

BALDWIN HILLS REGIONAL CONSERVATION AUTHORITY

August 27, 2009 – Agenda Item VII

Resolution No. 09-07

RESOLUTION OF THE GOVERNING BOARD OF THE BALDWIN HILLS REGIONAL CONSERVATION AUTHORITY FINDING THE NEED TO PROCURE SPECIALIZED PROFESSIONAL SERVICES WITH RESPECT TO ACQUISITION OPPORTUNITIES WITHIN THE BALDWIN HILLS; DEFINING THE SCOPE OF WORK FOR SUCH SERVICES, AND AUTHORIZING SOLICITATION OF REQUESTS FOR QUALIFICATIONS

WHEREAS, The purpose of the Baldwin Hills Regional Conservation Authority ("Authority") is to provide for a comprehensive program to acquire, expand and improve the open space, natural habitat and recreational opportunities within the Baldwin Hills, to improve connections between the Baldwin Hills and other natural and recreational areas, including Ballona Creek, and for the conservation, protection of natural habitat restoration, and environmental enhancement of the Baldwin Hills area and protection for the Ballona Creek watershed and water quality; and

WHEREAS, The Authority finds that there may be new acquisition opportunities opening up within the near future, as well as the potential for consummation of previously proposed projects; and

WHEREAS, The Authority finds that there is a need for specialized professional services related to land acquisition and development that cannot efficiently be provided by the staffs of the respective parties to the Baldwin Hills Regional Conservation Authority Joint Powers Agreement; and

WHEREAS, It is desirable for the Authority to evaluate the professional qualifications of individuals and/or firms that may have appropriate expertise in the various specialized fields of professional endeavor prior to the need for project specific contracts; and

WHEREAS, Such pre-qualification of potential professional services contractors can save the Authority time and money by not having to issue separate requests for qualifications (RFQs) for each individual project; and

WHEREAS, While the Authority has in place contracts with individuals and firms covering a portion of the work product needed by the Authority, there remains a need to ensure that the best professional resources are engaged by the Authority and that all land acquisition related activities are appropriately managed and coordinated; and

WHEREAS, It is the intent of the Authority to keep in place existing contracts until new or additional professional services can be engaged pursuant to the process authorized by this resolution;

NOW, THEREFORE, BE IT RESOLVED, That the Governing Board of the Baldwin Hills Regional Conservation Authority hereby:

1. Incorporates the findings in the preamble as though fully set forth in the body of this resolution.
2. Authorizes the Executive Officer to solicit statements of qualifications from individuals and/or firms in the relevant professional fields, including, but not limited to: engineering; surveying; real estate appraisals; land acquisition negotiations; land acquisition process management; land use and park planning; minerals management, environmental compliance; facilitation of public participation related to all aspects of the land acquisition process (including specifically, but without limitation, encouraging appropriate public involvement in the selection of lands and interests therein to be acquired); evaluation of economic feasibility, and the development of plans for the long term use and improvement--for park purposes--of lands already acquired by the Authority and lands under contemplation of such acquisition.
3. The request for qualifications shall include, but not be limited to:
 - (a) Proof of relevant and/or required professional credentials, licenses, and certificates.
 - (b) Demonstration of prior experience, including, as relevant, successful completion of projects in the Baldwin Hills or comparable and/or equally challenging environments.
 - (c) Listing, as necessary, of subcontractors or individuals and/or firms with whom the qualifying party may associate.
 - (d) Rate sheet for principals, associates, and support staff. If a general overhead rate is charged this amount shall be justified.
 - (e) References from prior clients and/or employers.
 - (f) Standard form labor compliance and non-discrimination certifications.

- (g) Disclosure of any material financial relationship between the potential qualifier or his or her family (or in the case of a firm, any principal or associate therein) and any member of the Governing Board or officer of the Authority to the extent that would be reported on California FPPC Form 700 if such potential qualifier were an officer, employee, or other qualified official covered by the Authority's Conflict of Interest Code.
 - (h) Such other information as the Executive Officer may determine is appropriate.
4. The Executive Officer shall screen the RFQs for compliance with the requirements of Paragraph 3 hereof and may request additional information. The Executive Officer shall then forward those RFQs that comply with the terms of the solicitation to the Chairperson and Vice Chairperson of the Authority.
 5. Exhibit "A" to this resolution entitled "Representative Scope of Work and Desired Contractor Characteristics" is hereby incorporated herein as though fully set forth in the body of this resolution.

Chairperson

AYES:

NOES:

ABSENT:

ABSTAIN:

I HEREBY CERTIFY that the foregoing resolution was adopted at a special meeting of the Governing Board of the Baldwin Hills Regional Conservation Authority, duly noticed and held according to law, on the 27th day of August, 2009.

