

AGENDA ITEM 8: **Delta Flood Risk Management Assessment District Feasibility Study contracting**

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Requested Actions: Authorize Executive Director to execute Interagency Agreement amendment and execute associated consultant contract

Background: In June 2013, the Commission approved an Interagency Agreement in the amount of \$250,000 with the Department of Water Resources (DWR) to perform a feasibility study for a regional Flood Risk Management Assessment District. In November 2013, the Commission ratified minor amendments to the Agreement.

In September 2014, Commission staff released a Request for Proposals for the contracted work. No proposals were received; among other concerns, potential proposers stated that the funding was inadequate for the requested work. DWR agreed to consider an increase in the Interagency Agreement funding amount if the Commission identified a suitable proposal.

Commission staff re-released a Request for Proposals in October 2014, and heard presentations from the top three proposers in mid-December. M. Cubed, a resource economics firm with Delta experience, along with expert legal, stakeholder engagement, and assessment subconsultants, was selected as the top proposer, at a cost of \$476,197. DWR has agreed to increase its Interagency Agreement with the Commission to \$499,500 (providing a small amount to support Commission efforts on this project), and extend the Agreement expiration to June 30, 2016.

At the Commission’s January 2015 meeting, members of the Commission expressed concern over the selection of the M. Cubed firm because of its previous work as the lead economist for the Bay Delta Conservation Plan. In an 11-1 vote, the Commission agreed to appoint a subcommittee consisting of Vice-Chair Thomson and Commissioners Bugsch and Richardson to review the proposed selection. Following a January 29 meeting where the subcommittee met with Richard McCann of M. Cubed and heard from other members of the public, the subcommittee voted unanimously to recommend the full Commission approve the selection of M. Cubed.

The DWR Interagency Agreement amendment has been drafted by DWR personnel and Commission staff are drafting the contract with M. Cubed. The consultant contract relies on requirements identified in the Request for Proposals and the consultant’s proposal. Both agreements will follow standard State contracting requirements, templates, and processes and require execution by the Executive Director.

Request: Authorize Executive Director to execute the funding increase and time extension amendment to the DWR Interagency Agreement. Authorize Executive Director to execute consultant contract.