



JOINT TRANSPORTATION COMMITTEE

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CLARIFICATION, BIDDER QUESTIONS, AND JTC RESPONSES REGARDING THE RFP FOR STORMWATER COST RECOVERY AND MANAGEMENT STUDY

June 7, 2011

CLARIFICATION

The RFP contains an error on page 10 of Section IX, Part C, Item 2. It incorrectly stated that a description of Tasks 1-7 is limited to no more than ten (10) pages. Task 8 should have been included under this page limitation. It should have stated:

A description of proposed approaches to **Tasks 1-8** of the Scope of Work, Section II of this RFP, not to exceed ten (10) pages... (Emphasis added.)

Please prepare your proposals accordingly.

QUESTIONS AND RESPONSES

Please note that these questions are not organized in any particular order.

1. Could you describe the event that triggered the Legislature to ask for this initiative?

RESPONSE: Cities are concerned that the existing cost recovery framework (RCW 90.03.525) does not provide adequate reimbursement for stormwater management costs from state highway runoff. The current statutory framework provides cities with the option to charge a stormwater fee to the Washington State Department of Transportation (WSDOT); however, the application's process and requirements may be deterring cities from charging the fee, and thus recovering all of their costs. The Legislature also wishes to improve cost efficiency for stormwater management.

2. What are the relative priorities placed by the JTC on Cost Recovery structure vs. potential "efficiencies"? Is an in-depth study of more effective stormwater management options expected?

RESPONSE: The Legislature has not prioritized tasks regarding the cost recovery structure versus making stormwater management of facilities more efficient. This study does not focus upon engineering or environmental issues but rather seeks recommendations for efficient management strategies of state highway stormwater facilities within cities. This study is about the relationship between cities and WSDOT in managing stormwater, and making good policy recommendations for all Washington state taxpayers.

- 3. Task 2 asks that the "lane miles" of WSDOT roads in each city be defined. How available is this data? How much time should be budgeted for this activity? Are just Phase I and Phase II cities to be included?**

RESPONSE: This is a very manageable task. Only cities that have been issued Phase I /II permits need to be included in the database. WSDOT has a state highway log that identifies all state highways within Washington. WSDOT's Traffic Data Office can run queries of all state highways that are within city limits. This information can be cross-tabulated with information from the WSDOT Environmental Services Office and with cities that have mandated or voluntary stormwater programs. The Washington Department of Ecology also has mapping data describing Phase I/II permit boundaries. AWC will provide information on which cities have stormwater programs.

- 4. Could you more clearly define the degree of support that can be expected from JTC staff? What will be the staff's responsibilities?**

RESPONSE: JTC staff will manage and administer the study throughout the contracted time and scope of the project. JTC staff will work closely with the consultant to provide guidance throughout the study and facilitate communication with JTC members, state and local agencies, and other stakeholders, as appropriate. JTC staff will help with meeting logistics, as necessary, and provide comments and suggested amendments to written, electronic, and other presentations.

- 5. Our original question regarding JTC staff support may have been ambiguous. Will the JTC staff actively participate in identifying, locating and vetting information/data needed for the study?**

RESPONSE: Please refer to the response to Question 4. As part of this study, the consultant will be responsible for completing all research and analysis required to satisfy the RFP requirements.

- 6. Copies of two prior studies are requested to be submitted with proposals, representing a large volume of paper. May executive summaries only be provided, with the full studies submitted electronically?**

RESPONSE: Per page 9 of the RFP, bidders must include one paper copy of two samples of previous work similar to this type of project, and the internet link to these samples or an electronic copy on CD. There will be no exceptions. Executive summaries will not satisfy these requirements. If there are voluminous technical appendices or papers, these may be submitted electronically.

7. **There is a very limited time to respond after questions are answered. May the proposal be submitted electronically via email by June 14 with hard copies to follow?**

RESPONSE: Per page 9 of the RFP, proposals are due no later than 5:00 PM, local time in Olympia, Washington, whether mailed or hand delivered. Late proposals will not be accepted and will be automatically disqualified. There will be no exceptions.

