AGENDA

San Mateo City Hall, Rm. C    July 12, 2019    2:00 PM

1. Roll Call

2. Swearing-In of Committee Members

3. Public Comment

   This item is reserved for persons wishing to address the Committee on items both on the agenda and items not on the agenda.

   As with all public comment, members of the public who wish to address the Committee should complete a speaker’s slip. Speakers are customarily limited to two minutes.

4. Action to Set the Agenda

5. Election of Committee Chair and Vice Chair

6. Approval of Consent Agenda

   6.1 Receive County Resolution Establishing Flood and Sea Level Rise Resiliency Advisory Committee

   6.2 Appointment of Interim General Manager and Amendment of Contract Scope of Work and Budget with Larry Patterson d.b.a. Coast Consulting

7. Presentations

   7.1 General Manager Recruitment
7.2 AB 825*

7.3 Flood and Sea Level Rise Investment Strategy RFQ/RFP

7.4 Summary of Administrative Tasks: Formation of New Flood Control District

8. Regular Agenda

8.1 Establish General Manager Compensation and Benefits (ACTION)

8.2 Adopt FSLRRD 2019 Pre-Start-up Work Plan (ACTION)

8.3 Establish Regular Meeting Location and Dates (ACTION)*

8.4 Discussion of Conflict of Interest Code*

9. Program Reports

9.1 Flood Control District Engineer’s Report*

9.2 Flood Resiliency Program Manager’s Report*

10. Committee Member Reports*

11. Items for Future Agenda

12. Adjournment

Recognition of C-CAG Countywide Water Coordination Committee

Following adjournment, the Committee will host a celebration of the accomplishments of the C/CAG Countywide Water Coordination Committee and its Staff Advisory Team. Refreshments will be provided.

County of San Mateo Flood and Sea Level Rise Resiliency Advisory Committee Staff:
Larry Patterson, Contract Support
Jim Porter, San Mateo County Director of Public Works
Ann Stillman, County Flood Control District Engineer
Erika Powell, Flood Resiliency Program Manager

* Indicates that reports are verbal only.

Meeting Rules and Procedures

Signing up to speak to the Committee and time limits:

For the orderly recognition of members of the public who wish to speak before the Committee, speakers are asked to fill out a speaker request form and give it to the Committee Clerk. However, speakers may elect not to identify themselves by name. The form is available in the entryway area for the meeting room. Public comment is generally limited to two minutes per speaker, although the
Committee Chair may modify this time limit in order to accommodate all speakers. Prearranged presentations are generally 10 minutes.

Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact Rochelle Kiner, Deputy Director of Public Works for Administrative Services and Airports, at least two working days before the meeting at 650-599-1423 and/or rkiner@smcgov.org. Notification in advance of the meeting will enable the Committee to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it. Attendees of this meeting are reminded that other attendees may be sensitive to various chemical based products.

Communicating with Committee Members:

If you wish for your written communication or materials to be distributed to all Committee Members, please email such communication or materials to rkiner@smcgov.org or mail them to the address listed on this page, for receipt at least two business days prior to the Committee meeting.

Visual Presentations/Materials. For PowerPoint presentations, you need to provide the Committee Clerk a USB flash drive 30 minutes prior to the meeting start or via email by 5:00 p.m. the day prior to the meeting. Electronic formats must be PC compatible.

Public Records. Public records that relate to any item on the open session agenda for a regular Flood and Sea Level Rise Resiliency Advisory Committee meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Committee. The Committee has designated the office of the Public Works Department, located at 555 County Center, 5th Floor, Redwood City, CA 94063, for the purpose of making those public records available for inspection. These documents are also available to be sent electronically. Contact the Committee Clerk.
FSLRRD Advisory Committee Agenda Report

Date: July 12, 2019

To: San Mateo County Flood and Sea Level Rise Advisory Committee

From: Jim Porter, San Mateo County Director of Public Works

Subject: San Mateo County Board of Supervisors Resolution Appointing a Standing Seven-Member Advisory Committee to Oversee the Transition of Operations from the Current Flood Control District to an Independent District In Accordance With AB 825

RECOMMENDATION:

Receive the Resolution adopted by the San Mateo County Board of Supervisors establishing the Flood and Sea Level Rise Resiliency Advisory Committee.

BACKGROUND:

The proposal to form a Flood and Sea Level Rise Resiliency District (FSLRRD) has been endorsed by the County and 20 cities within the County. Legislation to form the District (AB 825) has been approved by the State Assembly and is now under review by the Senate. With passage by the Senate and signing by the Governor by September 30, 2019, the new District’s Board will be seated in January 2020. The District will initiate a 3-year start-up that will include preparation of a Flood and Sea Level Rise Investment Strategy, extensive public engagement process and establishment of a permanent funding source for the District.

There are several pre-Start-up activities that need to be completed prior to January 2020. These are outlined under a separate item. The County established this Advisory Committee to provide input and direction to staff in advancing these pre-start-up activities. For continuity, the Advisory Committee members were also selected to become the FSLRRD Board upon the effective date of AB 825.

FISCAL IMPACT:

Costs associated with staffing the FSLRR Advisory Committee, completing pre-start-up activities and continuing the on-going work of the existing Flood Control District and Flood Resiliency Program through December 2019 have been budgeted by San Mateo County.

ATTACHMENTS:

1. Resolution
RESOLUTION NO. 076718

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

* * * * * *

RESOLUTION APPOINTING TWO MEMBERS OF THE COUNTY OF SAN MATEO BOARD OF SUPERVISORS TO THE ADVISORY COMMITTEE OF THE SAN MATEO COUNTY FLOOD CONTROL DISTRICT AND TO THE GOVERNING BOARD OF THE PROPOSED SAN MATEO COUNTY FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT UPON THE EFFECTIVE DATE OF AB 825

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, on January 29, 2019 this Board adopted Resolution No. 076380 in support of the “Flood and Sea Level Rise Resiliency Agency Proposal” (Proposal) for the new San Mateo County Flood and Sea Level Rise Resiliency District (FSLRRD); and

WHEREAS, that Proposal includes modifying the existing San Mateo County Flood Control District Act to enable additional water related activities and jurisdictional areas, and to establish a new governance structure comprised of a seven-member governing board that includes five city/town council members appointed by the City/County Association of Governments (C/CAG) and two members of the County of San Mateo Board of Supervisors; and

WHEREAS, in anticipation of the passage of AB 825, it is desirable for the existing Flood Control District to establish a seven-member advisory committee which, after the effective date of AB 825, will serve as the FSLRRD’s board; and
WHEREAS, C/CAG approved Resolution No. 19-52 on June 13, 2019

appointing the following individuals to serve on the advisory committee:

- Maryann Moise Derwin, Town of Portola Valley, representing C/CAG’s at-large nominee;
- Donna Colson, City of Burlingame, representing C/CAG’s nominee from the County’s northern area;
- Diane Papan, City of San Mateo, representing C/CAG’s nominee from the County’s central area;
- Lisa Gauthier, City of East Palo Alto, representing C/CAG’s nominee from the County’s southern area; and
- Debbie Ruddock, City of Half Moon Bay, representing C/CAG’s nominee from the County’s coastal area; and

WHEREAS, it is proposed that Supervisor Don Horsley, as the County’s District 3 Supervisor, be appointed as the County’s nominee from the County’s coastal area, and Supervisor Dave Pine be appointed as the County’s at-large nominee to the advisory committee; and

WHEREAS, it is further recommended that Supervisors Horsley and Pine shall be the County’s appointees to the FSLRRD should AB 825 become effective on January 1, 2020.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as follows:

1) The following nominees are hereby approved and authorized by this Board as the County’s representatives to the advisory committee of the existing San Mateo County Flood Control District: Supervisor Don Horsley as the County’s nominee
from its coastal area and Supervisor Dave Pine as the County’s at-large nominee.

2) Upon the effective date of AB 825 establishing the San Mateo County Flood and Sea Level Rise Resiliency District, the above-referenced nominees shall also be the County’s appointees to the governing board of said district.

* * * * * * *
RESOLUTION NUMBER: 076718

Regularly passed and adopted this 25th day of June, 2019

AYES and in favor of said resolution:

Supervisors:  CAROLE GROOM

                  DON HORSLEY

                  WARREN SLOCUM

                  DAVID J. CANEPA

NOES and against said resolution:

Supervisors:  NONE

Absent Supervisor:  DAVE PINE

President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.

[Signature]
Assistant Clerk of the Board of Supervisors
FSLRR Advisory Committee Agenda Report

Date: July 12, 2019
To: San Mateo County Flood and Sea Level Rise Resiliency Advisory Committee
From: Jim Porter, San Mateo County Director of Public Works
Subject: Appointment of Interim General Manager and Amendment of Contract Scope of Work and Budget with Larry Patterson d.b.a. Coast Consulting

RECOMMENDATION:
That the Flood and Sea Level Rise Resiliency Advisory Committee recommend that the San Mateo County Board of Supervisors appoint Larry Patterson of Coast Consulting as the Interim General Manager for the formation of the Flood and Sea Level Rise Resiliency District and amend the scope of work and budget for the contract between the Department of Public Works and Larry Patterson, d.b.a. Coast Consulting to reflect this change.

