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**State of California
State Lands Commission**

Request for Qualifications (RFQ)

RFQ 2024-04

**Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources
and Values (APTR)**

August 15, 2024

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)

State Lands Commission

TABLE OF CONTENTS

1) TABLE OF CONTENTS.....	2
2) INTRODUCTION	3
3) MINIMUM REQUIREMENTS.....	5
4) DESIRED QUALIFICATIONS.....	5
5) SCOPE OF WORK (SOW).....	6
6) ADMINISTRATIVE REQUIREMENTS – PROPOSAL CHECKLIST	6
7) MODEL CONTRACT PROCUREMENT	8
8) DESCRIPTION OF WORK – MODEL CONTRACT.....	8
9) COST PROPOSAL.....	10
10) PREFERENCE PROGRAMS	10
11) STANDARD CONDITIONS OF SERVICE.....	12
12) POST-GOVERNMENT EMPLOYMENT RESTRICTIONS.....	12
13) BUSINESS IN GOOD STANDING.....	13
14) CONFLICT OF INTEREST DETERMINATIONS	13
15) MONETARY INCENTIVE PROGRAMS	14
16) SELECTION PROCESS, SCORING CRITERIA AND AWARD.....	14
17) ADDENDUM TO RFQ	17
18) COMMISSION RIGHTS.....	17
19) REJECTION OF PROPOSALS	18
20) SUBSEQUENT SOLICITATION	18
21) GENERATIVE ARTIFICIAL INTELLIGENCE TECHNOLOGY USE & REPORTING	
18	

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)

State Lands Commission

STATE OF CALIFORNIA

State Lands Commission

100 Howe Avenue, Suite 100 South
Sacramento, California 95825-8202

REQUEST FOR QUALIFICATIONS (RFQ)
RFQ 2024-04 Offshore Oil and Gas Pipelines: Analysis of Impacts to Public
Trust Resources and Values (APTR)

PROSPECTIVE ENVIRONMENTAL CONSULTANTS

Pursuant to Government Code section 4526, the California State Lands Commission (Commission) announces its intention to hire a consultant to provide environmental services for the **Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR) Project**. The purpose of this Solicitation is to initiate the process by which the Commission will contract with a Firm, hereafter referred to as a “Firm” or “Contractor” (considered one and the same), with the appropriate qualifications to assist in preparing an Analysis of Impacts to Public Trust Resources and Values (APTR), which is a comprehensive report analyzing the risks and benefits of oil production and transportation associated with the 11 Commission leases of offshore oil and gas pipelines.

Staff has been authorized by the Commission ([Item 59, December 5, 2023](#)) to issue a Request for Qualifications (RFQ) for consultant services, negotiate a fair and reasonable price, and award and execute agreements hereafter referred to as an “Agreement” or “Contract” (considered one and the same) for the preparation of the APTR. The leases for offshore oil and gas pipelines under the Commission’s jurisdiction are located offshore of Santa Barbara, Ventura, Los Angeles, and Orange Counties.

1) INTRODUCTION

a) Overview

- i) The Commission invites you to review and respond to this Request for Qualifications (RFQ). By submitting a Proposal, your organization agrees to the terms and conditions stated in this RFQ.
- ii) If a Proposal does not meet all the requirements, it may be considered non-responsive and eliminated from further consideration. To be responsive, the

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)

State Lands Commission

Firm must comply with all minimum proposal requirements set forth in this document.

- iii) Read this entire document carefully. You must comply with the instructions contained in this document.
- iv) Firms and the selected Firm may not issue news releases nor make statements to the news media or through social media channels pertaining to this RFQ, its Proposal, the contract, or work resulting therefrom, without first obtaining prior approval from the Commission.

b) Firm Questions

- i) Firms shall submit questions regarding solicitation by the due date and time specified in the Key Action Dates table. Firms shall provide specific information to enable the Commission to identify and respond to their questions.
- ii) When submitting questions, please reference the solicitation number of RFQ 2024-04. Answers to questions received during the Question period shall be shared with all invited Firms. At its discretion, the Commission may contact a Firm to seek clarification of any question received.

c) Key Action Dates

- i) Responders are advised of the key dates and times shown below and are expected to adhere to them. All times noted in this document are Pacific Time (PT).
- ii) Submission - The deadline to respond to this Solicitation is noted in Key Action Dates below. Responses shall be submitted via email to the State Lands Commission at the following email address: CSLC.Solicitations@slc.ca.gov. Multiple emails are acceptable to accommodate attachment size limitations.
- iii) Each Firm submitting Questions, or a Proposal has the burden of proof to confirm that its Questions or Proposal was received in accordance with this announcement, should there be any dispute about meeting the deadlines.

