



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Robert L. Davis

SUBJECT: SEE BELOW

DATE: January 3, 2007

Approved

Date

1/8/07

Council District: City-wide

SUBJECT: APPROVAL OF AN AGREEMENT WITH ENVIRONMENTAL SCIENCE ASSOCIATES (ESA) TO PROVIDE ENVIRONMENTAL PROJECT SERVICES IN THE AMOUNT NOT TO EXCEED \$202,314 FOR THE ECOMM MICROWAVE INTEROPERABILITY COMMUNICATIONS PROJECT

RECOMMENDATION

It is recommended that the City Council approve an agreement with Environmental Science Associates (ESA) to provide a full range of environmental project services for all project phases to ensure compliance with National Environmental Policy Act (NEPA), California Environmental Quality Act (CEQA) and all related statutes for the period ending December 31, 2007, for an amount not to exceed \$202,314, contingent on available grant funding.

OUTCOME

Provide a Combined Initial Study / Environmental Assessment / for the proposed County-wide ECOMM Microwave Interoperability Project in accordance with the criteria, standards and provisions of the National Environmental Policy Act (NEPA), California Environmental Quality Act (CEQA) and all related statutes.

BACKGROUND

The ECOMM Interoperability grant was awarded to the City of San Jose Police Department in FY 04-05 and has been extended until January 31, 2009. The ECOMM network will effectively bridge the fourteen regional Public Safety Answering Points (PSAP's) and other key public safety facilities and operations by replacing existing technology with digital microwave.

The City of San Jose, in conjunction with the Silicon Valley Regional Interoperability Project Group (SVRIP), has developed a design to achieve interoperability among the fire service, law enforcement and emergency medical service communities in Santa Clara County. The design will provide infrastructure upgrades, enhancement and expansion of the radio communications network countywide. The project includes upgrading the microwave network for the City of San Jose and the County of Santa Clara and establishing microwave links in North, South, and West areas of the County to provide complete communications coverage.

Jurisdictions participating in the project include the cities of Campbell, Cupertino, Gilroy, Los Altos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San Jose, Santa Clara, Saratoga, Sunnyvale, the towns of Los Altos Hills and Los Gatos, the South Santa Clara County Fire District, the County of Santa Clara, San Jose State University, and the Santa Clara Valley Water District. Additional participating departments include the Santa Clara County District Attorney's Office and Stanford University (represented by the County Sheriff and Palo Alto Fire Departments).

The Network Participants operate under a Joint Funding Agreement administered by the City of Mountain View's Administrative Services Department and City Attorney's Office.

The City is seeking consultants qualified to process environmental clearance, in accordance with NEPA and CEQA statutes, for the proposed County-wide Digital Microwave ECOMM Interoperability Communications Project. Through the Request for Qualifications (RFQ) process, the City developed a short list of qualified consultants and identified a finalist to provide environmental clearance involving preparation of environmental impact reports for potential microwave tower and antenna locations identified throughout the targeted area. The RFQ identified the general scope and procedures for consultant involvement in this process.

ANALYSIS

Outreach and Evaluation

In accordance with San Jose Municipal Code 4.06.030 (A) regarding professional services contracts, the Police Department ran a competitive Request for Quote (RFQ) process before awarding the agreement for the NEPA/CEQA Environmental consultant. The RFQ was posted on March 17, 2006. A total of five proposals were received by the April 7, 2006 deadline.

However, this initial RFQ process was reissued in order to comply with the Local and Small Business Preference Policy as required by City Ordinance 27136. A reissued RFQ was posted on October 17, 2006, and all five original April Proposers were notified in writing of the new opportunity. A total of three proposals were received by the November 3, 2006 deadline. No new Proposers responded to this RFQ.

The three proposals were reviewed, evaluating the completeness of Statement of Qualifications, Local and Small Business Preference, demonstrated understanding of City's priorities,

implementation plan, completed tower projects, and other NEPA-specific projects and references. Pricing was a consideration only after all other qualifications were rated.

All of the technical scores from the written proposals were summarized and finalized after the completion of the evaluation process. Cost proposals were submitted by each Proposer but not evaluated by the evaluation team, in order to ensure that costs did not inadvertently influence the technical scores.

Overall Score and rank of proposals are summarized in the following table:

Rank	Company Name	SOQ/Yrs in Business (20 pts)	Implement Plan (10 pts)	Project Specific (30 pts)	Understands City's Priorities & Commercial Terms (20 pts)	SBE/LBE Preference (10 pts)	Scope, Price, Schedule Specificity (10 pts)	Overall (100 pts)
1	Environmental Science Associates	19	8	24	17	0	8	76
2	Opus Environmental	13	6	17	7	10	7	60
3	Pacific Municipal Consultants	13	6	18	10	0	6	53

The reason for Opus Environmental lower score was their lack of experience in microwave tower sites or construction. Pacific Municipal Consultants, failed to demonstrate an adequate understanding of the City's needs, providing only a boilerplate implementation plan which contained several errors. Environmental Science Associates' proposal demonstrated the most experience with CEQA and NEPA approval for new towers, as well as included the most detailed project implementation plan, scope of work, and schedule, including weekly milestones.

Under this contract, the ESA will perform an Initial Study to verify conformance with the criteria, standards and provisions of the California Environmental Quality Act (CEQA); an Environmental Assessment under National Environmental Protection Act (NEPA), as well as verify conformance with the regulations, requirements and procedures of the City of San Jose and any other responsible public agencies with jurisdiction by law over the proposed site construction at each ECOMM microwave site. Consultant will also assist ECOMM to obtain local use permits for such construction. The contracted tasks will include: Site Visits; Project Description; CEQA and NEPA Coordination; Memorandum of Approach; Draft Initial Study; Response to Comments and Final Initial Study; CEQA Notice of Determination; Draft Environmental Assessment; Final Environmental Assessment; Attendance at Public Hearings, Study Sessions, and Staff Meetings; Mitigation Monitoring and Reporting Plan; Permit Assistance, Mitigation Monitoring; and Project Management.. The results of the environmental studies will identify any necessary construction mitigations, which will be included in the final

ECOMM system installation scope of work, and allow our microwave vendor to complete a firm fixed price turn-key proposal in 2007.

Recommendation Summary

Staff recommends Environmental Science Associates because their proposal meets all the RFQ specifications and demonstrates they are most qualified for CEQA and NEPA compliance of new towers, and with permitting of new towers.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

As described above, this requirement was advertised on the City's *BidLine* website.

COORDINATION

This memorandum has been coordinated with the City Manager's Office, the City Attorney's Office, and the Planning Department.

FISCAL/POLICY ALIGNMENT

This action is consistent with the following General Budget Principles:

- We must focus on protecting our vital core city services for both the short- and long-term.
- We must continue to streamline, innovate, and simplify our operations so that we can deliver services at a higher quality level and with better flexibility.

BUDGET REFERENCE

Fund #	Appn. #	Appropriation Name	Total Appn.	2006-2007 Adopted Capital Budget Page	Last Budget Action (Date, Ord. No.)
001	6073	COPS 2003-2004 Interoperable Communications Grant	\$4,918,348	V-1205	10/17/2006, Ord. No. 27888

CEQA

Not a project.



ROBERT L. DAVIS
Chief of Police

For questions, please contact Captain Gary Kirby, Police Bureau of Administration at 408-277-5215.

RLD:SJ:sj