

A G E N D A
Regular Meeting

Date: **May 13, 2021 Thursday**

Time: **6:00 pm – Open Session...Zoom link**

Join Zoom Meeting at--

<https://us02web.zoom.us/j/89607518237>

Meeting ID: 896 0751 8237

Dial in by phone only: 669 900-6833

6:05 – Closed Session

The Public may stay online during this time if they choose

7:00 pm – Rejoin Open Session (time approximate)

Same information as above for 6:00 pm

The Commission meeting will be held via video/teleconference. The public may observe and comment by phone or by Zoom webinar. If the public wishes to provide comment before the meeting on any of the agenda items, please email mciwpc@mendoiwpc.com by 5:00 pm Thursday, May 13, 2021.

6:00 pm Open Session

6:05 pm CLOSED SESSION: Conference with Real Property Negotiators
(Gov't Code §54956.8)

Property: PG&E Potter Valley Project

Agency Negotiators: Janet Pauli & Scott Shapiro

Negotiating Parties: IWPC and FERC

Under Negotiation: Price and Terms

7:00 pm Open Session—approximate time

1. Roll Call
2. Public Expression - See information above for information on public expression
3. Minutes
 - a. Approval/Correction of minutes of the meeting of April 8, 2021
4. Consent Calendar
 - a. Approve expenses on billing statements for April 2021
 - b. Update on financial accounts
5. Commissioner Reports — Reports by Commissioners on meetings attended or actions taken by their agencies as well as informational items, including:
 - a. Report from the Upper Russian River Stewardship Alliance regarding frost water use
 - b. Eel/Russian River Commission meeting update
 - c. North Coast Quagga/Zebra Mussel Prevention Consortium update and approval of letter to continue funding of Mussel Inspection Station at Lake Mendocino
 - d. Update regarding actions and discussion of the state water bond issues
 - e. Report on Upper Russian River Water Agency JPA
 - f. Report on the Upper Russian River Water Manager's meeting

- g. Discussion of ground water rights & Sustainable Groundwater Mgmt. Act (SGMA)
 - h. Update on the City of Ukiah recycled water purple pipe project
 - i. CalCannabis regulation update and related issues
 - j. Discussion of individual water agency plans for water conservation efforts
6. Potter Valley Project
- a. Status report and discussion of the Two-Basin Partnership efforts to license the Potter Valley Project
 - 1. Continued discussion of PVP Funding Needs for 2021 and how to disseminate the potential costs of this effort to the public
 - 2. Discussion and possible action regarding approval of an RFP for a consultant to lead the public PVP funding campaign for inclusion as a measure on the 2022 ballot
 - 3. Approve delegation authority to Chair to make and support funding requests that advance the Two Basin Partnership
 - b. Update on current Lake Pillsbury releases to the Eel & Russian Rivers and related issues
 - c. Update on the Sandoval Study: Hydrologic Characterization and Modeling for Evaluating Human and Environmental Water Supply Tradeoffs on the Upper Eel and Upper Russian River - Potter Valley Project proposal
7. Update on the IWPC Communication Program and Website
8. U.S. Army Corps of Engineers Feasibility Study on Coyote Dam – Update on Corps’ activities and input from Participating Members
- a. Report on Lake Mendocino water levels and conditions at Coyote Valley Dam
 - b. Update on new General Investigation Study & possible funding
 - c. Progress on Congressman Huffman’s ‘Forecast Informed Reservoir Operation’s bill
9. NMFS Listing of the Coho Salmon and Steelhead as Threatened
- a. Executive Committee and/or Public Policy Facilitating Committee Reports
 - b. Biological Opinion Implementation Update
10. Discussions and reports of additional water supply sources and storage sites
11. State Water Resources Control Board - Updates on various activities from the SWRCB
- a. AB2121
 - b. D1610
12. Discussion of possible expansion of the IWPC membership
13. Adjournment

PUBLIC EXPRESSION

The Commission welcomes participation in their meetings. Comments shall be limited so that everyone may be heard. This item is limited to matters under the jurisdiction of the Commission which are not on the posted agenda and items which have not already been considered by the Commission. The Commission limits testimony on matters not on the agenda to three (3) minutes per person. No action will be taken. Individuals wishing to address the Commission under Public Expression are welcome to do so throughout the meeting day. To best facilitate these items, please notify either the Chairman of the Commission or the Secretary of the Commission.