#	Key Action Date Description	Key Action Date
1	Request for Qualifications Release Date	August 15, 2024
2	Firm Question(s) Due By	August 23, 2024, by 3:00PM
3	Response to Questions Posted By	August 30, 2024
4	Request for Qualifications Proposal Due By	September 13, 2024, by 3:00 PM

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)**State Lands Commission**

#	Key Action Date Description	Key Action Date
5	Interviews (Subject to Change)	Week of September 23, 2024
6	Notice of Intent to Award (Subject to Change)	Week of September 30, 2024
7	Estimated Term Dates (Subject to Change):	October 14, 2024 – October 13, 2027

iv) Contact - Please contact us at CSLC.solicitations@slc.ca.gov if you have any questions about this solicitation. For all communications, the subject line must include: RFQ 2024-04 Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR).

(1) Mailing Address:

State Lands Commission
 Attn: Contracts – RFQ 2024-04
 100 Howe Avenue, Suite 100-South
 Sacramento, CA 95825

2) MINIMUM REQUIREMENTS

- a) The Firm shall be a firm qualified to practice the profession of engineering and environmental services, Pursuant to Government Code section 4525, subdivision (f), in the State of California.
- b) The Firm shall have a minimum of five (5) years of experience in performing engineering, economic, and environmental assessment services related to oil and gas operations and pipelines.
- c) The Firm shall have a minimum of five (5) years of experience in outreach and meeting facilitation, including examples of work managing meetings on sensitive or complex topics.

3) DESIRED QUALIFICATIONS

- a) The Commission's core purpose is to protect the lands and resources entrusted to its care through balanced management, marine protection and pollution prevention, adaptation to climate change, and ensuring public access to these lands and waters for current and future generations of Californians. The Commission is dedicated to safeguarding and promoting the public's access rights to waterways and the coastline. The Firm assisting Commission staff in preparation of the APTR will be expected to:

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)

State Lands Commission

- i) Provide the full range of expertise required to complete the requested document and all supporting technical studies and take the initiative to advise the Commission staff of the necessary efforts required;
- ii) Assess the quality of information provided by the Commission, lessees, Tribes, and public, agency, and non-governmental organization stakeholders, and inform the Commission of any information gaps;
- iii) Provide noticing, solicit input, and conduct outreach with coastal communities, particularly underserved and disadvantaged communities and California Native American tribes, within and adjacent to the areas of each pipeline to gather community perspectives on:
 - 1. historic and current pollution burdens and risks associated with oil and gas transportation from each pipeline.
 - 2. conflicts the pipelines pose for coastal and marine uses.
 - 3. impacts that spill events have on coastal communities.
 - 4. the effects of the pipelines and the associated production on local jobs and economies.
 - 5. potential alternatives to the pipelines, including barging, tankering, importing oil, replacement of oil with inland production, and ending production operations.
- iv) Conduct independent relevant environmental studies, if needed (to be identified as Optional Tasks); and
- v) Identify consultation requirements with agencies that may have a vested interest in, aspects of the Project and develop proposals to resolve any conflicts.

4) SCOPE OF WORK (SOW)

- a) The description of work for this proposal, including services and deliverables, is described in Attachment 12- Exhibit A of the Model Contract; it provides further refinement and scope for each task that will be required. Additional tasks not listed in Exhibit A, but of similar nature, may also be requested by Amendment as the work orders become known and shall be subject to all other conditions of the executed Agreement.