BACKGROUND:
It is anticipated that the Flood and Sea Level Rise Resiliency District will be activated in January 2020. Formal action cannot be taken for the District until that time. During the intervening time pre-start-up work is required to advance the Flood and Sea Level Rise Investment Strategy and to complete other administrative and financial system set-up tasks prior to January 2020. Staff support for the Flood and Sea Level Rise Resiliency Advisory Committee is also needed prior to the activation of the District.

Larry Patterson doing business as Coast Consulting, is currently under contract to the County Department of Public Works. His original scope of services included presenting the proposal for a Flood and Sea Level Rise Resiliency Agency and requesting endorsement by the 20 cities in San Mateo County between January and June of 2019. This work has been completed. Public Works recommends that his role be expanded to provide the following additional services:

- Develop the Request for Qualifications and Request for Proposals for the Flood and Sea Level Rise Investment Strategy;
- Provide staff support for the Flood and Sea Level Rise Resiliency Advisory Committee;
- Provide a point of contact for interactions with other public agencies, stakeholders and the public.
• Provide support to the Department of Public Works to complete the Administrative Tasks outlined in a separate agenda item;
• Make pre-start-up decisions to advance the formation of the new District.

The status of original tasks and proposed changes to the contract scope of services is provided as Attachment 1. The additional work would, under normal circumstances be handled by the General Manager. However, the General Manager will not be appointed until January 2020 so appointment of an Interim General Manager is necessary and recommended.

Formal action is being requested by the Advisory Committee and Board of Supervisors so that responsibilities and authority are clearly assigned to the Interim General Manager. This will ensure a clear point of contact for the Advisory Committee and facilitate the successful decision-making and completion of important pre-start-up tasks prior to the activation of the FLSLRRD in January 2020 and appointment of the permanent General Manager.

**FISCAL IMPACT:**

The original budget for the contract with Larry Patterson, d.b.a. Coast Consulting was $100,000. As of June 29, 2019, there is $37,787.50 budget remaining in the contract. The estimated cost for the proposed expansion of the scope of services and expansion of the contract through December 31, 2019 is $72,000.00. The requested budget amendment is:

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<th>Description</th>
<th>Amount</th>
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<td>Remaining Budget:</td>
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<td>Estimated Costs 7/1 to 12/31/2019:</td>
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<td>Budget Shortfall</td>
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<td>Requested Budget Amendment</td>
<td>$34,200.00</td>
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The requested budget amendment of $34,200, will increase the total contract amount from $100,000 to $134,200.

**ATTACHMENTS:**

1. Proposed Amendment to Scope of Services - Agreement with Independent Contractor No. 46600-19-D001
Proposed Amendment to Scope of Services
Agreement with Independent Contractor No. 46600-19-D001

Status and Proposed Revisions to Existing Scope of Work
XXXX Existing task status
YYYY Proposed Additional Work

Task 1. General Oversight of Formation of Agency

- Assist County and C/CAG staff in implementing recommendations of final report prepared by ESA Consultants Complete
- Develop Request for Qualifications and Request for Proposals for the Flood and Sea Level Rise Investment Strategy
- Developing Requests for Proposals to retain professional services, equipment, and software necessary for agency operations District financial, legal and administrative services, office space and other basic requirements for District operations will be arranged prior to the end of calendar year 2019
- Serve as Interim General Manager supporting the Flood and Sea Level Rise Advisory Committee including establishing regular meeting dates, setting agendas, preparing staff reports and functioning as the primary point of contact for the Committee members, stakeholders and the public. The Interim General Manager will be authorized to make decisions and advance necessary tasks as part of the pre-start-up phase of the FSLRRD.

Task 2. Attend and Present City Council and Board of Supervisors Meetings to Obtain Support of Concept

- Attend up to 21 city and County public meetings to gain support for agency formation Complete
- Prepare presentation materials as necessary, including PowerPoint presentation and reports Complete
- Pursue unanimous approval by all 21 local government agencies Complete

Task 3. Develop legislation to modify the existing San Mateo County Flood Control District

- Develop agreement between San Mateo County and FSLRRA for continued operations of Flood Control District Draft agreement to be prepared prior to end of 2019 Calendar Year
- Work with counsel to develop proposed language for modification of the San Mateo Flood Control District Complete
- Coordinate and attend meetings with State legislators to formalize a bill sponsor and seek legislative support Not Required

Task 4. Pursue Sustainable long-Term Funding for New Agency

- Evaluate options for ongoing revenue streams, inducting parcel tax, sales tax, infrastructure financing districts, etc. Not Required. Will be performed during FSLRRD Start-up
- Garner consensus on the preferred method Not Required

Task 5. Other Duties as Assigned
Item 6.2: Attachment 1

- Provide support to County and C/CAG staff on FSLRRA formation and operations tasks not directly defined in Tasks 1 through 4 above as directed No change
FSLRR Advisory Committee Agenda Report

Date: July 12, 2019

To: San Mateo County Flood and Sea Level Rise Resiliency Advisory Committee

From: Jim Porter, San Mateo County Director of Public Works

Subject: General Manager Recruitment

RECOMMENDATION:

Review and provide input on the recruitment process, schedule and use of an executive search firm to conduct the recruitment. It is also recommended that the Committee indicate how they wish to remain involved in the recruitment process.

BACKGROUND

Public Works staff have been developing a job description and materials that can be used in the recruitment process. Staff has also been inquiring within the profession to gauge interest in the position. It has been determined that the unique aspects of the FSLRRD General Manager position will result in a potentially limited pool of qualified candidates. In response, the County Manager has authorized the use of an executive search firm (recruiter) to enhance the potential recruitment success.

Key aspects of the recruitment include:

- Staff will work with the recruiter to screen and interview initial candidates to identify the top candidates for final interviews;
- The District Board (with support from the recruiter and staff) will conduct the final interview and make the final selection;
- The recruitment process can be completed by the end of calendar year 2019. The appointment of the General Manager will occur in January 2020 at the first meeting of the FSLRRD Board (at the earliest);
- The schedule for hiring the General Manager will depend on the pool of qualified candidates;
- The General Manager’s duties during Start-up will be different from those after the agency has obtained on-going funding so the recruitment materials will attempt to capture this unique aspect of the position;
ITEM 7.1

- There is some unusual risk associated with the position given the uncertainty regarding on-going funding for the agency;
- The proposed salary is consistent with positions within Public Works and Flood Control Districts with similar responsibilities; (A separate agenda items is provided for action regarding General Manager Compensation and Benefits)
- It will be important for the Board to select the best available candidate ONLY if they are also fully qualified for the unique nature of the General Manager position. If the right person for the position is not found, a second recruitment will be necessary.

Staff is requesting the Advisory Committee’s direction regarding your involvement in the recruiting process. City Councils and other Boards will sometimes appoint a subcommittee to work with staff and the recruiter to complete the recruitment process. The subcommittee will provide input regarding recruitment materials and candidate screening. Normally, the final interview is with the full Council/Board. Alternatively, the Advisory Committee could elect to function as a Committee of the Whole during the recruitment process. This will require noticing each recruitment meeting under the Brown Act. Ultimately, the position will be appointed by the FSLRRD once activated.

**FISCAL IMPACT:**

The General Manager position will be budgeted and funded during the 3-year Start-up period using Start-up funding provided by the County and 20 cities.

**ATTACHMENTS:**

None
FSLRR Advisory Committee Agenda Report

Date: July 12, 2019

To: San Mateo County Flood and Sea Level Rise Resiliency Advisory Committee

From: Jim Porter, San Mateo County Director of Public Works

Subject: Flood and Sea Level Rise Investment Strategy RFQ/RFP

RECOMMENDATION:

That the Committee review and provide input on the draft Request for Qualifications for the Flood and Sea Level Rise Investment Strategy Request for Qualifications (RFQ).

BACKGROUND:

An important element of the Flood and Sea Level Rise Resiliency District (FSLRRD) Start-up is the preparation of a Flood and Sea Level Rise Investment Strategy (Investment Strategy). This Investment Strategy project will include a robust public education and engagement process. The purpose of the public engagement process will be to continue the efforts of the County Office of Sustainability to raise public awareness about sea level rise and to introduce the public to the types of projects that will be necessary to address existing flooding issues and the added impact of climate change. Climate change is expected to both result in rising sea levels but also more extreme storm events both of which can contribute to flooding.

A two-step consultant selection process has been selected. The first step will be to invite consultants or consultant teams to submit a Statement of Qualifications. The Statement of Qualifications will be evaluated by subject matter experts to identify consultants and consultant staff with the specific expertise to successfully perform the work. Those consultants deemed qualified will be invited to submit proposals in response to a Request for Proposals. Submittal of a detailed scope of work and fee estimate for the preparation of the Investment Strategy will be required as part of the consultant proposals.