CLOSED SESSION

If agendized, the Commission may adjourn to a closed session to consider litigation, personnel matters, or real estate negotiations. Discussion of real estate negotiations may be held in closed session - Authority: Government Code Section 54956.8. Discussion of litigation or pending litigation may be held in closed session -- Authority: Government Code Section 54956.9. Discussion of personnel matters may be held in closed session -- Authority: Government Code Section 54957.

ADDITION TO THE AGENDA

(If any) in accordance with Section 54954.2 (b)(2) of the Government Code (Brown Act) Two-thirds Vote Required for Action Items. (Upon determination by a two-thirds vote of the legislative body, or, if less than two-thirds of the members are present, unanimous vote of those members present, that the need to take action arose after the Agenda was posted.)

Mendocino County

Inland Water & Power Commission

P.O. Box 1247 • Ukiah, CA 95482

Phone (707) 391-7574 • Email: mciwpc@mendoiwpc.com

draft

MINUTES

Regular Meeting

April 8, 2021

Open Session

The meeting was called to order at 6:05 p.m. via video conference by Chair Janet Pauli.

Closed Session

Pauli, Reardan, Schoeneman, Orozco, McGourty and Attorneys Shapiro and Zolezzi entered Closed Session at 6:06 p.m.

CLOSED SESSION: Conference with Real Property Negotiators (Gov't Code §54956.8)

Property: PG&E Potter Valley Project

Agency Negotiators: Janet Pauli & Scott Shapiro

Negotiating Parties: IWPC and FERC

Under Negotiation: Price and Terms

The Commissioners came out of Closed Session at 6:58 p.m. No reportable action under the Brown Act was taken.

Open Session was reconvened at 7:00 pm

The following Commissioners were present on the call:

Janet Pauli—Chair (Potter Valley Irrigation District)

John Reardan—Vice-Chair (Russian River Flood Control District)

Glenn McGourty—Commissioner (County of Mendocino Water Agency)

Juan Orozco—Commissioner (City of Ukiah)

Tom Schoeneman—Commissioner (Redwood Valley County Water District)

The following individuals were participants:

Sean White—City of Ukiah water staff

Granville Poole—public member

Devon Jones—MCFB Manager

Elizabeth Salomone—RRFCD General Manager

Public Expression

Chair Pauli explained that anything not currently on the agenda may be discussed at this time, however no action could be taken. She further advised that comments would be welcome throughout the meeting.

Minutes

On a motion by Commissioner Schoeneman, seconded by Reardan the minutes of the meeting of March 11, 2021 were unanimously approved.

Consent Calendar

On a motion by Vice-Chair Reardan, seconded by McGourty, the consent calendar items for March 2021 were unanimously approved.

Commissioner Reports

a. Report from the Upper Russian River Stewardship Alliance regarding frost water use—All reports of water use should have been submitted by this time.

b. Eel/Russian River Commission meeting update—No report.

c. North Coast Quagga/Zebra Mussel Prevention Consortium update—IWPC has supported this effort by providing a letter to Sonoma Water urging continued funding through the Water Resources Development Act of 2020.

d. Update regarding actions and discussion of the state water bond issues—No report.

e. Report on the Upper Russian River Water Agency JPA—No report.

f. Report on Upper Russian River Water Manager's meeting—The next meeting is set for April 21, from 3 to 5 pm. The latest information from SW on the various lake water levels and conditions will be given at the meeting.

g. Discussion of ground water rights & Sustainable Groundwater Mgmt Act (SGMA)—Commissioner McGourty reported that the model developed to predict what will happen in the basin regarding the levels of the aquifer and associated pumping ability seems to be well calibrated. The water under Ukiah Valley is quite high and may be pumped if surface water is not available. Annual costs for the SGMA operations are estimated at \$150,000.

h. City of Ukiah purple pipe recycled water program—The value of recycled water is going to be very apparent in this drought year. White relayed that they are strategizing on how to maximize production.