5) ADMINISTRATIVE REQUIREMENTS – PROPOSAL CHECKLIST

- a) Submission - All Proposals shall include the following Administrative Requirements in this order:
 - i) Attachment 1 – Request for Qualifications Checklist
 - ii) Attachment 2 – Proposal Cover Page – Firm Attestation

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)

State Lands Commission

- iii) Attachment 3 – Economic Interest Certificate Form 700
 - iv) Attachment 4 – Payee Data Record
 - v) Attachment 5 – Contractor Certification Clauses
 - vi) Attachment 6 – California Civil Rights Law
 - vii) Attachment 7 – Bidder Declaration (GSPD-05-105)
 - viii) Attachment 8 – DVBE Declaration (STD 843)
 - ix) Attachment 9 – Darfur Contracting Act Certification
 - x) Statement of Qualifications (SOQ)
 - (1) Attachment 10 - **Technical Narrative** (No more than 3 pages, 12-point font) should focus on providing information related to why the Firm believes their qualifications fulfill the requirements of this RFQ pursuant to Model Contract Exhibit A – Scope of Work.
 - (2) Attachment 11 - **Past Projects** (no more than 5 pages) - Include a description of past projects that demonstrate the Firm’s competence to perform work similar to that required in the Model Contract Exhibit A – Scope of Work. Prime consideration will be given to projects that demonstrate the Firm’s experience conducting environmental analyses of projects related to offshore oil and gas operations and pipelines in California. Include any other information that may be useful and applicable to this Scope of Work.
 - (3) Attachment 12 - **Methods and Approach** – Unlimited pages are allowed, as edits to Model Contract Exhibit A – Scope of Work. Firm shall present their Methods and Approach as Firm edits to the provided Exhibit A Scope of Work template. See Section 8 for detailed instructions.
 - (4) Attachment 13 – **Staffing Qualifications, Education and Experience**
 - xi) Attachment 14 – Exhibit B - Budget and Payment Detail
 - xii) Attachment 15 – Exhibit C - General Terms and Conditions
 - xiii) Attachment 16 – Exhibit D - Special Terms and Conditions
 - xiv) Attachment 17 – STD 213 - Standard Agreement (SAMPLE)
 - xv) Attachment 18 – Sample APTR for the Broad Beach Restoration Project
 - xvi) Attachment 19 – GenAI Reporting and Factsheet (STD 1000)
 - xvii) Attachment 20 – Target Area Contract Preference Act, TACPA (STD 830)
 - xviii) Attachment 21 – Bidder’s Summary, TACPA (DGS/PD 526)
- b) The Model Contract for this solicitation consists of Attachments 12 through 17.

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)

State Lands Commission

- i) As part of the Firm's proposal, the **Model Contract templates shall be returned as the original editable Word documents with Tracked Changes enabled.**

(1) Do not convert the Model Contract templates to another file format.

6) MODEL CONTRACT PROCUREMENT

- a) For competitive solicitations, the California State Lands Commission uses a model contract procurement method. The competitive solicitation process used by the Commission is as follows:
 - i) Commission staff drafts a model contract with a detailed Exhibit A – Scope of Work (SOW).
 - ii) Potential firms are asked to use the SOW template provided as a baseline for developing their approach and cost proposal for the project. Firms must submit as part of their response any changes or exceptions to the Model Contract that they wish to negotiate. If applicable, the Firm also updates Exhibit A – Scope of Work template in tracked changes with edits and additions to demonstrate their approach and describe services that address the needs.
 - iii) This is a dynamic competitive process through which the Commission can evaluate and test the strengths and weaknesses of prospective Firms and their proposals. The Commission can then make a final selection based on a combination of the Firm's experience; the quality and value of the firm's approach as updated into the Model Contract, if applicable; and the overall value the Firm can bring to the project, including the price.
 - iv) The Model Contract procurement moves quickly to execution as the terms and methods are well developed as an agreement format at the conclusion of the solicitation, thereby increasing the effectiveness of the effort and the project's success.

7) DESCRIPTION OF WORK – MODEL CONTRACT

- a) This will be a work order-based contract.
- b) The Firm shall review the terms of the Model Contract and become familiar with its language. This will substantively be the Contract that will be entered into between the State and the Firm.
- c) The Firm shall suggest edits to the Model Contract in Microsoft Track Changes. The Commission will review your suggested methods within Exhibit A – Scope of Work. See also Selection Criteria in Section 14.
- d) Model Contract exhibits with suggested edits or enhancements shall be included by the Firm in their response according to the RFQ Checklist.