Key Aspects of the draft Request for Qualifications (Attachment 1) include the following:

- The public engagement process is a central and very important part of the Investment Strategy;
- To the extent possible, the Investment Strategy will utilize available information including work on the existing Flood Resiliency projects;
- The Adaptation Atlas recently released by the San Francisco Bay Estuary Institute (SFEI) and the on-going efforts of the San Mateo County Office of Sustainability (OOS) will be important building blocks upon which the Investment Strategy will be created;
- It is anticipated that information from the Investment Strategy will also inform the funding campaign. However, the funding campaign will not be part of the Investment Strategy development. It is important that the funding campaign be separate from and contracted independently from the development of the Investment Strategy.
- The Investment Strategy will address flooding, the impacts of sea level rise and the need and funding for regional storm water projects. However, it will not result in a prioritized list of projects. Rather it will provide some specific projects but also categories of needed projects that would be eligible for funding. It will define the necessary District staffing and operational costs. A more detailed capital improvement program will be developed once the FSLRRD has reliable on-going funding.
- The Statement of Qualifications will include an initial scope of work. Consultants will be asked to comment on the scope of work and recommend how it could be improved. They will be evaluated, in part, on their evaluation of the scope of work.
- The RFQ requests consultant input on how existing SFEI, OOS, BCDC and other sea level rise efforts can be incorporated into the development of the Investment Strategy.
- Consultants must submit a Statement of Qualifications to be eligible to submit a proposal. However, prime consultants may adjust their subconsultants once a detailed scope of work has been provided in the Request for Proposals.
- It is anticipated that the Request for Proposals will be issued after the General Manager is hired, provided that the current recruitment schedule is met.
- It is anticipated that the FSLRRD will award the consultant contract.

**FISCAL IMPACT:**

The consultant costs for the Investment Strategy will not be known until the final scope of work is negotiated following consultant selection. However, staff estimates that the cost to develop the Investment Strategy and conduct the robust public engagement process could be from $900,000 to $1,000,000. Funding for the project will be from the FSLRRD 3-year annual Start-up funding provided by the County and 20 cities.

**ENVIRONMENTAL REVIEW:**

Issuance of a Request for Qualifications is not considered a project under CEQA. Projects identified within or in response to the Investment Strategy may subsequently require environmental review.

**ATTACHMENTS:**

1. Draft Request for Qualifications
REQUEST FOR QUALIFICATIONS

Title: Flood and Sea Level Rise Investment Strategy

The County of San Mateo (County), on behalf of the Flood and Sea Level Rise Resiliency District (FSLRRD) that will be formed with passage of AB 825 and is expected to commence operations in January 2020, is seeking statements of qualifications for a public engagement process supported by engineering and funding option development for a San Mateo County Flood and Sea Level Rise Investment Strategy (Investment Strategy). This Investment Strategy will define specific projects or general project categories needed to address flood and sea level rise vulnerabilities in San Mateo County and will outline funding strategies that will be used to advance these projects. A robust public engagement process will be implemented to identify and address local community interests integral to the development of the Investment Strategy. The Investment Strategy will also inform property owners or voters who will be asked to approve funding for the on-going operations of the FSLRRD.

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<td>C. Protest Contents</td>
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<td>D. Reply to Protest</td>
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<td>E. No Stay of Procurement Action during Protest</td>
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<td>III</td>
<td>QUALIFICATIONS, EXPERIENCE, AND EVALUATION CRITERIA</td>
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<td>MINIMUM QUALIFICATIONS</td>
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<td>STANDARD TERMS AND CONDITIONS</td>
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<td>PROJECT BACKGROUND AND DRAFT SCOPE OF WORK</td>
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<td>STEERING COMMITTEE</td>
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<td>6.6</td>
<td>DRAFT WORK TASKS</td>
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<td>6.7</td>
<td>PREVAILING RATES</td>
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SECTION I - DEFINITIONS

Business Day: Monday through Friday except for holidays as observed per the California Government Code.

Confidential Information: Information in any form that is not generally known and that is treated as confidential by a party, including business, financial, statistical, and non-public personal information, trade secrets, know-how, applications, documentation, schematics, procedures, Personally Identifiable Information, information covered by legal privilege, and other proprietary information that may be disclosed or incorporated in materials provided to one party by the other, whether or not designated as confidential, whether or not intentionally or unintentionally disclosed, and whether or not subject to legal protections or restrictions.

Consultant: A consulting entity submitting a statement of qualifications or a designated prime consultant and subconsultants assembled as a team for the project.

Contract Materials: finished or unfinished documents, data, studies, maps, photographs, reports, specifications, lists, manuals, software, and other written or recorded materials produced or acquired by the Contractor pursuant to the Contract or on behalf of the FSLRRD, whether or not copyrighted.

Contract: The agreement between the Flood and Sea Level Rise Resiliency District and Contractor awarded pursuant to this solicitation.

Contractor: The person or other entity awarded a Contract in conformance with the terms of this solicitation and any subsequently-agreed upon terms.

FSLRRD Data: All information, data, and other content, including Confidential Information and other information whether or not made available by the existing San Mateo County Flood Control District or the District’s agents, representatives or users, to a Contractor or potential Contractor or their employees, agents, representatives or Subcontractors, and any information, data and content directly derived from the foregoing, including data reflecting user access or use.

FSLRRD Systems: The information technology infrastructure of the existing San Mateo County Flood Control District or any of its designees, including computers, software, databases, networks, and related electronic systems as well as the information technology infrastructure of San Mateo County or any of its designees which is utilized by the District.

County: San Mateo County acting on behalf of the existing San Mateo County Flood Control District.

Deliverables: Goods or services required to be provided to the Flood and Sea Level Rise Resiliency District under the Contract.

DUNS (Data Universal Numbering System): a proprietary nine-digit number issued by Dun and Bradstreet, Inc. to identify unique business entities.

FSLRRD: Flood and Sea Level Rise Resiliency District being formed through AB 825 (adoption anticipated by September 2019 with District Board seated in January 2020). As used herein, the FSLRRD also refers to the existing San Mateo County Flood Control District which is governed by the San Mateo County Board of Supervisors.

Force Majeure: An event or circumstance not caused by or under the control of a party, and beyond the reasonable anticipation of the affected party, which prevents the party from complying with any of its obligations under the Contract, including acts of God, fires, floods, explosions, riots, wars, hurricane, sabotage, terrorism, vandalism, accident, governmental acts, and other events.

Hosting: Storage, maintenance, and management of hardware, software, and San Mateo County Data by a party other than San Mateo County or the Flood and Sea Level Rise Resiliency District, on machines and at locations other than those operated by San Mateo County, where a party other than San Mateo County has
regular responsibility for back-up, disaster recovery, security, upgrades, replacement, and overall responsibility for ensuring that all hardware and software continues to function as intended.

Key Employee: Employees of the Contractor jointly identified by Flood and Sea Level Rise Resiliency District and the Contractor as possessing unique skill and experience that was a material consideration in San Mateo County’s decision to award a contract.

Maintenance Updates: Any revision, update, improvement, modification, enhancement, correction, bug fix, patch, or new release for a system, platform, software or other product, including any change made as a result of applicable federal, State, or local law.

Major Change: A change to the specified performance, maintainability, operation, power requirements, compatibility, measurement, user interface, reliability, quantity, scale, quality, terms, delivery method, or requirement of any product or service that affects the obligations of the parties or reflects a substantial alteration in circumstances surrounding the agreement, or is of such a nature that knowledge of the change would affect a person’s decision-making process.

PII (Personally Identifiable Information): information in any format that can be used to identify a specific individual, either used alone or combined with other private or public information that can be linked in some way to a specific individual.

Project Manager: The individual identified by the Flood and Sea Level Rise Resiliency District’s primary contact for the receipt and management of the goods and services required under the Contract.

PST: Pacific Standard Time, including Pacific Daylight Time when in effect

Subcontractor: Firms engaged by the Contractor to perform work or provide goods pursuant to the Contract, including vendors and suppliers

Task Order or Purchase Order: A written request from the Flood and Sea Level Rise Resiliency District to a vendor to provide goods or services, indicating types, quantities, prices and delivery criteria.
SECTION II - INSTRUCTIONS FOR PROPOSERS

2.1 PRE-SUBMITTAL ACTIVITIES

A. Registration

(1) Organizations or individuals interested in responding to this solicitation must register online with the County of San Mateo at: https://www.publicpurchase.com/gems/register/vendor/register

(2) The County does not maintain the Public Purchase system and is not liable for site failures or technical problems. To resolve technical issues, contact Public Purchase at: http://www.publicpurchase.com/gems/help/mainhelp.html?frame1=public/info.html&frame2=public/info_register.html

B. Questions, Comments, Exceptions

Submit questions, comments, and exceptions, including notifications of apparent errors, to the Public Purchase site by the Deadline for Questions, Comments and Exceptions. Questions and comments received after the deadline may not be acknowledged.