i. CalCannabis regulation and related issues—Commissioner McGourty relayed that the Supervisors are looking at active code enforcement for those growers that are planting illegally and do not have the necessary required permits. Phase 3 growers will start submitting their permits for 2023 now. They are looking at including Cannabis with grape crops, as they are already permitted as Ag and would be a good alternative to growing in town. He is asking the County staff to get some real data on how many growers there are, how big the grows are and if they have water available or are having it trucked in. He feels that our community has shown a lot of good will towards Cannabis growing, but people are starting to get really upset about how the grows are being managed. Jones added that there doesn't seem to be a problem with adding more growers, but it will really depend on how well the County can be the lead agency on CEQA issues and how they will handle the water issues. McGourty is hosting a water workshop at the BOS meeting on Monday.

j. Discussion of individual water agency plans for water conservation efforts—Chair Pauli relayed that a notice came out from the State Board on March 22, warning all water right holders that there is a drought pending and to prepare for impacts. RVCWD sent out a letter on March 25 to their irrigators that they will be shutting off the water to Ag users starting on April 19.

This year the Redwood Valley farmers were prepared ahead of time with their retention ponds. Schoeneman stated that they are also getting the word out to the domestic users that they need to conserve as much as possible.

A meeting of a group from the Alexander Valley area met with staff from the State Board to discuss how they could voluntarily reduce their water use. Another meeting with the State Board and DWR was held on April 7 to discuss whether or not a voluntary reduction in use would work for the State. Jones pointed out that if the goal was to have 20,000 AF left in Lake Mendocino by the end of the summer, then we need to take that number and go backwards to determine the goals for each month. Jones reported that a key point for Ag right now is finding out what options are available, including public health, Ag crop survival and livelihoods etc. There are farmers that will be using the City's recycled water and others may have groundwater sources.

Salomone reported that they are putting out information everywhere they can regarding water conservation tactics including working with SW, UDJ, Press Democrat and a social media Facebook page. RRFC & WCID continue to expand public outreach with the 2021 Drought Preparedness Campaign. There are Monday emails with media content issued by the Resource Conservation District. Emails with updates on water supply conditions are going out each Friday. Mainstream media is picking up the story (KZYX, Press Democrat, UDJ, Mendo Voice, etc.) The District is embarking on development of a voluntary agreement with the SWRCB to potentially secure some of the license allocation if facing regulations during the year. She is working closely with Sonoma Water to keep up to date on conditions and response.

Potter Valley Project

a. Status report and discussion of the Two-Basin Partnership efforts to license the Potter Valley Project—Chair Pauli reported that the website now has information on what the estimated costs are for the studies and operations of the PVP, both in click and link form. The site is being updated with any relevant information as it occurs.

Discussion and possible action regarding approval of an RFP—Chair Pauli discussed the need to move forward as quickly as possible in order to get a measure on the 2022 ballot. White suggested that the scope of the RFP needs to include determining the costs and revenue needed before a funding mechanism is determined and a measure is decided on. Horsley requested assistance from the City and County staff to hone the RFP scope. Both McGourty and Orozco stated that they would ask for that assistance.

b. Update on current Lake Pillsbury releases to the Eel & Russian rivers—Pauli reported that she is trying to resurrect the Drought Working Group as it ceased meeting when Lake Pillsbury storage got above 30,000 AF. They were going to ask for a variance to reduce flows, but dropped the process when the 30,000 AF was reached. One of the requests at the last meeting was to collect data on temperature monitoring at Lake Pillsbury to determine if releases during the summer would harm or help the fish. They are close to a critical point under the RPA and there needs to be discussion on release flows.

Two weeks ago, the Friends of the Eel wrote a letter to FERC stating that they were upset that there had been no response to their concerns on how Cape Horn dam was being operated during the floods when the fish ladder filled up with gravel and they were going to sue if a Section 7 consultation was not started. FERC stated that they thought a Section 7 was warranted. What that means to the process the Partners are in and to the licensing is unclear. It could have ramifications to the Study Plan that is currently underway. Pauli discussed the fact that the

previous Section 7 consultation in the early 90's on the relicensing of the PVP, resulted with a flow regime with a reduction of water flow through the PVP of 50%. Not every Section 7 will result in such dramatic changes. A second Section 7 process on the Russian River regarding the operations of Lake Mendocino and Warm Springs Dam and whether or not the operations are harmful to fish is still going on today. Restoration at Dry Creek is in process to mitigate the jeopardy opinion.

c. Update on the Sandoval Study and possible approval of the Discussion of Hydrologic Characterization and Modeling for Evaluating Human and Environmental Water Supply Tradeoffs on the Upper Eel and Upper Russian River - Potter Valley Project proposal—No report.

