



STATE MINING AND GEOLOGY BOARD

DEPARTMENT OF CONSERVATION

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REQUEST FOR QUALIFICATIONS

TO PERFORM SERVICES PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND THE SURFACE MINING AND RECLAMATION ACT FOR VARIOUS SURFACE MINE SITES

ON BEHALF OF THE STATE MINING AND GEOLOGY BOARD

October 5, 2017

BACKGROUND:

The Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code [PRC] §2710 et seq.) prohibits conduct of surface mining operations by any person without prior lead agency approval of a reclamation plan and a financial assurance in an amount sufficient to reclaim the site according to the approved reclamation plan. Lead agencies are defined in SMARA as cities, counties, the San Francisco Bay Conservation and Development Commission, and the State Mining and Geology Board (SMGB).

A reclamation plan may be reviewed and approved by the SMGB when: (1) a local lead agency has no surface mining ordinance certified by the SMGB; (2) an operator appeals an action on the part of its local lead agency to deny the reclamation plan application or fails to act to process the application; or, (3) the SMGB is serving as the SMARA lead agency under PRC §2774.4 or other specific agreement.

A reclamation plan approved by the SMGB remains in effect for the duration of the surface mining operation and any additional period until reclamation is completed in accordance with the plan.

Approval of a reclamation plan may be a project under the California Environmental Quality Act (CEQA), PRC §21000 et seq. Approval of a reclamation plan amendment may also be

The Mission of the State Mining and Geology Board is to Provide Professional Expertise and Guidance, and to Represent the State's Interest in the Development, Utilization and Conservation of Mineral Resources, the Reclamation of Mined Lands, and the Development and Dissemination of Geologic and Seismic Hazard Information to Protect the Health and Welfare of the People of California.

a project for purposes of CEQA. Prior to approving a reclamation plan or plan amendment the SMGB must, therefore, comply with CEQA's environmental review requirements.

During the coming two years the SMGB anticipates the submittal of at least one amended reclamation plan for its review and approval. Additional mine sites may also propose new or substantially modified reclamation plans during the contract term.

This Request for Qualifications (RFQ) is being issued to identify qualified environmental consultants to provide services related to the SMGB's compliance with CEQA prior to approving any new or amended reclamation plans. The ultimate contract term is anticipated to be two years.

SCOPE OF WORK:

Preparation of Initial Study and additional CEQA Documents

For all proposed reclamation plans and amended reclamation plans submitted for the SMGB's review and approval during the contract term, the consultant will prepare all documents necessary for compliance with CEQA, including, as appropriate, a Notice of Exemption, Initial Study, Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report, and/or Mitigation Monitoring Program. The successful applicant will determine what level of compliance is necessary and manage the initial development, physical preparation, public dissemination, and completion of all documents, including developing drafts, responses to comments, and assisting with preparation of staff reports, recommendations and findings for the SMGB's consideration and approval. The consultant's work will be subject to direct oversight from the SMGB (usually through its Senior Engineering Geologist or other designated staff). The process will include: (1) site visits to the project area; (2) review and evaluation of the project's proposed or amended reclamation plan, and related information; (3) preparation of recommendations to the SMGB's Executive Officer and the SMGB members regarding mitigation solutions and environmental issues; (4) answering questions and preparing responses to comments in regards to environmental reports; and other tasks as may be necessary to ensure a successful outcome. The consultant may also need to review existing surface mine documentation in Sacramento at the SMGB office and at the Division of Mine Reclamation.

Attendance at Meetings

The consultant will be required, as needed, to attend certain regularly scheduled SMGB meetings (held in different locations throughout the State), as well as local community meetings in or near the jurisdiction of the specific project area. Participation in working sessions with SMGB staff and technical staff from the Division of Mine Reclamation (generally in Sacramento), and attendance at any other meetings deemed appropriate to facilitate successful and timely completion of the project may be required. Close consultation with SMGB staff on a regular basis is an essential element of the program.

Other Contractor Responsibilities

The consultant will be required to submit:

1. Monthly Status Reports for each calendar month (due by the 10th calendar day of the following month) with a summary of work accomplished by reclamation plan.
2. Detailed monthly invoices for labor and other billable costs segregated by reclamation plan.