(1) Request for changes

If requesting changes to a part of this solicitation, identify the specific words or phrases and the sections and paragraphs in which they occur. State the reason for each request and provide alternative suggested language. Failure to submit requests by the deadline will be deemed a waiver of any exception. The County’s consideration of a suggestion does not imply acceptance. If sufficient proposals are received with no requested changes, the County may reject those requesting changes.

(2) Request for Substitution of Specified Equipment, Material, or Process

(a) Unless otherwise stated in the solicitation, references to items or processes by trade names, models or catalog numbers are to be regarded as establishing a standard of quality and not construed as limiting competition.

(b) If requesting a substitution for a required item, submit requests by the Deadline for Questions, Comments, and Exceptions. Furnish all necessary information required for the County, in its sole judgement, to make a determination as to the comparative quality and suitability of any suggested alternatives. The County’s decision will be final. If alternatives are accepted, the County will issue an addendum to the solicitation.

C. Revisions to the Solicitation

The County or FSLRRD may cancel, revise, or reissue this solicitation, in whole or in part, for any reason. Revisions will be posted as addenda on http://www.publicpurchase.com/. No other revision of this solicitation will be valid. Proposers are responsible for ensuring that they have received all addenda from Public Purchase.

D. Contact with County or FSLRRD Employees

Violation of the following prohibitions may result in a proposer being found non-responsible, barred from participating in this or future procurements, and becoming subject to other legal penalties.

(1) As of the issuance date of this RFQ and continuing until it is canceled or an award is made, no proposer or person acting on behalf of a prospective proposer may discuss any matter relating to the RFQ with any officer, agent, or employee of the County or FSLRRD, other than through Public Purchase, to the Authorized Contact Person, or as outlined in the evaluation or protest procedures.

(2) Proposers may not agree to pay any consideration to any company or person to influence the award of a contract by the FSLRRD, nor engage in behavior that may be reasonably construed by the public as having the effect or intent of influencing the award of a contract.
E. Pre-submittal conference

A pre-submittal conference is scheduled. Answers to questions raised prior to and at the event will be posted on Public Purchase.

2.2 CONTENT REQUIREMENTS

A. Statement of Qualifications Format and Content

Number all pages of the statement of qualifications. Label and order each section as follows:

1. Cover letter - no longer than one page, signed by an individual authorized to execute legal documents for the proposer, identifying the materials submitted.
2. Authorized contacts - identify the name and title of the person to contact regarding the statement of qualifications, as well as all other individuals authorized to represent the organization in contract negotiations.
3. Table of Contents, listing all major topics and their respective page numbers.
4. Exceptions to the solicitation, or to the final revised solicitation, if any.
5. Summary of qualifications including references (no more than 30 pages) (see Section 3.2, Summary of Qualifications)
6. Recommended enhancements to the draft scope of work provided in SECTION VI, Project Background and Draft Scope of Work. (see Section 3.4 Evaluation Criteria) (no more than 10 pages)
7. Recommendations for integrating other County and regional efforts into the Investment Strategy (see Section 3.4 Evaluation Criteria) (no more than 10 pages).

2.3 STATEMENT OF QUALIFICATIONS SUBMISSION

A. Submit statement of qualifications as directed below.

1. Electronic Submissions

   Include the proposer name and the RFQ title and number in each filename. Submit statement of qualifications via the Public Purchase website, allowing sufficient time for the upload to complete by the Due Date and Time. Partial uploads will automatically terminate, and statement of qualifications will be rejected. The Public Purchase submission time will be the official submission time. Contact Public Purchase with technical questions regarding the site. The County will not be responsible for and may not accept statement of qualifications that are late due to slow internet connections or for any other failure of the Public Purchase system.

2. Conflicts between Certain Requirements

   Prior to the submission deadlines and solely relating to a determination of the timeliness of questions, comments, and qualifications submissions, information displayed on the Public Purchase site will take precedence in the event of a discrepancy between that information and the information within the solicitation documents. For all other discrepancies, the information in the solicitation documents will take precedence.

3. Hard copy submissions

   (a) If hard copy submissions are also requested, submit statement of qualifications with all required documents in a sealed package to the designated County Mailing Address. Clearly mark the following information on the outside of the package:
   - Proposer Name
   - Return address
   - Solicitation title
   - Solicitation number
(b) Submit statement of qualifications and all required documentation so as to physically reach the designated address by the Due Date and Time.

(4) Hand-written responses, whether or not submitted electronically, will be rejected, with the exception that signatures may be hand-written.

B. Errors in Statement of Qualifications

The County will not be liable for any errors in statement of qualifications. Statement of qualifications may be rejected as unresponsive if they are incomplete, are missing pages or information, or cannot be opened for any reason. The County may waive minor irregularities but such waiver will not modify any remaining RFQ requirements.

2.4 PROPOSER CERTIFICATIONS

By submitting a statement of qualification, each proposer certifies under penalty of perjury that:

- Its submission is not the result of collusion or any other activity that would tend to directly or indirectly influence the selection process; and
- Proposer is able or will be able to comply with all requirements of this solicitation at the time of contract award; and
- Neither proposer, its employees, nor any affiliated firm providing the requested goods and services has prepared plans, specifications, terms or requirements for this solicitation, or has any other actual or potential conflict of interest; and
- Proposer is aware of the provisions of Section 1090 et seq. and Section 87100 et seq. of the California Government Code relating to conflict of interest of public officers and employees, and is unaware of any financial or economic interest of any County officer or employee relating to this solicitation.

2.5 WITHDRAWAL OF STATEMENT OF QUALIFICATIONS

Statement of Qualifications may be withdrawn, modified, or replaced at any time prior to the Due Date and Time. After that time, whether or not a new solicitation is issued for the same subject matter, withdrawal of a statement of qualification may preclude the proposer from participating in the procurement as a proposer or subcontractor, except that an original equipment manufacturer may participate indirectly through a reseller.

2.6 NO COMMITMENT

Neither submission of a statement of qualification nor the County’s receipt of statement of qualification materials confers any right to the proposer nor any obligation on the County. This RFQ does not commit the County or the FSLRRD to issue a Request for Proposals or award a contract, nor will the County or the FSLRRD defray any costs incurred in preparing statement of qualifications or participating in any presentations or negotiations.

2.7 ESTIMATED QUANTITIES

If the solicitation results in an indefinite quantity or a requirements Agreement, the goods and services actually requested by the County may be less than the maximum value of the Agreement and there is no guarantee, either expressed or implied, as to the actual quantity of goods and services that will be authorized under the Agreement.

2.8 SELECTION OF QUALIFIED CONSULTANTS

At any time in the evaluation process, the County may request clarifications from consultants submitting a Statement of Qualifications.

A. Determination of Responsiveness

A responsive statement of qualification conforms to the instructions set forth in this solicitation and any modifications to it. Non-responsive statement of qualifications will be rejected. The County, in its sole
discretion, may waive non-consequential deviations if the deviations cannot have provided an advantage over other consultants submitting Statements of Qualifications.

B. Evaluation of Statements of Qualifications

The County will establish an evaluation committee which will evaluate responsive submittals based on the criteria presented in SECTION III - Qualifications, Experience, And Evaluation Criteria of this Request for Qualifications. The committee may then prepare a list of the consultants deemed qualified. The selected qualified consultants will be invited to submit proposals in response to the Request for Proposals to be issued by the County or FSLRRD (likely to be issued prior to the end of the calendar year 2019). Proposals will only be accepted from firms that submit a Statement of Qualifications and are on the list of qualified consultants. However, the sub-consultants to be included on a proposed consultant team may be changed in response to the required scope of services prior to submittal of a proposal.

2.9 PROTESTS

Protests that do not comply with the protest procedures outlined below will be rejected.

A. Protest Eligibility, Format, and Address

(1) Protests or objections may be filed regarding the procurement process, the content of the solicitation or any addenda, or contract award.

(2) The County will only review protests submitted by an interested party, defined as an actual or prospective proposer whose direct economic interest could be affected by the County’s conduct of the solicitation. Subcontractors do not qualify as interested parties.

(3) Submit protests to the County Procurement Manager by e-mail to gtatar@smcgov.org or via hard copy to: County Procurement Manager, 455 County Center, 4th Fl, Redwood City, CA 94063

B. Protest Deadlines

Submit protests with any supplemental materials by 5 p.m. PST, as appropriate, on the deadlines set forth below. The date of filing is the date the County receives the protest, unless received after 5 p.m. PST, or on other than a Business Day, in which case the date of filing will be the next Business Day. Failure to file by the relevant deadline constitutes a waiver of any protest on those grounds. Supplemental materials filed after the relevant deadline may be rejected by the County.

(1) If relating to the content of the solicitation or to an addendum, file within five Business Days after the date the County releases the solicitation or addendum.