Update on the IWPC Communication Program

a. Website—Discussed under PVP above.

U.S. Army Corps of Engineers Feasibility Study on Coyote Dam

a. Report on Lake Mendocino water levels and conditions at Coyote Valley Dam—White reported that there is some concern about the impacts of the lowered water level at the lake and its effects on the outlet. Fortunately, there is no impact from sediment buildup currently.

b. Discussion of Feasibility Study (FS)—No report.

c. Discussion of grant funding for the FS—No report.

d. Progress on Huffman's Forecast Informed Reservoir Operations bill—The next meeting on FIRO will be in July.

NMFS Listing of the Coho Salmon and Steelhead as Threatened

a. Executive Committee and/or Public Policy Facilitating Committee Reports—No report.

b. Biological Opinion Implementation Update—No report.

Discussions and Reports of Additional Water Supply Sources and Storage Sites

No report.

State Water Resources Control Board Items

AB2121—No report.

D1610—Sonoma Water’s recent reports to SWRC provide a timeline for D1610 modifications. The Sonoma Water Board of Directors are scheduled to consider this for approval in September 2022.

Discussion of possible expansion of the IWPC membership

No report.

Review and approval of 2021 Budget

Motion by Vice-Chair Reardan, seconded by Schoeneman to approve the 2021 Budget. The motion was approved by all Commissioners except for McGourty, who abstained.

Adjourned at 8:20 pm.

Candace Horsley, IWPC staff

IWPC Financial Accounts

May 2021

Savings Bank: IWPC account (Quarterly statements)	\$ 1,407	As of 5/8/2021
Mendocino County Auditor's Office	\$312,151	As of 3/2021*

*After April bills are paid, we will have \$217,358 in the PVP account.

The following agencies have submitted payments as of 4/31/21, for a total of \$305,000:

Willow \$22,500, Calpella \$7,500, City of Ukiah \$50,000, Millview \$30,000, RVCWD \$25,000, RRFC \$50,000, PVID \$50,000, Hopland \$20,000 and County \$50,000.

MENDOCINO COUNTY INLAND WATER AND POWER COMMISSION

Billing Statement

April 2021

1. Staff Charges:

<u>Date</u>	<u>Description</u>	<u>Hrs</u>	<u>Rate</u>	<u>Amount</u>
4/8	Meeting	2.50	\$18.00	\$ 45.00
4/9	Accting & meeting follow-up	4.00	\$18.00	\$ 72.00
4/30	Minutes	1.00	\$18.00	\$ 18.00
April	Website maint.	5.00	\$18.00	\$ 90.00
April	RFP	7.00	\$18.00	\$126.00
5/9	Agenda packet	1.50	\$18.00	<u>\$ 27.00</u>
	Subtotal			\$378.00

2. Miscellaneous:

Downey Brand billing for March 2021	\$9,580.00
Thomas Johnson billing for April 2021	\$8,085.00
Jendi Coursey, analytics	<u>\$ 112.50</u>
Subtotal	\$17,777.50

TOTAL

\$18,155.50



**MENDOCINO COUNTY INLAND WATER &
POWER COMMISSION**

DRAFT

**REQUEST FOR PROPOSAL
FOR BALLOT FUNDING MEASURE STRATEGY, TECHNICAL
AND OUTREACH PROFESSIONAL SERVICES**

In the Ukiah, CA regional area

PROPOSAL SUBMITTAL DEADLINE:

DATE: _____

TIME: _____

LOCATION: _____

PROJECT MANAGER: _____

Mendocino County Inland
Water & Power Commission
P.O. Box 1247
Ukiah, CA 95482

PURPOSE AND BACKGROUND

The purpose of this Request for Proposal ("RFP") is to obtain proposals from qualified firms to establish a timeline and strategy to place a tax funding measure on the November 2022 Ballot. The additional funding would be used for studies needed for the FERC licensing process. These studies are expected to cost over \$15 M and take 3 to 4 years to complete. An additional \$10 to \$15 M may be needed over the next 5 to 6 years to prepare state and federal environmental documents and possible decommissioning studies for Scott Dam, complete the FERC licensing process, and create a new public agency to own and operate the Project.