8. **Could you describe the existing cost recovery methodology? What are the shortcomings now experienced? Where are problems likely to be found?**

RESPONSE: Per page 1 of the RFP, RCW 90.03.525 enables cities to charge WSDOT a stormwater fee for expenses related to managing highway stormwater runoff. As stated on page 3 and 4 of the RFP (Tasks 3 and 4), the consultant will identify any challenges that cities are concerned with regarding their relationship with WSDOT in managing stormwater runoff from state highways within their boundaries. Other state laws that apply to stormwater fees include RCWs 35.92.021, 35.67.025, 36.89.085, and 36.94.145.

9. **The bottom of RFP pg. 10, Section C.2, referenced a 10 page limit (excluding various pages). Does this page limit apply only to the Technical approach, or does it also take into account the Management Approach, Cost Section, and References? These other sections were not referenced as being excluded from the count.**

More directly, the RFP would indicate that the page limit applies to the Technical, Management, Cost, and Reference sections, but because the limit is called out in the Technical Approach response description, we are assuming that only this section must meet the page limit requirement.

RESPONSE: The instructions to Bidders in Section IX, Part C, entitled “Proposal Format”, limits only the description of proposed approaches to Tasks 1-7 of the Scope of Work, Section II. **Please note, the original RFP is stated incorrectly and should state “Tasks 1-8”. Proposals describing Tasks 1-8 are limited to ten (10) pages.** However, there is no page limit for the other elements of the Proposal Format.

10. **The RFP mentions working closely with AWC, particularly in tasks 3 and 4. Has AWC agreed to participate in this project and assist the successful proposer?**

RESPONSE: Yes, AWC will be actively involved throughout the study and the consultant will be working closely with it to accomplish the study’s needs.

11. **What does the RFP mean by “management” of stormwater facilities (e.g., Task 3—item e, Task 4—item f, and Task 6)? Does this mean actual practices, BMPs, stormwater structure construction, and the like to manage stormwater—or does it just refer to who should undertake these activities?**

RESPONSE: This study does not focus upon engineering or environmental issues but rather seeks recommendations for efficient management strategies of state highway stormwater facilities within cities. This study is about the relationship between cities and

WSDOT in managing stormwater, and making good policy recommendations for all Washington state taxpayers.

12. What happens to the schedule if the contract start date is later than July 12? Will the due dates for Task 8 shift accordingly?

RESPONSE: The JTC anticipates the Notice to Proceed will be issued on July 11, 2011. Although unforeseen circumstances may affect the start date, the deadlines specified in the RFP will not change unless directed by the JTC.

13. What data are known to be available for Task 2 to the successful proposer, and in what format? Does WSDOT already have an inventory of highways, city boundaries, lane miles, and highway mile markers, so this task is primarily to add new layer (Clean Water Act) to the existing database? Does WSDOT have the requisite information in electronic format, just needing clean-up and organization into a searchable database? Will the successful proposer be expected to obtain data from outside WSDOT, such as from individual cities? Will the successful proposer be expected to gather data from paper files and perform manual data entry? Will the successful proposer be expected to conduct field research?

RESPONSE: Please refer to the response to Question 3.

14. Washington has over 280 cities. Would the successful proposer be expected to survey all cities in the state, only cities covered by Phase 1 and Phase 2 municipal stormwater permits, or a representative sample of cities?

RESPONSE: Task 3 calls for a survey of cities that impose stormwater fees to WSDOT, or otherwise manage stormwater from state highways. The consultant will work with AWC to identify the cities to be included in the survey. Because not every city has a stormwater program, not every city will be included in the survey.

15. Does AWC or the project team have existing relevant (stormwater or transportation) contacts (name, title, email, phone) in each city to be surveyed, or would the consultant be expected to identify contacts?

RESPONSE: JTC staff and AWC will work with the consultant to identify cities to contact and also provide points of contact. The consultant should not need to devote significant resources to identify contacts.

16. Task 4 may require modeling and estimation—particularly around Item c (costs to impose stormwater fees); how accurate are these estimates expected to be?

RESPONSE: The consultant will work with AWC and selected cities to be studied to identify costs. Some estimation may be required depending upon the particular cities' available data.

17. Roughly how long is the Task 6 white paper expected to be?

RESPONSE: There is no predetermined length for the white paper per Task 6. The white paper should be as long as necessary to accurately and completely communicate recommendations and supporting rationale to the JTC.