(2) If relating to any notice of non-respondiveness, file within five Business Days after the County issues such notice.

C. Protest Contents

(1) The letter of protest must include all of the following elements:

(a) Detailed grounds for the protest, fully supported with technical data, test results, documentary evidence, names of witnesses, and other pertinent information related to the subject being protested; and

(b) The law, rule, regulation, ordinance, provision or policy upon which the protest is based, with an explanation of the violation.

(2) Protests that simply disagree with decisions of the Evaluation Committee will be rejected.

D. Reply to Protest

The County will send a written response to the protestor and to any other party named in the protest.
E. No Stay of Procurement Action during Protest

Nothing in these protest requirements will prevent the County from proceeding with release of the Request for Proposals to consultants deemed qualified while a protest is pending.

2.10 PUBLIC RECORDS

A. General

(1) All statement of qualifications, protests, and information submitted in response to this solicitation will become the property of the County and FSLRRD and will be considered public records. As such, they may be subject to public review.

(2) Any contract arising from this RFQ and subsequent RFP will be a public record.

(3) Submission of any materials in response to this RFQ constitutes:

   (a) Consent to the County’s release of such materials under the Public Records Act without notice to the person or entity submitting the materials; and

   (b) Waiver of all claims against the County and/or its officers, agents, or employees that the County has violated a proposer’s right to privacy, disclosed trade secrets, or caused any damage by allowing the statement of qualification or materials to be inspected; and

   (c) Agreement to indemnify and hold harmless the County for release of such information under the Public Records Act; and

   (d) Acknowledgement that the County will not assert any privileges that may exist on behalf of the person or entity submitting the materials.

B. Confidential Information

(1) The County is not seeking proprietary information and will not assert any privileges that may exist on behalf of the proposer. Proposers are responsible for asserting any applicable privileges or reasons why a document should not be produced in response to a public record request.

(2) If submitting information protected from disclosure as a trade secret or any other basis, identify each page of such material subject to protection as “CONFIDENTIAL”. If requested material has been designated as confidential, the County will attempt to inform the proposer of the public records request in a timely manner to permit assertion of any applicable privileges.

(3) Failure to seek a court order protecting information from disclosure within ten days of the County’s notice of a request to the proposer will be deemed agreement to disclosure of the information and the proposer agrees to indemnify and hold the County harmless for release of such information.

(4) Requests to treat an entire statement of qualification as confidential will be rejected and deemed agreement to County disclosure of the entire statement of qualification and the proposer agrees to indemnify and hold the County harmless for release of any information requested.

(5) Trade secrets will only be considered confidential if claimed to be a trade secret when submitted to the County, marked as confidential, and compliant with Government Code Section 6254.7.
SECTION III - QUALIFICATIONS, EXPERIENCE, AND EVALUATION CRITERIA

3.1 MINIMUM QUALIFICATIONS

The Flood and Sea Level Rise Investment Strategy will require a variety of skills that may be provided by a single consulting firm or a team of consultants. Background information and a draft scope of work are provided in SECTION VI, Background and Draft Scope of Work of this Request for Qualifications. This information is provided to illustrate the type of work and suggest the required technical expertise under each infrastructure category: coastal erosion and sea level rise, flooding and regional stormwater.

The Investment Strategy will define specific projects where information exists (e.g. the Flood Resiliency MOU projects) or general project categories needed to address flood and sea level rise vulnerabilities in San Mateo County and will outline funding strategies that will be used to advance these projects. A robust public engagement process will be designed and implemented by the selected consultant to identify and address local community interests integral to the development of the Investment Strategy. The Investment Strategy will also inform residents and businesses about flood and sea level rise and expanding storm water quality requirements within the Municipal Regional Permit. The public engagement process will also provide an opportunity for communities with shared interests to consider options for addressing flood or sea level rise vulnerabilities. The Investment Strategy will provide recommendations for staffing and future work programs for the FSLRRD to help define what the ongoing operating costs will need to be for the District to be success in advancing projects to address flooding, sea level rise and regional stormwater needs.

There will be a separate but related effort directed by the FSLRRD that will focus on the appropriate campaign to gain property owner or voter approval of the funding strategy identified in the Investment Strategy to support the identified flood resiliency improvements. The funding campaign will include polling and public opinion research, evaluation of funding option feasibility and implementation of appropriate approval process or processes. This and related activities are outside the scope of the development of the Investment Strategy described in this Request for Qualifications.

The consultant should include staff or subconsultants to provide a wide range of technical expertise that may include but need not be limited to the following:

- Public information, outreach and engagement supported by strong graphical and illustrative skills
- Civil Engineering of large stormwater and flood resilience projects including both armoring techniques (e.g. levees, flood walls, breakwater) as well as more environmentally sensitive approaches (horizontal levees, marshland restoration);
- Public financing of large complex infrastructure projects;
- Environmental planning and evaluation of infrastructure projects along sensitive bay and coastal shorelines;
- Permitting through regulatory agencies such as, but not limited to, FEMA, US Army Corps of Engineers, Coastal Commission, Bay Conservation and Development Commission and the Regional Water Quality Control Board;

Proposals will be requested from consultants that demonstrate that they possess sufficient technical expertise to develop the Investment Strategy and the associated public engagement process.

3.2 SUMMARY OF QUALIFICATIONS

Provide all of the following regarding the prime consultant and subconsultants.
A. Consultant Staff and Subconsultants:
   (1) Titles and names of staff members who will be on the team responsible for the project, as well as the expected availability of the various individuals. Include the resume of the proposed project manager and the percent of time they will be dedicated to this project.
   (2) All applicable licenses and license numbers relevant to the project, the names of the holders of those licenses, and the names of the agencies issuing the licenses.
   (3) If portions of work will be performed by subconsultants, names of proposed subconsultants other than suppliers and descriptions of their respective responsibilities.

B. Firm Experience
   (1) Title and description of specific projects successfully completed by the prime or subconsultants that are similar to the proposed Investment Strategy or include similar technical requirements to those required for the Flood and Sea Level Rise Investment Strategy.
   (2) Title and description of multi-agency or countywide public engagement efforts completed for public agencies.
   (3) Specific projects that illustrate the firm and subconsultant experience with flood and sea level resiliency project development, permitting, cost estimating or design.

3.3 REFERENCES
Provide at least three references from successfully completed projects of similar nature to that described in this solicitation, including the name of the organization for which work was performed, and the name, phone number, and e-mail address of an individual at the organization who was responsible for managing and accepting the work. Ensure that contact information is current. If the County cannot contact the reference because of incorrect or out-of-date information, the reference will be deemed not to have been provided.

3.4 EVALUATION CRITERIA
Statements of Qualifications will be evaluated in accordance with the following evaluation criteria:
   • Proposed Staff
     • Specific experience of the proposed Project Manager
     • Experience of prime consultant’s project staff related to the work proposed for the Investment Strategy
     • Experience with other public agencies
   • Experience of consultant team
     • Technical qualifications and experience of subconsultants and their key personnel
     • Prime consultant resources and staff, apparent ability to meet any required timelines or other requirements
   • Understanding of the draft work tasks and suggestions or proposed changes
     • Draft work tasks have been included in this Request for Qualifications. However, a consultant scope of work is not requested as part of the RFQ. Instead, the consultant is asked to review and evaluate the draft work tasks and are encouraged to identify areas within the draft scope of work that need clarification, tasks that need revision, new tasks that would strengthen the project outcomes or tasks recommended for deletion.
   • Recommendations for Integrating other County and Regional Efforts
     The County Office of Sustainability has prepared a Vulnerability Assessment for San Mateo County and is conducting substantial public information and engagement. The County Department of Public Works has established and is managing three Memorandum of Understanding projects as part of their Flood Resiliency Program (Bayfront Canal, Belmont Creek Restoration and the Navigable Slough). The San Francisco Estuary Institute and SPUR recently released the San
Francisco Bay Shoreline Adaptation Atlas. The Bay Conservation and Development Commission is evaluating how to best integrate sea level rise into their planning efforts. The Statement of Qualifications should describe how these, and other efforts can and should be integrated into the proposed Flood and Sea Level Rise Investment Strategy.
**SECTION IV - INSURANCE**

Provide evidence of insurance for each of the checked categories

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<tr>
<th>Category</th>
<th>Requirement</th>
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<tbody>
<tr>
<td>General Liability</td>
<td>$1,000,000 - per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, the general aggregate limit either must apply separately to this project or must be twice the required occurrence limit.</td>
</tr>
<tr>
<td>Automobile Liability</td>
<td>$1,000,000 - per accident for bodily injury and property damage.</td>
</tr>
<tr>
<td>Workers’ Compensation</td>
<td>As required by the State of California</td>
</tr>
<tr>
<td>Employers’ Liability</td>
<td>$1,000,000 - each accident, $1,000,000 policy limit bodily injury by disease, $1,000,000 each employee bodily injury by disease.</td>
</tr>
<tr>
<td>Professional Liability</td>
<td>$1,000,000 - per occurrence.</td>
</tr>
<tr>
<td>Cyber Liability</td>
<td>$5,000,000 per occurrence for Privacy and Network Security, $1,000,000 per occurrence for Technology Errors and Omissions To be carried at all times during the term of the Contract and for three years thereafter.</td>
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<tr>
<td>Pollution Liability</td>
<td>$ - Per Occurrence</td>
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<td>Pollution Liability (Aggregate)</td>
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### 4.1 SPECIAL INSURANCE REQUIREMENTS - CYBER LIABILITY

If the work involves services or goods related to computers, networks, systems, storage, or access to County Data or to any data that may, alone or in combination with other data, become Confidential Information or Personally Identifiable Information, the following insurance is required.

