

REQUEST FOR PROPOSALS

Gateway Cities Council of Governments Scope of Work for Consultant Services to Prepare a Subregional Sustainable Communities Strategy Under Senate Bill 375



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Sustainable Communities Strategy Under Senate Bill 375**

I. Introduction

The Gateway Cities Council of Governments (Gateway Cities COG) seeks to retain the services of a consultant or consulting team to assist in the preparation of a subregional Sustainable Communities Strategy (SCS) under California Senate Bill (SB) 375 (2008). This Scope of Work provides background about the need and details the required elements of the effort.

A. Background

SB 375 requires the development of regional SCS that will reduce greenhouse gas (GHG) emissions from passenger cars and light trucks through changes in land use and travel choices. Regional goals for GHG emission reductions are to be set by the California Air Resources Board (CARB or ARB). Overall GHG emission reductions stemming from implementation of SB 375 are expected to contribute to California's overall goal of reducing GHG emissions back to 1990 levels by 2020 as required by Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006. Additional laws, regulations, and policies govern the reduction of GHG from other sources besides the transportation system.

The responsibility for development of the SCS is placed on the metropolitan planning organization (MPO) for each region of the state. In particular, each MPO is required to incorporate an SCS into the federally mandated Regional Transportation Plan (RTP). SB 375 provides that if the SCS will not achieve the regional GHG emission reduction goal set by the ARB, the MPO must prepare an Alternative Planning Strategy (APS). The APS would show how the target could be met through alternative or additional strategies and policies.

Additionally, SB 375 requires that the periodic Regional Housing Needs Assessment (RHNA) process be synchronized with the RTP and SCS, and that RHNA allocations be consistent with these documents. In Southern California, which is served by the Southern California Association of Governments (SCAG), the next RTP is due in spring of 2012 in order to meet federal planning and air quality requirements.

Further information about SB 375 can be found on the ARB web site at <http://www.arb.ca.gov/cc/sb375/sb375.htm>.

B. Previously Conducted Work in the Gateway Cities

Due to the size and complexity of the SCAG region, SB 375 allows subregional councils of government such as the Gateway Cities COG to prepare their own SCS and submit it to SCAG for inclusion in the regional SCS. The law

suggests that the subregion work in collaboration with the county transportation commission – in this case, the Los Angeles County Metropolitan Transportation Authority (MTA) – in developing a subregional SCS.

During 2009 the Gateway Cities retained the services of a consulting team led by Willdan to evaluate the pros and cons of accepting what became known as “delegation” of SCS preparation to the subregion. The Willdan team surveyed the Gateway member cities and supported the COG in holding a series of workshops involving Gateway City planning directors, city managers, and elected officials to assist in this decision. In January 2010 a majority of the Gateway Cities COG board voted to accept delegation of the subregional SCS, subject to ratification by a majority of the member city councils. As of this writing, a majority of cities have ratified this decision.

Additional information on the preliminary work conducted by the COG’s consultants and the factors considered in the delegation decision is included in the consultants’ final report, “A White Paper Addressing the Requirements of SB 375 at the Subregional Level,” dated December 2009. A copy of this report is available from the COG upon request.

C. Overview of Goals and Timeline

SB 375 requires SCAG to develop overall guidelines for the regional SCS, and allows SCAG to develop a framework for subregional plans to address the interrelated policy issues. In response to these provisions, as well as to assist subregions in understanding the implications of SB 375 and in deciding whether to accept delegation, SCAG developed a Framework & Guidelines for Subregional Sustainable Communities Strategy. The Framework & Guidelines was approved by the Regional Council in April 2010. The document is available at this page: <http://www.scag.ca.gov/sb375/index.htm> under SB 375 Documents.)

As mentioned above, federal transportation planning regulations require that SCAG must produce the next RTP by spring of 2012 (see Table 1 for a listing of key implementation dates). If this deadline is not met, the region risks a lapse of its air quality compliance status (known as “conformity”) and a cessation of federal transportation funding. Thus the regional SCS, which must be part of the RTP, is also due in spring 2012. Accordingly, the Guidelines state that a draft subregional SCS will be due approximately February 2011 from the subregion to SCAG. A final subregional SCS will be due approximately June 2011.