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)

State Lands Commission

The Model Contract is comprised of Attachments 12 – 17 – All Proposals must be based on the Model Contract provided with this solicitation as:

- i) Exhibit A – Scope of Work. As part of the Firm’s proposal, the Scope of Work within Exhibit A must be revised by the Firm prior to submission. **All revisions must be done with Microsoft Word Track Changes.** Substitutions for proposal of Project Tasks, methods, approach, and scope are not permitted. The updated Scope of Work shall include:
 - (1) Firm’s Methods and Approach
 - (2) Project Hours (May be provided as a separate document formatted in MS Word or Excel.) – Provide a table showing hours per week by person covering the contract term.
 - (3) Expectations of all entities outside the Firm’s own team, if any.
 - (4) Other suggested edits, enhancements, and Optional Tasks.
- ii) Exhibit A-A1 - Resumes - Exhibit A, Attachment 1. Substitutions for Resumes is not permitted. Use the Exhibit A, A1 template (No page limit) to provide a Personnel Narrative that includes:
 - (1) Insert a resume for each proposed project team member.
 - (2) On page one (1) of the provided Word template the Firm shall specify and briefly describe the relevant experience of the proposed Project Manager or Principal, proposed Deputy Project Manager, and major team members.
 - (3) Each Resume must include:
 - (a) Name of each key person and title.
 - (b) Project assignment or role which that person will be expected to fulfill in connection with the scope of work.
 - (c) Name of the Firm or organization with whom that individual is presently associated.
 - (d) Years of relevant experience with present Firms and other Firms.
 - (e) Highest academic degree achieved, and the discipline covered (if more than one highest degree, such as two PhDs, list both), the year received, and the particular technical/professional discipline which that individual will bring to the project.
 - (f) Synopsis of experience, training, or other qualities.
- iii) Exhibit B – Budget and Payment Detail
- iv) Exhibit C – General Terms and Conditions
- v) Exhibit D – Special Terms and Conditions

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)**State Lands Commission**

- vi) STD 213 – Standard Agreement (SAMPLE)

8) COST PROPOSAL

- a) No cost information shall be submitted at this time. The most qualified Firm by ranking will be asked to submit a detailed cost proposal and Hourly Bill Rates after selection.
- b) Negotiations noted in Section 15 – Selection shall include providing a cost worksheet of Hourly Bill Rates which will apply to future Work Orders and be incorporated into Model Contract Exhibit B – Budget and Payment Detail Cost Worksheets as the Agreement.

9) PREFERENCE PROGRAMS

- a) Subcontractor Reporting and Program help
 - i) The Contractor will identify subcontractors and identify the contract price amounts allocated to those subcontractors on the [Bidder Declaration form \(Std. GSPD-05-105 | Attachment 7\)](#)
 - ii) When responding to this RFQ, Firms will need to verify each SB/DVBE subcontractor's certification with OSDS to ensure SB/DVBE eligibility.
 - iii) For general information regarding the Preference Program certifications discussed below email osdshelp@dgs.ca.gov or call (916) 375-4940.
- b) Small Business (SB) Preference
 - i) This RFQ does not require Firms to meet a minimum SB participation percentage or goal. Suggested Participation is 25%. If Firms use subcontractors, Firms are strongly encouraged to [subcontract with SBs](#).
 - ii) Existing law, the Small Business Procurement and Contract Act, declares that it is essential that opportunity is provided for full participation in our free enterprise system by small business enterprises. This bill ([AB 2019, \(2022\) Petrie-Norris. Small business enterprises](#)) would also declare that the state economy is strengthened by the diversity and resiliency of its small businesses and that it is essential to ensure all small businesses are able to fully participate in the domestic and global markets, including businesses owned by women and other specified groups.
 - iii) For more information on the requirements of, and how to obtain SB and DVBE certification, please visit the [DGS website](#).
- c) Disabled Veteran Business Enterprise (DVBE) Preference
 - i) The Commission recognizes disabled veterans for their service and has a DVBE Participation Program. The program is intended to further veterans' participation in the Commission contracting, promote competition, and encourage greater economic opportunity.
 - ii) This RFQ does not require a [mandatory participation goal](#). Participation in this program is optional. However, if Firms use subcontractors, Firms are