1. **Privacy and Network Security**
   
   During the term of the Contract and for three years thereafter, maintain coverage for liability and remediation arising out of unauthorized use of or access to County Data or software within Contractor’s network or control. Provide coverage for liability claims, computer theft, extortion, network breach, service denial, introduction of malicious code, loss of Confidential Information, or any unintentional act, error, or omission made by users of Contractor’s electronic data or systems while providing services to the County. The insurance policy must include coverage for regulatory and PCI fines and penalties, crisis management expenses, and business interruption. No exclusion/restriction for unencrypted portable devices/media may be on the policy.

2. **Technology Errors and Omissions**
   
   During the term of the Contract and for three years thereafter, maintain coverage for liabilities arising from errors, omissions, or negligent acts in rendering or failing to render computer or information technology services and technology products, including at a minimum, coverage for
systems analysis, design, development, integration, modification, maintenance, repair, management, or outsourcing any of the foregoing.
SECTION V - STANDARD TERMS AND CONDITIONS

These are attached for information only. Do not complete this form. The standard agreement for the FSLRRD has not been created but is expected to be similar to the attached County agreement. Additional information or revisions to the agreement will be provided to qualified consultants as part of the Request for Proposals phase of the procurement.
6.1 BACKGROUND

Climate change will have a significant effect on San Mateo County, which has more people and property value at risk from the rising sea than any other county in the state. Sea level rise, coastal erosion, flooding and stormwater management are all going to be critical issues in the coming decades. The San Mateo County Sea Level Rise Vulnerability Assessment completed in March 2018 found that in the event of a mid-level 2100 sea level rise scenario, property with an assessed value of $34 billion would be flooded on the Bayshore and on the Coastside north of Half Moon Bay. In addition, the Vulnerability Assessment found that $932 million in assessed property value could be at risk from erosion on the Coastside north of Half Moon Bay. The Vulnerability Assessment mapping recently prepared by the County Office of Sustainability has included a precipitation-based vulnerability evaluation.

Several efforts to address flooding, stormwater management, sea level rise, and coastal erosion in San Mateo County are already underway. Since 1959, the San Mateo County Flood Control District (FCD) has addressed flooding issues in three county flood zones with an annual budget of $3.8 million. The County’s Flood Resilience Program was started in 2016 with the mission to address cross-jurisdictional flood risks. The Flood Resilience Program is currently leading project development in collaboration with seven cities pursuant to three Memoranda of Understanding (MOU): Bayfront Canal (Redwood City, Atherton, Menlo Park, Unincorporated SMC); Belmont Creek (Belmont, San Carlos, Unincorporated SMC); and Navigable Slough (South San Francisco, San Bruno, Unincorporated SMC). The County’s Office of Sustainability has several planning initiatives related to sea level rise and climate change more broadly, including the Sea Change San Mateo County initiative. Several cities have pursued their own flood and sea level rise protection projects, particularly the cities of San Mateo and Foster City. C/CAG is helping cities and the County identify and fund regional stormwater management infrastructure that will improve water quality and mitigate downstream flood risk. However, as identified by the 2014 Grand Jury Report, “Flooding Ahead: Planning for Sea Level Rise,” the County and its 20 cities need a coordinated approach to effectively address flooding, SLR and coastal erosion across the County as a whole.

6.2 FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT

In April of 2018, C/CAG’s Countywide Water Coordination Committee, which consists of eight elected officials from across the County, formed an 18-person Staff Advisory Team (SAT) consisting of city, County, and other agency staff to develop a proposal to form an agency to address sea level rise, flooding, coastal erosion, and regional stormwater infrastructure on a countywide basis. The SAT completed an intensive six-month engagement and collaboration process, resulting in the creation of a proposal to create the San Mateo County Flood and Sea Level Rise Resiliency District (FSLRRD). The C/CAG Water Coordination Committee, the C/CAG Board and the San Mateo County Board of Supervisors reviewed and endorsed the FSLRRD proposal. The proposal was presented to the 20 City Councils in the County with a request for their endorsement and agreement to fund half of the estimated FSLRRD start-up costs. The County will fund the other half of the start-up costs. The proposal has been endorsed by all 20 cities so the FSLRRD start-up, including preparation of a Flood and Sea Level Rise Investment Strategy, is funded.

The FSLRRD will be formed through amending the legislation that established the existing San Mateo County Flood Control District in 1959. The bill being advanced in the State Legislature to modify the San Mateo County Flood Control District is AB 825 (Mullin). The amendments would expand the responsibilities of the District beyond the three existing subzones. It will also move governance of the District from the County Board of Supervisors to a new board comprised of two members of the Board of Supervisors and five City Council members appointed by
C/CAG. It is expected that AB 825 will be approved in the current legislative session and the new FSLRRD Board would be seated in January 2020.

The County is soliciting statements of qualifications from interested consultant teams on behalf of the FSLRRD to minimize delays in developing of the Investment Strategy. The contract for the work will be with the FSLRRD and will be managed by its General Manager or their designee.

6.3 SUMMARY

The Flood and Seal Level Rise Investment Strategy will be an important product during the start-up of the FSLRRD. The Investment Strategy is being developed to provide information to those that will be asked to approve reliable on-going funding for the District. The Investment Strategy will include a focus on public outreach and engagement, supported by efforts to define adaptation options available to mitigate the effects of sea level rise, to address riverine flooding issues, and manage regional stormwater quality needs. The Investment Strategy will be a cornerstone for efforts to secure reliable on-going funding for the FSLRRD and its efforts to protect the San Mateo shorelines.

It is anticipated that the level of project detail included in the Investment Strategy will provide some specific projects but more importantly will define the general categories of projects eligible for funding. It may also provide allocation of costs between project categories. The Strategy is likely to include more specificity regarding projects related to flooding and stormwater management given the maturity of existing programs in the County addressing those issues. However, for coastal erosion or sea level rise adaptation, detailed design, cost estimating, and prioritization will likely not be possible at this time. In these cases, the Scope of Work anticipates that project categories that are recommended for funding eligibility will be established without necessarily defining specific projects.

6.4 STUDY OBJECTIVES

1. To provide technical information to support a robust public information and engagement effort to raise public awareness of sea level rise, flooding and regional stormwater mitigation needs within San Mateo County.

2. Recommend and estimate the annual operating costs for appropriate organization and staffing of the FSLRRD.

3. Develop and conduct a public information and engagement process that supports a separate but parallel effort to gain approval of a property owner or voter initiative to fund the core services of the Flood and Sea Level Rise Resiliency District.

4. Define how the FSLRRD will help advance sea level rise, flooding and regional stormwater projects and the required local funding for this effort.

5. Define potential state and federal funding for flood, regional stormwater and sea level rise projects and how the FSLRRD can increase the potential for this funding.

6. Prepare a Flood and Sea Level Rise Investment Strategy that provides categories of projects available for FSLRRD support, estimates annual funding required for development and management of Memorandums of Understanding and estimated FSLRRD annual operating costs.

6.5 STEERING COMMITTEE

A Steering Committee will be formed to oversee the Flood and Sea Level Rise Investment Strategy development. This Committee will likely include the FSLRRD project manager and designated staff from County Public Works, the Office of Sustainability and the City/County Association of Governments (C/CAG). It could also include subject matter experts from other agencies or non-profits like the San Francisco Estuary Institute.
6.6  DRAFT WORK TASKS

The following draft work tasks are provided to illustrate the work anticipated to complete the Investment Strategy. The consultant is encouraged to recommend clarifications, changes or additions to the proposed work tasks. Any proposed clarifications or changes will be considered and may be reflected in the scope of work to be included in the subsequent Request for Proposals.