18. The RFP calls for gathering 5 biennia of financial data from cities via the survey. If providing 10 years of data is determined to be overly burdensome for the cities, may fewer years of data be collected?

RESPONSE: The consultant will work with AWC and cities to collect ten years of data, however, the length of time may be reasonably adjusted if too burdensome for cities to provide the data.

19. Who is on the selection committee for this project?

RESPONSE: Legislative and city government-related staff will serve on the selection committee.

20. The RFP references “cities” but not “counties”. Please clarify whether this study is intended to address only cities or cities and counties.

RESPONSE: This study is funded through the cities’ portion of the state gas tax, thus this study will focus upon cities and not counties.

21. How many staff and stakeholders are anticipated to be involved in the Staff Workgroup? Are members already selected and if so, can you provide the names and associations of these members?

RESPONSE: Per page 7 of the RFP, the Staff Workgroup will include staff from the JTC, Senate and House Transportation Committees, the Governor’s Office, state agencies, and AWC. Other staff may be added to the workgroup as appropriate. Their names and associated entities will be provided to the successful bidder at a later date.

22. What are the expectations of the Staff Workgroup relative to working with the Consultant? For example, is there an expectation that interaction will be face to face or will conference calls and web meetings, or some combination of these methods, suffice? How often are meetings (either in person or via conference calls) expected to take place during the course of this project?

RESPONSE: The JTC Project Manager will supervise and administer this study. The consultant will be required to regularly communicate with the Project Manager via a combination of methods (e.g. telephone, email, in-person, and etc.). The Staff Workgroup will provide technical input throughout the study and meet with the consultant through a variety of means as necessary to accomplish the study. In general, JTC staff workgroups engage with consultants on a regular basis throughout JTC studies.

23. What is the anticipated involvement of the Association of Washington Cities? How many staff will be involved? Are members already selected and if so, can you provide the names of the staff that will be working on this project?

RESPONSE: The consultant will work with AWC throughout the study. AWC staff will serve on the Staff Workgroup to provide technical input and facilitate involvement with city entities, as appropriate.

24. In Task 1, how many state comparisons should be included in this task?

RESPONSE: The JTC has not predetermined a number of comparisons. Bidders have discretion to propose the number of state comparisons.

25. For Task 2, what is the preferred software to be used to develop the database or spreadsheet of state highways within city boundaries?

RESPONSE: The JTC has not predetermined the database or spreadsheet format. The consultant will work with WSDOT to develop a suitable deliverable (e.g. Microsoft Excel spreadsheet, etc.).

26. For Task 2, what data is anticipated to be available from WSDOT to assist in this task? What format is this data in, e.g. is it in electronic form? If so, what software is being used? If it is not in electronic form, what format is it in – maps or other hard copies?

RESPONSE: Please refer to the responses to Questions 3 and 13.

27. For Task 2, should the GIS survey include all cities or just cities with MS4 permits?

RESPONSE: The inventory must include all state highway miles within the boundaries of all Washington cities that are currently regulated by MS4 permits.

28. For Task 3, what data is available from WSDOT relative to all of the cities that charge stormwater fees to WSDOT? For example, can we expect the data to include the names of all cities, the level of the stormwater fees, the amount of stormwater fees that WSDOT has paid over the past five biennia, etc.?

RESPONSE: This data is readily available from WSDOT in spreadsheet form. The consultant should not need to devote significant resources to determine which cities are charging stormwater fees and the fee amounts per year/biennium.

29. For Task 5, what legal resources will the Staff Workgroup provide and what legal resources are expected to be provided by the Consultant?

RESPONSE: The Staff Workgroup will not be providing any legal resources for this study. This study requires policy and legislative analysis. Task 5 calls for the development of a model stormwater fee ordinance, and Task 7 calls for statutory amendments to RCW 90.03.525. The consultant has discretion to determine whether and how much legal resources to propose.

30. Are there page limits for the Management Approach and Cost Approach sections of the proposal? If so, please specify these limits.

RESPONSE: There are no page limitations for the Management and Cost Approach sections of a bidder's proposal.

31. For the Certification and Assurances, item 4, confirm that the association or involvement of any former state of Washington employees to be identified is specific to the subject proposal.

RESPONSE: Yes. Item 4 addresses current and former state employees whose work relates to this proposal and whose official state duties relate(d) to the subject matter of the proposal.