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)**State Lands Commission**

- encouraged to [subcontract with DVBEs](#). Any business used to meet the DVBE requirement must be certified by or have certification pending with the DGS OSBCR.
- iii) Under Military and Veterans Code section 999.2, each state department has a participation goal of not less than three (3%) for disabled veteran business enterprises. These goals apply to the overall dollar amount expended each year by the awarding department.
 - iv) DVBEs must perform a commercially useful function, related to the proposal specifications, as required by Military and Veterans Code section 999, subdivision (b)(5)(B).
 - v) During the contract term, the Contractor's DVBE compliance will be calculated on the completed work as verified by an audit of the Contractor's invoices and Contractor's payments to designated subcontractors.
- d) Commercially Useful Function
- i) Only State of California, Office of Small Business and DVBE Services (OSDS), certified SBs/Micro SBs and DVBEs who perform a [Commercially Useful Function \(CUF\)](#) relevant to this solicitation may be used to satisfy the SB/DVBE participation goals. The criteria and definition for performing a CUF are below.
 - ii) An SB/DVBE certified Contractor (prime contractor, subcontractor or supplier of goods/services) is performing a Commercially Useful Function (CUF) when the contractor is doing all the following:
 - (1) Executing a distinct element of the contract work including supplying of goods/services.
 - (2) Performing, managing, or supervising the work including supplying of goods/services.
 - (3) Performing work that is normal for the Contractor's business services and functions.
 - (4) Is responsible, with respect to products, inventories, materials and supplies required for the subcontract, for negotiating price, determining quality and quantity, ordering, installing (if applicable), and paying for the material.
 - (5) Not subcontracting a portion of the work greater than expected by industry practices.
 - iii) A SB/DVBE certified Contractor (prime contractor, subcontractor or supplier of goods/services) is NOT performing a Commercially Useful Function (CUF) if:
 - (1) An extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of SB/DVBE participation.
 - (2) Not being used to perform the work as stipulated in the proposal.
 - (3) No longer being used to provide good/services listed in initial proposal response.

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)**State Lands Commission**

- e) Target Area Contract Preference Act (TACPA)
 - i) This solicitation provides for the optional TACPA preference. Firms are not required to apply for this preference. Denial of the TACPA preference request is not a basis for rejection of the proposal/offer.
 - ii) The TACPA workplace and workforce preferences will be evaluated for this solicitation. California-based companies seeking TACPA preferences will need to complete and submit preference request forms with the offer. The following webpage contains required preference request forms and an interactive map to determine if a business is located within a TACPA qualified zone: [Request a Target Area Contract Preference](#).
 - iii) By submitting TACPA forms, a Firm given a TACPA preference agrees to the TACPA contract provisions required by [Government Code section 4535](#) and provided in section 1896.40 of Title 2 of the California Code of Regulations (2 CCR sec. 1896.40) in addition to requirements specified on the TACPA form [STD 830](#).

10) STANDARD CONDITIONS OF SERVICE

- a) General Terms and Conditions | Model Contract | Attachment 15 – The State does not generally accept alternate contract language from a prospective Firm. A Proposal with such language will be considered a counter-proposal and will be rejected. The [State's General Terms and Conditions \(GTC 04/2017\)](#) are generally not negotiable.

11) POST-GOVERNMENT EMPLOYMENT RESTRICTIONS

- a) Former Commission employees, including formerly retired annuitants, are subject to postemployment restrictions under [Government Code section 87406](#). Former designated Commission employees that have not been separated from the State for more than one (1) year starting on the later date of when the official permanently leaves state service, and are no longer authorized to perform the duties of their job, or who stop performing the duties of the job even if the official is still receiving compensation for accrued leave credits are prohibited from:
 - i) Entering into a contract with the Commission as an individual.
 - ii) Making any formal or informal appearances or oral or written communications to the Commission or any of its officers or employees. This includes attendance or participation in:
 - (1) Selection interviews.
 - (2) Scoping meetings.
 - (3) Contract and task order negotiations.
 - (4) Direct involvement in the cost proposal and audit activities.