Dated:

Executive Officer

EXHIBIT "A"

Representative Scope of Work and Desired Contractor Characteristics

The Baldwin Hills Regional Conservation Authority (Authority) will be pursuing an expanded program of land acquisitions, park improvement and development, and other activities as specified in the Baldwin Hills Regional Conservation Authority Joint Powers Agreement. Interested parties are requested to review the Joint Powers Agreement and should familiarize themselves with the purposes and structure of the Authority.

On the web at: <http://smmc.ca.gov/BHRCA-jpa.html>

The Authority anticipates that in the near future it will need specialized professional services within this representative scope of work. The Authority reserves the right to add additional tasks, or delete tasks, as the situation warrants.

Public participation

The Authority finds that sometimes land acquisition and development activities within the Baldwin Hills have proceeded without the depth of full public participation necessary to the ultimate success of these projects. The public may not know, or have had an opportunity to learn, the specific reasons for purchases or potential purchases.

Public participation has two fundamental characteristics: (1) Information, and (2) the opportunity for meaningful input into the decision-making process.

- Information. Without adequate factual basis for participation, the public cannot be effective in influencing policies, and the specific issues that confront the Authority in the Baldwin Hills are among the most challenging and complex of any land conservation activity in California and perhaps in the entire country. Even a superficial examination of existing conditions and challenges and the desired ultimate outcome for this region, as specified in the Baldwin Hills Master Plan, shows that a long term, expensive, and nuanced approach must be taken. The public is often justified in demanding immediate outcomes, and sometimes they can occur—and the Authority is committed to making that happen when possible—but

superimposed on this desire is the fundamental fact of an operating oil field with a life expectancy that is effectively limited only by technology and petroleum economics. Therefore, in the Baldwin Hills area the public's information level must mirror the complexities of the issues that the Authority faces when carrying out its duties under the Joint Powers Agreement. The Authority will require the very best consultants who can design and carry out a program of public information that can lead to effective participation in land acquisition and development decisions. Essential background can be found in the Baldwin Hills Master Plan. On the Web at

http://www.bhc.ca.gov/documents/Baldwin_Hills__Master_Plan_Final.pdf

- Meaningful public input into the decision-making process. An informed public must have access to the process. Experience has shown that the typical public hearing format, while it favors organized groups, may not be adequate to represent the broader range of constituent interests. The Authority wishes to engage consultants who can bring a sophisticated set of tools for engaging traditional stakeholders, but also bring the general public into the process.

Strategic Planning

In an era of limited resources and a real estate environment of expensive properties, the Authority must engage in strategic acquisitions and perhaps non-traditional approaches to land use. The phrase "thinking out of the box" may be trite, but if ever there were a justification for such a term, it is in planning for the Baldwin Hills. The Authority is looking for cutting-edge intellectual input into this process.

Acquisition Management Services

Public agency property acquisition is a complex and frequently lengthy process. It has been described as having "more moving parts than a Swiss watch." In this endeavor there is no substitute for experience. Appraisals, geotechnical studies, environmental compliance, legal approvals, landowner contacts, coordination with public decision-makers, and ensuring that the technical requirements of funding agencies are met—all these must function like a fine Swiss watch (albeit not a gold plated one). The Authority needs the services of seasoned and experienced consultants to manage the process.

Land Use Planning and Economic Sustainability

The nature and characteristics of most land within the Authority's purview is not such that "buy it and leave it alone" is an option. Uses must be planned with a view toward integration within the community and long term sustainability. Consultants/contractors are necessary

to fashion both formal plans and less formal “working approaches” to address these issues.

New Funding and Project Opportunities

Success in the Authority’s mission will require long term funding beyond current sources, at the same time the Authority needs to ensure that its has taken advantage of existing funding opportunities. The Authority will need consulting services to address both of these issues. Moreover, as the Authority proves to be a successful model, consideration should be given, and professional advice and consultation is needed, with respect what other compatible policy endeavors the Authority could pursue.

Flexibility

The Authority’s specific needs may change as temporal situations demand. Consultants/contractors must be able to adapt to a dynamic environment.

Desirable Consultant/Contractor Characteristics

- Depth of knowledge and engagement in the local community, including its business stakeholders, as well as the environmental and individual interest groups.
- Previous involvement with the Baldwin Hills conservation efforts and/or Baldwin Hills community interests. Ability to utilize this experience in furtherance of the consultant’s/contractor’s execution of assigned responsibilities.
- Working knowledge and previously developed relationships with relevant public agencies, municipalities, and the other Authority partners.
- Detailed and specific knowledge of local real estate conditions.