**Task 1: Development of a Project Public Information and Engagement Implementation Plan**

a. Working with the FSLRRD General Manager, County Public Works Director, and C/CAG Executive Director, the consultant will develop and gain FSLRRD approval of an Implementation Plan for a robust and strategic public outreach, information and engagement program.

b. The consultant team, in cooperation with the funding campaign team, will define anticipated materials needed to support the public engagement process and the funding campaign. This definition of needed support will be used to define the level of detail and final products of the technical tasks that will support the public education and engagement process.

c. The Implementation Plan will define the approach to public engagement, such as details on numbers and purpose of public meetings; the use of social and online media; use of the traditional media, etc.

d. The Implementation Plan will define the roles and responsibilities of the consultant team and the recommended roles and responsibilities of the FSLRRD, County, C/CAG, funding campaign team and local agency staff.

e. The consultant team will build upon the work completed by the Office of Sustainability and the San Francisco Estuary Institute/SPUR Adaptation Atlas that describes shoreline actions ranging from “living shoreline” techniques to more traditional structural techniques like breakwaters, revetments or seawalls. In support of the Implementation Plan the consultant will prepare visual graphics to illustrate potential adaptation options to address sea level rise, flooding and regional stormwater quality requirements along the San Mateo shorelines.

**Task 2: Definition and Evaluation of Coastal Erosion and Sea Level Rise Needs and Response**

a. The consultant will recommend specific reaches of bay and coastal shoreline where a shared interest and collaborative approach is needed to address the impacts of flooding and sea level rise. These may reflect the Operational Landscape Units as developed by the San Francisco Estuary Institute (SFEI).

b. The team will assemble and organize sea level rise projections, vulnerability assessments, levee designs, recent coastal erosion measures or other information available through the San Mateo County Sea Level Rise Vulnerability Assessment, existing local projects, the Flood Control District, the Flood Resiliency Program, Resilient by Design project results, state and regional efforts or other sources within each reach. The recent information provided by SFEI should be used as an important input into the Investment Strategy.

c. Consistent with the Public Information and Engagement Implementation Plan developed in Task 1, engage the public, stakeholders and elected officials within each reach to obtain input on the approach(es) and types of projects that should be considered in response to bay and coastal impacts from sea level rise. Organize the public outreach and engagement around the shoreline reaches or Operational Landscape Units.

d. The consultant will identify potential coastal erosion and sea level rise mitigation projects or project categories that would be eligible for funding within the Investment Strategy.

**Task 3: Flooding Projects, Needs and Response**

a. Working with the Flood Resilience Program, the consultant will identify design, permitting, environmental review needed for the MOU projects within this Program and what funding is needed to advance the
projects, including the Bayfront Canal/Atherton Channel watershed, Belmont Creek watershed, or the Navigable Slough areas.

b. The consultant will also work with the existing Flood Control District to identify flood control projects needed in existing subzones, including the Colma Creek, San Bruno Creek, and San Francisquito Creek zones.

c. Working with the San Francisquito Creek Joint Powers Authority, the consultant will identify outstanding flood control project needs to address riverine flooding issues on San Francisquito Creek.

d. The consultant will work with cities and County, identify any additional multi-jurisdictional flooding issues or projects throughout the County.

e. Consistent with the Public Information and Engagement Implementation Plan developed in Task 1, provide public information regarding flooding issues within the County and gather public input regarding other flooding issues within the County that may not be within the areas currently being studied.

f. The consultant will identify riverine flooding projects or project categories that would be eligible for funding within the Investment Strategy.

Task 4: Regional Stormwater

a. Working with C/CAG and County Office of Sustainability, the consultant will identify existing and potential regional stormwater management projects, including existing projects in South San Francisco and Atherton, concepts in Belmont, San Bruno, and Redwood City, and future opportunities to be identified through the Office of Sustainability’s 2019 EPA Water Quality Improvement Fund grant.

b. The consultant will work with C/CAG and build on the Countywide Stormwater Resource Plan, Reasonable Assurance Modeling, and local agency Green Infrastructure Plans to identify additional regional stormwater management project opportunities.

c. Consistent with the Public Information and Engagement Implementation Plan developed in Task 1, provide information to the public regarding regional permit requirements and stormwater management project opportunities.

d. The consultant will identify and recommend additional regional stormwater management projects to further support those efforts.

e. The consultant will identify regional stormwater management project categories that are appropriate for inclusion in an Investment Strategy.

Task 5: Prepare the Flood and Sea Level Rise Investment Strategy

a. The consultant will conduct an initial feasibility screening of possible approaches and projects using property ownership, geotechnical, engineering and other available information.

b. The consultant will update the public, stakeholders and elected officials on progress in defining an approach to sea level rise and flooding within San Mateo County. In particular, the consultant will provide background to explain why some approaches suggested during the public outreach and engagement are not recommended for inclusion within the Investment Strategy.

c. Funding methods appropriate for different types of projects will be identified and evaluated for their viability and potential for approval by property owners, voters or the public.

d. Based on the findings regarding recommended project categories and funding options and input from the funding campaign consultant the consultant will develop a draft Investment Strategy to address sea level rise and flooding adaptation options and regional stormwater management needs and recommend specific projects or categories of projects and methods of funding.
e. The consultant will recommend staffing and organization of the FSLRRD and work with the Steering Committee to estimate annual operating costs for the FSLRRD. The consultant will define annual local funding needs to support the staffing recommendations and recommend local funds required to advance projects. It is not anticipated that enough funding will be available to fund multiple major projects. Instead, the Investment Plan will define how FSLRRD or MOU participant funding will be used to leverage state and federal funding options to advance sea level rise, erosion and regional stormwater projects within the County.

f. The consultant will obtain input from the public, stakeholders and elected officials regarding the draft Investment Strategy.

g. Finalize Investment Strategy and continue public outreach and engagement efforts.

6.7 PREVAILING RATES

The services contemplated under this procurement include “public works”. For all such work funded by this Agreement, the Contractor is required to comply with state prevailing wage law, Chapter 1 of Part 7 of Division 2 of the Labor Code, commencing with Section 1720 and Title 8, California Code of Regulations, Chapter 8, Subchapter 3, commencing with Section 16000, for any “public works” as that term is defined in the statutes, including all applicable flowdown provisions. For purposes of complying with prevailing wage laws, the Contractor must comply with the provisions applicable to an awarding body.
FSLRR Advisory Committee Agenda Report

Date: July 12, 2019

To: San Mateo County Flood and Sea Level Rise Resiliency Advisory Committee

From: Jim Porter, San Mateo County Director of Public Works

Subject: Administrative Tasks: Formation of the New Flood Control District

RECOMMENDATION:

That the Advisory Committee receive a report from County staff summarizing the administrative tasks that must be completed so that the Flood and Sea Level Rise Resiliency District (FSLRRD) can function effectively when it is activated in January 2020.

BACKGROUND:

There are a significant number of key tasks that need to be completed prior to the activation of the FSLRRD or within the first calendar year of its existence. Staff has prepared a summary of these tasks which is attached as Attachment 1 to this Agenda Report.

FISCAL IMPACT:

The County of San Mateo has agreed to fund the pre-start-up activities for the FSLRRD. The Start-up Phase will begin once the new District is activated (expected in January 2020). The Start-up Phase will be funded by the 20 cities (50%) and the County (50%).

ATTACHMENTS:

1. Administrative Tasks: Formation of the New Flood Control District
Financial Reporting
The District will need to complete the following tasks for the period of January 1, 2020- June 30, 2020.

These tasks will also need to be completed for subsequent fiscal years. This is not a comprehensive list.

1. Audited Financial Statements

The new district will need to complete audited financial statements (GC 26909). We recommend that the new agency consider hiring Macias Gini& O’Connell, LLP (MGO), the firm who completes the County’s financial statements, to complete the audited financial statement for the period of January 1, 2020 – June 30, 2020.

Take steps to insure consistency of County and District audited financial statements for the FY 2019-20 as the 1st half of year will be with the County and second half of the year is as the new FCSLRRD.

2. Prepare Single Audit Report

If the new district incurs expenditures in excess of $750,000 in a fiscal year that are to be funded by a federal grant, the district will need to prepare the Single Audit Report. More information regarding the requirements for the Single Audit can be found under the Title 2, U.S. Code of Federal Regulations, Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. For reference, the County contracts with MGO to perform this function.

3. Complete State of California Special District Financial Reporting

Take steps to insure consistency of County and District Special District Financial Reporting for the FY 2019-20 as the 1st half of year will be with the County and second half of the year is as the new FCSLRRD.


5. Prepare and adopt an annual budget in accordance with applicable legal requirements

Bond Administration

1. Contract for bond counsel work (potentially Orrick [Mary Collins/John Palmer]) and disclosure counsel work (potentially Norton Rose [Eric Tashman/Dave Sanchez])

2. Contract with California Financial Services (CFS) for bond administration and work with CFS to make payments
3. Contract for general counsel services with CCO

**General Administrative Considerations**

1. Will need to consider creating a website for the new district and consider any costs associated with hosting a website
   a. Will need to consider what method the agency will be using to post Board and advisory committee (if applicable) information such as agendas
   b. Will need to determine where Board meetings will be held
2. Will need to consider setting up an e-mail address for the new district and updating any existing literature with the new contact information for the new agency
3. Will need to work on a historical file transfer between the County and the new agency and determine what system will be used for file sharing for any services that the new agency contracts with the County to perform

**General Financial Considerations for the period July 1, 2020 to December 31, 2020**

1. A federal and state Tax ID will need to be created
2. The district will need to implement a banking plan
3. Property taxes will need to be transferred to the new district effective January 1, 2020
4. A financial system capable of segregating sub-zones revenues and expenditures into sub-funds will need to be implemented. The County will allow the use of the County’s financial system OFAS if the district contracts with County staff to perform all entries into the system for the period of January 1, 2020 to June 30, 2020.
5. A payroll system will need to be implemented effective January 1, 2020 to facilitate the payment of employees who will transition to the new agency on January 1, 2020.
6. Obligations may transfer to the District based on Contracts and grant agreements previously executed by the County and the Flood Control District.