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)

State Lands Commission

- b) Former Commission employees, including formerly retired annuitants, may be subject to a lifetime post-employment ban under Government Code sections 87400-87403.
- c) Violation by the Firm(s) of any provisions found in the paragraphs above shall render every contract or other transaction entered into void unless the violation is technical or non-substantive.

12) BUSINESS IN GOOD STANDING – Firm acknowledges that when agreements are to be performed in the State by corporations or vendors, the State will verify, prior to awarding any Commission contract, the following information in order to ensure that all obligations due to the State are fulfilled:

- a) Corporation in Good Standing - The Commission will verify with the Office of the Secretary of State (SOS) that the Firm is a corporation currently qualified to do business in California. The proposal will be considered non-responsive if the Firm declares as a corporation and is not listed with the SOS.
 - i) Both domestic and foreign corporations (those incorporated outside of California) must be in good standing in order to be qualified to do business in California.
- b) State Tax Delinquency - The Commission will verify with the Franchise Tax Board (FTB) and California Department of Tax and Fee Administration (CDTFA) that the Firm is not on a prohibited list due to tax delinquencies. The proposal will be considered non-responsive if the Firm appears on any of these lists.
- c) Business Licensing - The prime and subcontractor shall have business licenses: If a Firm or sub-contractor is located within the State of CA, a business license from the City/County in which it is headquartered is required. If the Firm is a corporation, a copy of incorporation documents is sufficient.
- d) Review for Federal Debarment and Suspension (Executive Orders 12549 and 12689) - A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the Office of Management and Budget (OMB) guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549. Based on "2 CFR Appendix II to Part 200. Contract Provisions for Non-Federal Entity Contracts Under Federal Awards."

13) CONFLICT OF INTEREST DETERMINATIONS

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)**State Lands Commission**

- a) Determinations of potential conflict of interest will be addressed by the Commission on a case-by-case basis with each Firm. Questions regarding this issue, or requests for a specific determination should be sent in writing or via email to CSLC.Solicitations@slc.ca.gov.

14) MONETARY INCENTIVE PROGRAMS

- a) This is a competency-based selection process in accordance with Government Code section 4525 et seq. As such, cost is not a scored factor. The following incentive programs are **not** applicable to the selection method.
- i) [Disabled Veterans' Business Enterprise \(DVBE\)](#) incentives. (Military & Veterans Code, §§ 999, 999.5, subd. (d).)
 - ii) [Small Business Incentive](#) (2 CCR § 1896.8, Gov. Code, § 14835 et seq.)
 - iii) [TACPA preferences](#) (Gov. Code, § 4530-4535.3.)

15) SELECTION PROCESS, SCORING CRITERIA AND AWARD

- a) Firm will be selected based on scored qualifications and an oral interview. This is a competency-based selection process in accordance with Government Code section 4525 et seq.
- b) The Commission shall weigh the factors identified below according to the nature of the proposed project, the complexity and special requirements of the specific project, and the needs of the Commission.
- c) The Commission shall use the following scoring criteria for selecting a Firm under this solicitation:
- i) Professional experience of the Firm in relation to the work to be performed;
 - ii) Demonstrated experience in Firm regarding environmental, engineering, and regulatory compliance;
 - iii) The Firm's staffing capacity;
 - iv) The education and experience of key personnel the Firm intends to assign to the Agreement;
 - v) Nature, quality, and timeliness of work completed for similar projects; and,
 - vi) Reliability, continuity, and location of the Firm and its proposed staff.
 - vii) Differentiating criteria – The following differentiating criteria shall be considered when scoring the above:
 - (1) Knowledge, recent experience, and demonstrated understanding, by the proposed Project Manager, Deputy Project Manager, and team, of:
 - (a) Relevant federal, State, and local laws, regulations, and policies, including, but not limited to, the California Environmental Quality Act,

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)

State Lands Commission

the California Coastal Act, and State and federal pipeline safety, water quality, air quality, and cultural resource laws.