Table 1. Key SB 375 Implementation Milestones for Gateway Cities

January 6, 2010	COG Board Meeting – decision on delegation
May 5-7, 2010	SCAG General Assembly (sessions relating to SB 375 & regional target)
May 18, 2010	SCAG proposes draft regional target to CARB
June 2010	CARB issues draft regional targets for all regions
September 2010	CARB issues final regional targets for all regions
February 2011	Draft subregional SCS due from delegated subregions
June 2011	Final subregional SCS due from delegated subregions
Fall 2011	SCAG releases draft 2012 RTP/SCS
April 2012	SCAG approves final 2012 RTP/SCS
June 2012	Federal conformity finding for 2012 RTP/SCS to avoid conformity lapse and cessation of federal funding

II. Required Tasks

There are three key introductory points to be made about the scope of work detailed below:

- 1) Flexibility
- 2) Cost containment
- 3) Possible suspension of work

These are described in more detail below. Bidders are requested to keep these factors in mind while preparing their bids.

Flexibility. SB 375 is being implemented for the first time. The process of compliance at the state, regional, and subregional level is being established as it unfolds. For this reason, the consultants will need to assure that they can be flexible in working with the COG and its planning partners. Tasks may be modified or removed altogether as the requirements are determined by CARB and others.

Cost Containment. Cost containment is of the essence for the Gateway Cities in the implementation of SB 375. The new planning requirements fall on local jurisdictions at a time when revenues are extremely limited and resources very constrained. This leads to two points for bidders to consider:

a) To assist in limiting costs, the staff of Gateway member cities may contribute in various ways to the development of the SCS. An example of this might be providing GIS services or working with a modeling tool developed by SCAG. While the extent and nature of these in-kind contributions cannot be estimated in advance, bidders are asked to be prepared to work with cities as directed during the development of the SCS.

b) In order to enable Gateway Cities to limit the cost of the SCS effort, some tasks are indicated as required while others are optional. Bidders are asked to provide a separate bid for each task, both required and optional. They are also asked to provide at least two versions of the overall cost summary: one including just required tasks, and one including required and optional tasks.

Possible Suspension of Work. The implementation of SB 375, as part of the overall implementation of AB 32, is not occurring without controversy. It is possible that a state ballot measure or other legislative action could suspend or defer the implementation of either law or both. Bidders need to be aware that the effort could be delayed or canceled as a result of such action.

The work of the consultants will be directed by the SCS Policy Development Committee, which is a subcommittee of the Gateway Cities City Managers' Steering Committee. This committee includes both city managers and planning directors from geographically representative cities. It is staffed by the staff of the Gateway Cities Council of Governments.

The tasks are presented below in the approximate order they would be performed. Both optional and required tasks are included, in order. All due dates are estimates and may be revised.

A. Required Task: Review of Prior COG Studies

The Gateway Cities have conducted studies on air quality, transportation, economic development, housing, and other issues that have connections with greenhouse gas emissions and the matters addressed by SB 375. The purpose of this foundational task is to review relevant past studies so that further work can be conducted from a common base of understanding. This will also help ensure that future work does not duplicate past efforts.

To facilitate this task, the COG staff will provide the consultants with a list and copies (either paper or electronic) of the relevant past studies to be evaluated. The consultants will be asked to incorporate information from these studies into the SCS development. To this end, the consultants will be asked to provide a brief memo summarizing the key relevant points from the study review,

and recommendations as to how to incorporate these points or issues into the SCS development.

Deliverable: Summary memorandum of key points from prior COG studies.

Due Date: Summer 2010.

B. Optional Task: Conduct Economic Impact Analysis

SB 375 may have distinct impacts on the finance of cities. For example, the law may change the balance of land devoted to residential, commercial and industrial uses as cities attempt to incentivize reduced travel via single-occupant vehicles. Cities may incur additional planning costs that they would not otherwise have to budget for. Additionally, the passage of SB 375 may have imposed an unfunded state mandate on cities.

The purpose of this task is to conduct an economic impact assessment for the Gateway Cities. This report should assess the impact on cities of an unfunded state mandate under the law. It should also address the potential economic impacts to cities of SB 375, including expected program and implementation costs and any benefits that may result from the law. The cities will be asked to provide information about the law's economic impacts; the consultants will be expected to compile, analyze and integrate this information into a report for the subregion.

To allow for the development of information about expected economic impacts of the SCS, this task would be conducted in three steps. First, the consultants would be asked to prepare a report outline identifying potential impacts for cities to consider. Second, the consultants would prepare a draft economic impact analysis in conjunction with the draft subregional SCS. Third, the consultants would produce a final economic analysis report as the SCS is finalized, so that the impacts of all planned subregional strategies can be considered.

Deliverable: SB 375 economic analysis report outline for Gateway Cities; draft economic analysis report; final economic analysis report.

Due Date: Outline: November 2010; draft report: February 2011; final report: June 2011.

