and distributed to all parties who have been furnished or who have requested the RFP.

8.10 Security and Confidentiality: To preserve the integrity of the security and confidentiality measures integrated into County operations, any Respondent required to come in contact with confidential County information in order to respond to this RFP and/or to perform the services solicited, may be required to sign and submit a Confidentiality Statement. Successful Respondent's personnel and/or subcontractors, who may require periodic access to secured areas within the County, may be required to wear security identification badges. Badges will be issued to individuals only after satisfactory completion of a background check. Any such confidentiality and/or security measures will be part of the contract.

8.11 Insurance: Successful Respondent agrees to comply with the County's standard insurance provisions.

8.12 Governing Laws: The laws of the State of California will govern any purchase order entered into between the County and the selected Respondent.

8.13 Each Respondent shall inform himself of, and the successful Respondent awarded a contract shall comply with, State and local laws, statutes, regulations, ordinances and generally accepted industry standards relative to the execution of the material supplied or work performed. This requirement includes, but is not limited to, applicable regulations concerning employment of labor, protection of public and employee safety and health, environmental protection, the protection of natural resources, fire protection, burning and non-burning requirements, permits, fees, and similar subjects.

8.14 This RFP supersedes all proposals, oral and written, and all negotiations, conversations or discussions heretofore and between the parties related to the subject matter.