- (b) Environmental and economic resources and analyses in the general Project area.
 - (c) The preparation of complex environmental, engineering, and policy documents equivalent in the scope required for this Project.
 - (d) Knowledge of and recent experience related to each of the following:
 - (i) Engineering principles and practices that apply to the Project.
- (2) The Commission evaluation of the task-based scope presented within an updated Exhibit A, Scope of Work (listing specific milestones and work products) that demonstrates a clear understanding of the various components of the Project, including identification of issues, understanding of the available data, and a detailed description of the methodology and analysis to be used in addressing those issues.
- (a) Quality of recommendations within the updated Exhibit A, Scope of Work on how to proceed in the environmental evaluation of the proposed Project (i.e., Project design, impact analysis, mitigation, monitoring, agency collaboration, and permitting) and a description of any needed supplemental analyses.
- (3) Demonstrated experience and ability of the proposed Project Manager to keep the Project on budget, and to communicate Project status, issues, and concerns with the Commission Project Coordinator.
- (4) The comprehensiveness and quality of the QA/QC techniques and methodology to be used to ensure the quality of all work products submitted to the State, including the inclusion of:
- (a) A comprehensive QA/QC Plan
 - (b) An experienced technical editor
 - (c) An experienced web content publisher
- (5) The comprehensiveness and quality of the information provided in Exhibit A, Optional Tasks.
- d) All Proposals will be reviewed by a Selection Committee appointed by the Executive Officer. Upon receipt and review of all Proposals, staff may contact one or more Firms by telephone to clarify areas where the staff has questions, and answer questions. No fewer than three Firms will be selected for in-person interviews. Interviews will be conducted virtually. Upon conclusion of the interviews, the Firms will be ranked.
- i) Negotiations shall be initiated with the most qualified Firm.

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)

State Lands Commission

- ii) In the event that a satisfactory agreement cannot be negotiated within 14 calendar days after the commencement of negotiations, the Commission may terminate negotiations with the most qualified Firm and begin negotiations with the next ranked Firm and so on.
- iii) After successful negotiations, a contract will be awarded and executed based on Work Order priority.
- e) If an Award is made, the Awardee shall be a responsive and responsible firm.
 - i) Responsive Proposal
 - (1) A Proposal response that is compliant without material deviation from the solicitation requirements and the terms and conditions of the proposed contract. A deviation is material if the Commission determines that the Firm's proposal is not in substantial accord with the solicitation requirements, or has a potentially significant effect on the delivery, quantity, or quality of deliverables, amount paid to the supplier, or on the cost to the State. Material deviations cannot be waived. The Commission may waive immaterial deviations and the proposal may be evaluated when considered to be in the best interest of the State. Immaterial deviations are inconsequential variances, which carry little or no importance and do not provide a Firm with any material advantage over other Firms. Waiver of an immaterial deviation shall in no way modify the RFQ requirements of excuse the selected Firm from full compliance with the terms and conditions of the proposed contract provisions.
 - (2) Non-responsive Proposal
 - (a) A Proposal may be deemed non-responsive and subsequently rejected if any of the following occurs:
 - (i) At any time, a submission is received after the exact time and date set forth in Key Action Dates for receipt of each submission.
 - (ii) The Firm fails to meet any of the eligibility requirements as specified in Minimum Qualifications.
 - (iii) The Firm fails to submit or fails to complete, and sign required Attachments as instructed in this RFQ.
 - (iv) The submission contains false, inaccurate, or misleading statements or references.
 - (v) The Firm is unwilling or unable to fully comply with the proposed contract provisions.
 - (vi) The Firm supplies conditional cost information, incomplete cost information, or cost information containing unsigned/uninitiated alterations or irregularities.
 - (3) Responsible Firm

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)

State Lands Commission

- (a) A Firm who submits a Responsive Proposal and who possesses the qualifications, experience, facilities, reputation, and financial resources necessary to perform the contract at the time of contract award.
- f) **Errors in Bidding** - Firms are cautioned not to rely on the State during the evaluation to discover and report any defects and errors in the submitted documents. Firms, before submitting their documents, should carefully proofread any submitted documents for errors and adherence to the RFQ requirements.
 - i) An error in the proposal may cause the rejection of that proposal; however, the Commission may, AT ITS SOLE OPTION, retain the proposal and make certain corrections. In determining if a correction will be made, the Commission will consider the conformance of the proposal to the format and content required by the RFQ, and any unusual complexity of the format and content required by the RFQ.
 - ii) If the Firm's intent, as determined by the Commission, is clearly established based on review of the complete proposal submittal, the Commission may at its sole option correct an error based on that established intent.