C. Required Task: Kickoff Workshop

The SCS process will be a collaborative effort among the elected officials and staff of the Gateway Cities member jurisdictions, as well as staff of the COG, MTA, and SCAG. To that end, it will be necessary to have a kickoff workshop involving as many of these stakeholders as possible to ensure that all are working towards the same goals.

In general the kickoff workshop agenda should cover the timeline and outcome of the SCS process and the major steps that will be taken. Milestones and due dates for action by cities should receive particular emphasis. A review of prior COG studies should be presented to help build a common base of understanding for the SCS effort.

The attendees for the workshop should include COG Board members, City Managers, and Planning Directors, as well as related SCAG and MTA staff and COG staff. The consultants will be expected to work with COG staff to develop the agenda, prepare handout and follow-up materials, facilitate as directed, and make presentations during the workshop as directed.

Deliverable: SB 375 Subregional SCS Kickoff Workshop agenda, meeting materials, and presentations (hard copy and electronic for subsequent posting).

Due Date: Summer 2010 (see Schedule).

D. Required Task: Workshops for COG Planning Directors and Public Works Officers

In order to ensure full involvement of the cities in the SCS development, and to have a transparent process, the consultants will be asked to conduct a series of workshops for planning directors and public works officers of the Gateway Cities. These workshops should occur at approximately quarterly intervals throughout 2010 and into 2011, up until the time a final subregional SCS is submitted to SCAG for inclusion in the regional SCS.

Following are several suggested agenda topics that are expected to arise during the SCS development process:

- Scenario planning using SCAG tool and other tools and models as available
- Review of Best Management Practices as developed by ARB and other sources (approach recommended by the Regional Targets Advisory Committee; see <http://www.arb.ca.gov/cc/sb375/rtac/report/report.htm>)
- Tools and strategies for GHG reduction
- Case studies within and beyond the Gateway Cities
- Updates on regional SCS development
- Specific focus on distribution of RHNA allocations among Gateway member jurisdictions and relationship to the requirements of SB 375, particularly with respect to the impact on reducing GHG emissions

- Key findings of modeling conducted by COG consultants, by SCAG and by others (e.g., MTA)
- Issues raised by modeling or by other aspects of the regional and subregional SCS development.

During this time the consultants will be asked to conduct two briefing sessions for City Managers and COG Board members. Content for these briefing sessions will be as directed by COG staff, and may include any of the above topics or other relevant matters.

Deliverable: Planning Directors' Workshop agendas, meeting materials, and presentations as directed by COG staff; two briefings for City Managers and COG Board members.

Due Date: Summer 2010 through Spring 2011 (see Schedule).

E. Required Task: Public Outreach

Essential to the success of subregional SCS development will be outreach to cities, transportation agencies, and other stakeholders. As a subregion taking on the preparation of its own SCS, the Gateway Cities will be responsible for conducting outreach according to requirements in SB 375. The consultant will be asked to support the Gateway Cities in conducting this outreach in accordance with the law's requirements. The outreach will be developed and conducted in coordination with the COG staff, member cities, MTA, and SCAG as directed.

A number of channels are available for stakeholder and public outreach. These include web sites, surveys, newsletters, and other types of briefing materials. The consultant should describe its plan for public and stakeholder outreach that will meet the requirements of SB 375, while minimizing cost by taking advantage of existing or free channels of communication. These may include the COG web site, existing city web sites, newsletters, survey subscriptions, communication channels, on-line networking sites, and the like.

As part of the public outreach effort, bidders may assume that there will be four public outreach sessions (planned for Long Beach, Pico Rivera, South Gate and Cerritos) to present the SCS and to obtain public input.

Optional Element of Required Task: In order to implement strategies in the SCS, some cities may need to take action to affirm their willingness to depart from current adopted General Plans. In this case, presentations will be needed to the respective city planning commissions and councils. The consultants are asked to offer a separate per-city bid for providing these presentations at the cities' option.

Deliverable: Public & stakeholder outreach plan (Summer 2010); implement plan (Summer 2010 – Summer 2011); four public

outreach sessions as indicated; optional presentations to city planning commissions and councils.

Due Date: As above.

F. Required Task: First Draft Subregional SCS

SB 375 requires specific content for a regional SCS. The SCAG Guidelines in turn require the same content for a subregional SCS being prepared by a subregion. In particular:

“The sustainable communities strategy shall

- (i) identify the general location of uses, residential densities, and building intensities within the region;
- (ii) identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth;
- (iii) identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Section 65584 [of the Government Code];
- (iv) identify a transportation network to service the transportation needs of the region;
- (v) gather and consider the best practically available scientific information regarding resource areas and farmland in the region as defined in subdivisions (a) and (b) of Section 65080.01 [of the Government Code];
- (vi) consider the state housing goals specified in Sections 65580 and 65581 [of the Government Code];
- (vii) set forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce the greenhouse gas emissions from automobiles and light trucks to achieve, if there is a feasible way to do so, the greenhouse gas emission reduction targets approved by the state board; and
- (viii) allow the regional transportation plan to comply with Section 176 of the federal Clean Air Act (42 U.S.C. Sec. 7506).”