SOLICITATION INSTRUCTIONS:

Applicants must provide professional qualification details for key staff members, including education and experience in mine reclamation planning, listing of professional licenses and certifications, knowledge of surface mining operations, and familiarity with the requirements of SMARA and the SMGB's Reclamation Standards as contained in the California Code of Regulations (14 CCR §3500 et seq. and §3700 et seq.). Demonstration of specific experience with the preparation of environmental documents as required by CEQA is also crucial.

Any potential conflicts of interest must be identified. A potential conflict of interest includes, but is not limited to, any work performed as an employee or consultant in any capacity of any potential project mines within the previous 12 months. Potential project mines are those which operate within local jurisdictions where the SMGB is serving as the SMARA lead agency.

Applicants shall include generalized itemized costs (cost sheet or fee schedule showing labor costs, benefits, overhead, travel expenses, etc.) for reviewing information in Sacramento, field work, evaluating and analyzing data collected, attending meetings, and preparing and circulating necessary documents.

PROPOSAL EVALUATION, APPLICATION DEADLINE, AND NOTIFICATION:

Responses to this Request for Qualifications will be screened by staff of the SMGB and by SMGB members. Final selection of firms and negotiation of a contract will follow procedures within the SMGB's regulation for the Selection of Professional Service Firms (14 CCR §3920 et seq.). The written statement of the consultant's qualifications must specifically include responses to the following criteria:

1. Description of Project Team.

- a. List Principals and their proposed role for potential projects.
- b. List key technical personnel and their proposed role for potential projects.
- c. List key subcontractors and their proposed role for potential projects.
- d. Provide education, professional licensing and certifications, and other credentials and training of key personnel.

2. Professional experience of the Consultant

- a. Description of Principal's and key personnel's professional experience.
- b. Description of key subcontractor's professional experience.
- c. Description of potential project team's knowledge and experience with relevant environmental laws and regulations, including but not limited to CEQA and NEPA.
- d. Description of potential project team's knowledge and experience with SMARA statutes and SMGB regulations.
- e. Documented success in completing CEQA and NEPA environmental review documents for surface mining and reclamation projects.
- f. Description of experience with social and political issues surrounding environmental review of proposed or existing surface mining and reclamation projects.
- g. Description of experience with and knowledge of the Endangered Species Act and California's equivalent.
- h. Description or experience with and knowledge of integrating another contractor's/agency's CEQA and/or NEPA information into an environmental document.
- i. Experience in developing a joint CEQA/NEPA document.
- j. Potential conflicts of interest with any local agencies and/or surface mining operators within the State of California.
- k. Description of experience in preparing public participation documents and interacting with the public in connection with obtaining public and agency input on CEQA documents.
- l. Description of all legal challenges to any CEQA or NEPA documents prepared in the past ten years.

3. Demonstrated Competence and specialized experience of Consultant

- a. Describe two (2) CEQA environmental review projects completed, including at least one EIR project – include date performed, nature of work, and cost of project. These projects should, if possible, be related to development or amendment of a surface mining and reclamation operation within the State of California.

4. Reliability of Consultant and specialized experience of Identified Subcontractors.

- a. Description of the continuity of Consultant's staff and identified subcontractors.
- b. Information on past debarment, defaults and any professional disciplinary actions with their outcomes for both the Consultant and identified subcontractors.
- c. Information of safety violations or warnings issued to the Consultant and identified subcontractors by Federal Occupational Safety and Health Administration (Fed/OSHA), California Occupational Safety and Health Administration (Cal/OSHA), local fire marshal, or

inspector, or a local/State/Federal environmental health agency involving hazardous substances/materials.

- d. Provide information on CEQA and NEPA projects that the Consultant has performed for Federal, State or local governmental agencies during the last five years – name of the project, date performed, agency involved, role the Consultant served, and quality of the Consultant's performance.

5. Subcontractors.

- a. The Consultant shall provide a list of their potential subcontractors that are licensed for the type of work that they may perform and are in compliance with State licensing laws and Cal/OSHA requirements.

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Applications should be addressed to the attention of the Executive Officer and must be received at the office of the State Mining and Geology Board, 801 K Street, Suite 20-15, Sacramento, California 95814, **not later than 5:00 P.M. on Monday, November 20, 2017.**

The SMGB intends to develop a list of qualified firms for initiation of discussions regarding the required services in December of 2018. For additional information please contact: Mr. Will Arcand, Senior Engineering Geologist with the SMGB, at 916-322-1082, or by email at will.arcand@conservation.ca.gov.