

ISSUES RELATED TO CONTRACTING FOR PHASE II EIR/EIS PREPARATION

1. Contracting Entity

This contract will be a major expense of the program. The contracting entity could be either the state (DWR) or joint (DWR and USBR). If DWR is the contracting entity and pays the bills for this contract, it will be difficult to find ways for the USBR to pay half the bills for the program since the USBR cannot transfer funds directly.

2. Selection of Contractors Under a Request for Qualifications (RFQ)

There are two variations of contractor selection that could be used in an RFQ process: a consortium approach or a multiple contract approach. Under either approach, an RFQ is issued that describes the scope of services to be provided. For example, services may include engineering, resources inventory, economics, and decision analysis.

Under the consortium approach, several contractors may team up under the leadership of a prime contractor so that the team or consortium has the expertise to carry out all work described in the scope. Several of these consortia might be expected to submit Statements of Qualifications (SOQs). The best qualified consortium is selected to do the work. The consortium approach can be carried out with a much smaller CALFED Bay-Delta Program staff: there is one set of SOQs to review, one contractor selection to be made, one contract to be drafted, negotiated, and processed. Most aspects of contract management can be handled through contact with a single contractor representative. Disadvantages include higher contractor overhead for contract management, and the possibility that some of the subcontractors on the most qualified consortium may not be CALFED's first choices.

Under the multiple contract approach, a similar RFQ is issued but a separate selection and contracting process is carried out for each element of the scope. In effect, CALFED assembles the group of consultants that it deems most able to carry out the work. The multiple contract approach requires a much larger CALFED staff. The scope of work may contain ten or more elements so there would be ten sets of SOQs to review, ten contracts to draft, negotiate, process, and so forth. Each work element is smaller, so many more firms may be capable of submitting an SOQ. Contract management would be much more labor-intensive throughout the preparation of the EIR/EIS. A team assembled by CALFED may not work together as well as a team that was self-selected. Advantages would include possible lower contract costs because there would be no overall contract management, and higher likelihood that CALFED could select its first choices for each element of work (although multiple contractors could still team up to submit an SOQ for a work element).

3. Review Team

Selection of a review team will be affected by contractor selection. Under a consortium, the team would be asked to review perhaps half a dozen large SOQs. Under the multiple contract approach, there might be a dozen or more SOQs in each of ten or more elements of the work scope.

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