(Government Code Sec. 65080(b)(2)(B))

The consultant will be asked to compile the above elements into an SCS for the Gateway Cities. According to the SCAG Guidelines, "Failure to proceed in a manner consistent with the Guidelines will result in SCAG not accepting a subregion's submitted strategy." (Guidelines Sec. IV.) The Guidelines also say that "SCAG will accept and incorporate the subregional SCS, unless (a) it does not comply with SB 375, (b) it does not comply with federal law, or (c) it does not comply with SCAG's Subregional Framework and Guidelines." (Guidelines Sec. IV(A)(1))

This task requires the submittal of a first-draft subregional SCS by November 2010. The survey conducted of Gateway Cities in 2009 may offer a starting point as to the strategies currently employed or planned by member jurisdictions. The report on this survey is available on the COG's SB 375 web site, <http://gatewaycog.org/sb375.html>.

The consultant will be expected to coordinate as directed with staff of MTA and SCAG in development of the SCS, particularly the transportation elements of the strategy. Bidders may assume that demographic data for the COG member jurisdictions will be compiled and made available to the consultants in GIS format.

While SB 375 does not make explicit mention of environmental justice, it is possible that the development of an SCS could have specific effects on minority and low-income populations, which are prevalent in the Gateway Cities. The consultants are requested to include in their proposals, strategies for addressing this important local issue during SCS development.

In addition to meeting all specified requirements for the subregional SCS, the consultant will be asked to estimate the resulting GHG reductions by the best and most accurate means available. The consultant may be asked to do this on an iterative basis and may be asked to compare the estimated reductions indicated by SCAG models with those indicated by other models, including models that may be run by MTA or by the consultant. These estimated GHG reductions should be analyzed in relationship to the regional SCS and regional GHG goal established by CARB. The consultant may assume that information gathering necessary to conduct any modeling will be the responsibility of the cities and COG staff.

SCAG's scenario planning model (under development Winter 2009 – Spring 2010) requires GIS expertise to run. The consultant will be asked to provide this expertise in support of the Gateway Cities and COG staff as the subregional SCS is developed. In the case that SCAG's preliminary scenario and models are inadequate to explain proposed land use changes to stakeholders, the consultant may be asked to prepare additional materials to support stakeholder communication and develop consensus.

One of the workshops described in Task D will be focused on communicating the first draft subregional SCS to Planning Directors, City Managers, and COG Board members.

Optional Element of Required Task: The consultant will be asked to include and quantify all COG efforts that have reduced GHG, not just those within the scope of SB 375. The review of prior COG reports should assist in this effort.

Deliverable: First draft subregional Gateway Cities SCS.

Due Date: November 2010.

G. Required Task: Final Draft Subregional SCS

Based on feedback received during the development of the first draft subregional SCS and the workshop with Planning Directors, the consultant will be expected to produce a second or final draft SCS with the goal of submitting it to SCAG by their requested date of February 2011.

According to the SCAG Guidelines, “should the adopted subregional strategy deviate from General Plans, subregions will need to demonstrate the feasibility of the strategy by documenting any affected jurisdictions’ willingness to adopt the necessary General Plan changes.” The consultant should include a process to work with the COG staff and the cities to explain these deviations as needed and to prepare the necessary documentation of feasibility.

The Guidelines also specify that “for transportation investments included in a subregional SCS to be valid, they must also be included in the 2012 RTP. Further, such projects need to be scheduled in the RTIP [Regional Transportation Improvement Program] for construction completion by the target years (2020 and 2035) in order to demonstrate any benefits as part of the SCS.” The consultant will be responsible for coordinating the Gateway Cities SCS development as needed with SCAG and MTA to ensure these requirements are met.

Development of the final draft SCS will likely involve additional estimation of the resulting reduction in GHG emissions and comparison with the regional target set by CARB. Throughout, the consultants will be expected to coordinate with SCAG staff as they evaluate progress towards the regional target by compiling strategies from all subregions. MTA should also be part of this coordination.