OBJECTIVE

1. Develop a detailed date specific timeline and strategy that explains the process and key milestones to pursue a ballot measure for the November 2022 Ballot. 2. Develop and conduct a voter opinion poll which would be used to evaluate the probability of voter approval of a funding measure. Provide a written summary presenting the results with a broad recommendation to lead to a ballot measure, including a formal presentation to the IWPC Commissioners. 3. Develop public education and messaging strategies to be used for community education, stakeholder engagement and citizen awareness of the need for additional funding to construct and maintain new and existing facilities. 4. Prepare the ballot measure statement, argument and rebuttal (if needed).

REQUEST FOR PROFESSIONAL SERVICES

General Information about the Potter Valley Project (PVP) and Mendocino County Inland Water & Power Commission (IWPC)

In the early 1900s it became clear that the Ukiah Valley and surrounding areas needed a more reliable source of electrical power to replace a small coal-burning plant. Van Arsdale of San Francisco realized that if water could be diverted from the Eel River, the elevation difference between there and the valley floor in Potter Valley would be sufficient to produce hydroelectric power. In 1905 construction began on Cape Horn Dam on the upper-main Eel River forming Van Arsdale reservoir. From Van Arsdale Reservoir, a mile long tunnel was dug through the hills into the north end of Potter Valley where the water then flowed downhill through penstocks into the Potter Valley Powerhouse.

After its completion in 1908 the powerhouse could only run at capacity during the winter and early spring because the Eel River, as with most of our inland rivers, has very little natural flow after winter rains end. Because of this lack of summer water, a plan was made to store winter rains and snow melt in a larger reservoir twelve miles upriver from Cape Horn Dam. Scott Dam was completed, forming Lake Pillsbury, in 1922. From that point on water began flowing in the Russian River during the summer. Pacific Gas and Electric Company (PG&E) purchased the Potter Valley Project (PVP) in 1932 and acquired a fifty year Federal Energy (later called the Federal Energy Regulatory Commission or FERC) license. The first license expired in 1972. The PVP was then relicensed for another fifty years and that license expires in 2022.

Over thirty years later, after several major flooding events, the USACOE began construction of a flood control project on the Russian River north of Ukiah. In 1959 Coyote Valley Dam was completed and Lake Mendocino began to fill. The water diverted from the Eel River via the PVP flows in the East Branch of the Russian River and into Lake Mendocino. After the winter flood season ends, PVP water is stored in Lake Mendocino and released during the summer and Fall for agricultural, domestic and environmental water supplies all along the Russian River below Coyote Valley Dam.

The PVP transfers, on average, 60,000 acre feet of water per year from the Eel River into the Russian River. Because of dramatically reduced flows following the second relicensing, the Project operates at an economic loss. PG&E has decided not to pursue a new license. Preliminary estimates suggest that the loss of water provided by the Project to the Russian River results in losses of approximately \$40 M per year to the economies of Mendocino and Sonoma Counties.

To protect the region's economy and environment, a group of local public agencies, a sovereign Indian Nation and a non-profit fish advocacy group formed the Two-Basin Partnership and filed a Notice of Intent to pursue a new FERC license. They are in the process of forming a Regional Entity to eventually own and operate the PVP. Mendocino County Inland Water & Power Commission (IWPC) is one of these partners. IWPC was formed in 1996 as a joint powers agency to preserve the continued diversion of water through the Potter Valley Project, to preserve the viability of the PVP, and if in furtherance of such preservation, to purchase or otherwise acquire the PVP and to negotiate and enter agreements respecting the Eel River and Russian River waters.