16) ADDENDUM TO RFQ

- a) The Commission reserves the right to amend the RFQ by addendum before the final Proposal submittal date and time.

17) COMMISSION RIGHTS

- a) Verification of Firm Information - By submitting a proposal, firms agree to authorize the Commission to:
 - i) Verify any and all claims made by the Firm including, but not limited to, verification of prior experience and the possession of other required qualifications.
 - ii) Check any reference identified by a Firm or other resources known by the State to confirm the Firm's business integrity and history of providing effective, efficient, competent and timely services.
- b) The Commission may waive immaterial deviations and the Proposal may be evaluated based on the information provided when considered to be in the best interest of the State. The State's waiver of immaterial defect shall in no way modify the RFQ document or excuse the Firm from full compliance with all requirements if awarded the contract.
- c) The Commission may at its sole option correct obvious clerical errors.
- d) The Commission reserves the right to contact Firms at any stage of the proposal process to collect additional clarifying information, if deemed necessary.
- e) The Commission reserves the right to terminate the selection proceedings at any time where it determines it is in the best interests of the State. The

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)**State Lands Commission**

Commission is not required to award the agreement and reserves the right to terminate in whole or in part at its sole discretion any contract award at any time upon giving written notice.

- f) Issuance of this RFQ in no way constitutes a commitment by the Commission to award a contract. The Commission reserves the right to reject any or all Proposals, or portions of Proposals, received in response to this RFQ, or to amend or cancel this RFQ at any time. In the event of such cancellation, the Commission may reissue the RFQ at a later date.

18) REJECTION OF PROPOSALS

- a) Proposals to perform work of a kind for which a Firm is not properly licensed and qualified will be rejected.
- b) Proposals must be submitted for the performance of all the services described herein. Any deviation from the work specifications or contingencies will not be considered and will cause a Proposal to be rejected.
- c) A Proposal may be rejected if it is conditional or incomplete, or if it contains any alterations of form or other irregularities of any kind.
- d) A firm may modify a proposal after submission by withdrawing its original proposal and resubmitting a new proposal prior to the proposal submission deadline. Firm modifications offered in any other manner, oral or written, will not be considered.
- e) No oral understanding or agreement shall be binding on either party.

19) SUBSEQUENT SOLICITATION

- a) At the Commission's sole discretion, after the contract award has been made and the contract has been executed, if the contract is terminated with or without cause after the performance has begun, the Commission may engage the next-ranked Firm without performing a subsequent solicitation.
- b) For more information, or to submit questions regarding the content of this solicitation, please contact us at CSLC.solicitations@slc.ca.gov.

20) GENERATIVE ARTIFICIAL INTELLIGENCE TECHNOLOGY USE & REPORTING

- a) The State of California seeks to realize the potential benefits of GenAI, through the development and deployment of GenAI tools, while balancing the risks of these new technologies.
- b) **Firm must notify the State in writing if their solution or service includes, or makes available, any GenAI, including GenAI from third parties or subcontractors.**
- c) The State has developed a GenAI Reporting and Factsheet (STD 1000) to be completed by the Firm.

Offshore Oil and Gas Pipelines: Analysis of Impacts to Public Trust Resources and Values (APTR)

State Lands Commission

- d) Failure to submit the GenAI Reporting and Factsheet (STD 1000) will result in disqualification of the Firm.
- e) Failure to report GenAI to the State may void any resulting contract. The State reserves its right to seek any and all relief it may be entitled to as a result of such non-disclosure.
- f) Upon receipt of a Firm GenAI Reporting and Factsheet (STD 1000), the state reserves the right to incorporate GenAI Special Provisions into the final contract or reject proposals that present an unacceptable level of risk to the state.