**General Considerations for the period July 1, 2020 to December 31, 2020**

1. The district will need to purchase IT equipment and determine how it will be supported
2. Future office space will need to be rented
3. The district will need to review what insurance they may require and obtain said insurance
4. The district will need to determine who will be providing HR services
5. The district will need to determine by **October 31, 2019** if it would like to contract with the County for any administrative or engineering functions for any period of time and initiate negotiation with the County for desired services.
   a. Service Level Agreements with County Departments may need to be executed.
      Examples:
      i. Department of Public Works for card key services, fleet services, and/or facilities services
      ii. County Counsel’s Office: legal services
      iii. Controller’s Office: Use of OFAS, County’s financial system
      iv. ISD or HR Services TBD
6. Staffing contracts for the gap period of July 1 – December 31, 2019 will need to be considered and possibly executed. Recruitments may need to be completed.
7. Benefits packages will need to be negotiated and implemented.
FSLRR Advisory Committee Agenda Report

Date:    July 12, 2019

To:      San Mateo County Flood and Sea Level Rise Resiliency Advisory Committee

From:    Jim Porter, San Mateo County Director of Public Works

Subject: General Manager Compensation and Benefits

________________________________________________________________________________

RECOMMENDATION:

That the Committee approve the salary and benefits for recruitment of the Flood and Sea Level Rise Resiliency District General Manager.

BACKGROUND:

The Flood and Sea Level Rise Resiliency District (FSLRRD) will be formed with passage of AB 825 by the State Assembly and State Senate and signing by the Governor prior to September 30, 2019. The bill has been approved by the Assembly and is currently in Committee at the Senate. With the Governor’s signature, AB 825 will be effective January 1, 2020.

Given a limited amount of time to complete the FSLRRD start-up (3 years), it is desired to have the General Manager appointed at the January meeting of the FSLRRD Board so the start-up work can begin immediately. To facilitate this and other pre-start-up activities, the County Board of Supervisors has established this Advisory Committee and has agreed to fund the pre-start-up costs.

It is expected that the recruitment of the FSLRRD General Manager will start in August 2019 using an executive search firm (recruiter). The recommended salary range for the General Manager is $151,611 to $189,571. A 5% differential is offered if the selected candidate possesses a license as a Professional Engineer. This salary range was established based on salaries for similar public works and special district positions.

The recruitment materials must indicate the proposed benefits for the General Manager position. Clearly, it will be necessary to provide competitive benefits for medical, dental, etc. are (or will be) competitive. The benefits will need to be defined prior to making an offer to the selected candidate but do not need to be made at this time. Staff will return to the Committee with a more complete discussion of District benefit options. However, it will be important to indicate in the recruitment materials, the general type of retirement benefits to be provided.
is recommended that a defined contribution retirement plan be provided as part of the compensation for the General Manager position. The recruitment materials will also indicate that the benefits for the General Manager and other FSLRRD positions will be established prior to extending an offer to the selected candidate and that the FSLRRD Board will approve the benefits package at their January 2020 meeting.

**FISCAL IMPACT:**

The General Manager position will be budgeted and funded for the 3-year Start-up period using Start-up funding provided by the County and 20 cities.

**ATTACHMENTS:**

None
FSLRR Advisory Committee Agenda Report

Date: July 12, 2019
To: San Mateo County Flood and Sea Level Rise Resiliency Advisory Committee
From: Jim Porter, San Mateo County Director of Public Works
Subject: FSLRRD Pre-Start-up Work Plan

RECOMMENDATION:

That the Committee approve the Flood and Sea Level Rise Resiliency District (FSLRRD) Pre-Start-Up work plan for activities to be completed on or before January 2020.

BACKGROUND:

In forming the Flood and Sea Level Rise Resiliency Advisory Committee, the Board of Supervisors outlined its intended activities. The following nine (9) tasks have been taken directly from the County resolution. Specifics of the work that is currently planned under each activity during the pre-Start-up period is provided below and can be modified as progress is made in preparing for the FSLRRD Start-up. The work will be led by the Department of Public Works and an Interim General Manager under contract to Public Works as approved by this Committee and the Board of Supervisors (See Agenda Item 6.2).

1. **Provide advice on actions required to initiate the operations of the proposed Flood and Sea Level Rise Resiliency District including development of personnel policies and procedures, implementing a financial system for the District and developing other policies and procedures as appropriate for adoption by the Flood and Sea Level Rise Resiliency District.** This task will include development of job specifications and salary schedule for the General Manager and other staff expected to be hired upon commencement of FSLRRD operations. It is anticipated that staffing of the County’s Flood Resiliency Program will become part of the responsibilities of the FSLRRD upon commencement in January 2020. Financial accounting for the pre-start-up work will be provided within the County’s system. The pre-start-up work will include identifying who will be the fiscal agent for the District and developing a financial system to meet the needs of the new District. The focus will ideally be on a relatively simple accounting system to meet the FSLRRD needs for the 3-year Start-up period. The financial accounting needs of the FSLRRD will be reviewed once on-going funding has been secured and the Start-up has been successfully completed.
2. **Recruit an Executive Director (General Manager) for the District.** Public Works will manage the General Manager recruitment process using an executive search firm. The process will include development of recruitment materials, screening initial candidates, interviewing qualified candidates and recommending up to six (6) candidates for interviews with the Advisory Committee or FSLRRD Board if its operation has commenced. Ideally, the General Manager selection will be completed prior to the end of calendar year 2019 and the selected General Manager can be appointed at the January 2020 meeting of the FSLRRD Board.

3. **Establish agreements with the County to provide administrative, legal, personnel and other services needed to support the new agency during the start-up of the Flood and Sea Level Rise Resiliency District.** Administrative support during the pre-start-up period will be provided by the County through their “Extra Help” program which permits the hiring of part time, per diem employees under these types of circumstances. It is likely that the FSLRRD will want to contract with the County Counsel’s Office for legal services as well as other County departments for a variety of other services if feasible. Contracts for these services will be developed during the pre-Start-up and will be available for approval by the FSLRRD at the January meeting. A more complete summary of administrative tasks is provided Item 7.4 of this agenda packet.

4. **Work with the Executive Director (General Manager) and County staff to develop a plan for transition or contracting of duties and responsibilities for the Flood Resiliency Program and Flood Control District to the Flood and Sea Level Rise Resiliency District.** As discussed under #1 above it is anticipated that the Flood Resiliency Program will be transitioned to the FSLRRD. It is expected that the existing Flood Control District work will continue under contract with the County. Appropriate actions for transition of the Flood Resiliency Program and contracting with the County for the Flood District work will be presented to the FSLRRD Board at the January 2020 meeting.

5. **Prepare and release a Request for Proposals for a Flood and Sea Level Rise Investment Plan.** As discussed under 7.3 or this agenda, a two step process has been selected. This task will include preparation and release of Request for Qualifications. Qualified firms will then be invited to respond to a Request for Proposals. Both the Request for Qualifications and Request for Proposals will need to be prepared during the pre-Start-up. The Request for Qualifications will be released during pre-Start-up. However, release of the Request for Proposals may wait until reviewed by the General Manager once selected.

6. **Ensure that the scope of work for the Flood and Sea Level Rise Investment Plan includes a robust public outreach and engagement process.** The Flood and Sea Level Rise Investment Plan Request for Qualifications clearly establishes public engagement as an essential part in developing the Investment Strategy. It will be supported by planning, engineering, infrastructure financing and other disciplines.
7. Create a Strategic Communications Plan to guide public information and engagement during the start-up of the Flood and Sea Level Rise Resiliency District. This task has been integrated into the Flood and Sea Level Rise Investment Strategy, as described above.

8. Develop public information and engagement policies and procedures for adoption by the Flood and Sea Level Rise Resiliency District Board once seated. This work is part of the Start-up of the FSLRRD so it will occur after the FSLRRD Board has been seated and the General Manager is in place.

9. Keep the public informed and involved in the work of the Advisory Committee and the formation of the District. The work of the Advisory Committee during pre-Start-up will be captured in its webpage, meeting agendas and in cooperation with the public engagement efforts underway through the County Office of Sustainability.

FISCAL IMPACT:

The pre-Start-up activities are being funded by the County of San Mateo. The Start-up phase will be funded through $1.5 million in contributions from the County and 20 cities.

ATTACHMENTS:

None