During this time SCAG will be developing the Program Environmental Impact Report (PEIR) for the 2012 RTP on a parallel timeline. The PEIR will include a project description in accordance with the requirements of the California Environmental Quality Act. SCAG will include in the RTP PEIR project description a narrative version of the Gateway Cities preliminary SCS. The

consultant will be asked to prepare this narrative version of the SCS in order to meet this requirement from SCAG.

One of the workshops described in Task D will be focused on communicating the second/final draft subregional SCS to Planning Directors, City Managers, and COG Board members.

Deliverables: Final draft subregional Gateway Cities SCS; narrative project description for SCAG to include in the draft PEIR for the 2012 RTP.

Due Date: February 2011.

H. Required Task: Final Subregional SCS

This step involves preparation of the final subregional SCS in time for SCAG's requested date of June 2011. The final Gateway Cities SCS would need to be brought to the COG Board in May 2011. Prior to Board presentation, one of the workshops described in Task D should be focused on communicating the final subregional SCS to Planning Directors and City Managers.

At this stage in the SCS development, the consultant should be continually reviewing the required elements of the SCS to ensure that SCAG cannot find the SCS non-compliant with SB 375, federal law, or the SCAG Subregional Framework and Guidelines. The Gateway Cities should also have a good understanding of the commitments that will be necessary to implement the SCS, and the expected GHG reductions that will result. (See Task I.)

Deliverable: Final subregional Gateway Cities SCS.

Due Date: May 2011.

I. Optional Task: Subregional APS – by May 2011

SB 375 calls for the preparation of an Alternative Planning Strategy, or APS, by the MPO if the SCS will not meet the state-set regional target. The SCAG Guidelines allow a subregion to choose to prepare a subregional APS. The specific requirements for a subregional APS, based on those for a regional APS in SB 375, are as follows:

- (i) Shall identify the principal impediments to achieving the subregional SCS.
- (ii) May include an alternative development pattern for the subregion pursuant to subparagraphs (B) to (F) [of Sec. 65080(b)(2)], inclusive.
- (iii) Shall describe how the greenhouse gas emission reduction targets would be achieved by the alternative planning strategy, and why the

development pattern, measures, and policies in the alternative planning strategy are the most practicable choices for the subregion.

- (iv) An alternative development pattern set forth in the alternative planning strategy shall comply with Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations, except to the extent that compliance will prevent achievement of the greenhouse gas emission reduction targets approved by the ARB.
- (v) For purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), an alternative planning strategy shall not constitute a land use plan, policy, or regulation, and the inconsistency of a project with an alternative planning strategy shall not be a consideration in determining whether a project may have an environmental effect.

(Based on Government Code Sec. 65080(b)(2)(H))

The consultant should include in its bid, a contingent task addressing the preparation of a subregional Gateway Cities APS in case it should be needed. The APS would be in addition to the SCS, and could be due around the summer of 2011 if needed. In developing this task, bidders should consider that the goal of an APS, if one is required at the regional level, is to bridge the gap between the regional SCS and the state-mandated regional target. Thus, the APS would not be an entirely new plan, but would be limited to additional strategies needed to meet the target.

Deliverable: (Contingent) Subregional APS for Gateway Cities.

Due Date: Summer 2011 (estimated).

III. Schedule and Deliverables

The following list recaps the deliverable products expected from the consultant:

- Task A. Review of prior COG studies. (required)
- Task B. SB 375 economic analysis report for Gateway Cities. (optional)
- Task C. SB 375 Subregional SCS Kickoff Workshop agenda, meeting materials, and presentations (hard copy and electronic for subsequent posting). (required)
- Task D. Planning Directors' Workshop agendas, meeting materials, and presentations as directed by COG staff; two briefings for City Managers and COG Board members. (required)

- Task E. Public & stakeholder outreach plan; implement plan. (required)
- Task F. First draft subregional Gateway Cities SCS. (required)
- Task G. Final draft subregional Gateway Cities SCS. (required)
- Task H. Final subregional Gateway Cities SCS. (required)
- Task I. Subregional APS for Gateway Cities. (optional)

The following list is an approximate timeline of workshops. Actual workshop dates may be set in advance for the entire SCS development process. In addition, the consultants may expect to attend meetings of the SCS Policy Development Committee as often as monthly during the contract period.

Kickoff Workshop	Summer 2010
Planning Directors/Public Works Officers Workshop	October 2010
City Managers/COG Board briefing	November 2010 (First Draft SCS)
Planning Directors/Public Works Officers Workshop	January 2011
City Managers/COG Board briefing	February 2011 (Final Draft SCS)
Planning Directors/Public Works Officers Workshop	April 2011
City Managers/COG Board briefing and Board Presentation	May 2011 (Final SCS)