Immediate Funding Challenges: Many expensive and rigorous studies are needed for the FERC licensing process. These studies are expected to cost over \$15 M and take 3 to 4 years to complete. An additional \$10 to \$15 M may be needed over the next 5 to 6 years to prepare state and federal environmental documents and possible decommissioning studies for Scott Dam, complete the FERC licensing process, and create a new public agency to own and operate the Project. Locally generated funding is currently needed to attract and match outside funding to cover the full cost.

Additionally, a broad-based local funding program will be needed to support the ongoing operation of the Project at an estimated \$3M to \$5M per year of new revenue. Local, State, Federal, and PG&E funding will also be needed to complete the proposed modifications of the Project facilities.

Project Timing

The timing of the polling and public outreach, as permitted by Government Code §54964(c), is constrained. If the measure is to be placed on the November 8, 2022 ballot, the last day to submit a resolution to the registrar calling for an election measure is August 12, 2022. IWPC seeks to complete the polling effort by June 2022 including the report at their July 2022 meeting. Public outreach to provide information about the possible effects of the ballot measure on the activities and operations of IWPC will continue through approximately November 1, 2022, one week prior to the November 8, 2022 election.

Scope of Services

Project tasks include, but are not limited to:

- Review current revenue streams in the larger Ukiah region, including Potter Valley, Redwood Valley, Calpella, Talmage, Ukiah, and Hopland to develop an appropriate ballot measure revenue strategy
- Create a survey and undertake statistically valid online survey and/or telephone poll to determine community interests related to revenue measure(s) (including content and data analysis for an online survey). IWPC shall obtain current registered voter data from the County Elections Department. The sample size should yield a 95% confidence level and a +/- 5% accuracy level.
- Develop appropriate information and education materials that complies with State Law, including Gov. Code §54964, including ballot measure language and provide advice on distribution methods.
- Give advice on additional recommended steps in the process.
- Coordinate with additional consultant, as necessary.
- Attend a minimum of three meetings and two IWPC meetings to present and receive direction on the proposed approach and to present the results. If responding to only one part of this RFP, the meetings will be held as follows:

Minimum Qualifications

To be considered for selection, vendors must demonstrate knowledge and experience in the following areas:

- Expert knowledge in CA local government
- California campaign financing and local ballot measures proposed by local governments
- California law governing local tax measures, including, but not limited to, parcel tax and assessments, local transaction and use taxes, community service districts and similar funding mechanisms
- Knowledge of California finance and local measure results in the state with ability to strategize the best revenue option for our area
- Ability to perform work in a timely and efficient manner

The firm should also specialize in one or both of the following:

- Professional surveying and polling
- Local government public outreach including conducting public meetings, developing key messages, writing ballot text, creating and designing informational material such as brochures, mailers, and web content and the strategic use of different media outreach and cutting edge technology as methods of distributing the informational material.

Proposal Content and Submittal Instructions

Submittals must be received no later than 5:00 PM on _____ and must include the following information:

1. Firm profile and qualifications including specific experience passing special and general tax measures, in California including number of government agencies represented and success rate.
2. Recommended project approach and specific project steps including the use of any subcontractors and/or partners.
3. Proposed schedule of work.
4. Expectations of the type and amount of work requested of IWPC staff to assist in the process.
5. Identification of the project manager and key staff members who will be assigned to the daily work of the project; include the qualifications and relevant experience for the identified team members.
6. Separate* project budget and total cost of service for polling, itemized to the extent possible and including a fee schedule for additional services.
7. Separate* project budget and total cost of service for public outreach, itemized to the extent possible and including a fee schedule for additional services.
8. Separate* project budget and total cost of service for ballot measure strategy, itemized to the extent possible and including a fee schedule for additional services.
9. Complete contact information for a minimum of two recent clients for whom similar services described in the RFP have been performed.

*As mentioned in the introduction, IWPC recognizes that firms may specialize in either professional polling or public outreach services. Therefore, firms may submit a proposal in response to one or both services but should prepare separate total cost itemizations per item numbers 6, 7 and 8 above if responding to all services. Firms may partner and submit joint responses.

Proposals can be sent electronically to the _____ or mailed to:

If submitting by mail, please ensure "Ballot Measure/Public Outreach RFP" is written in the lower left-hand corner of the envelope. One bound copy, plus one reproducible/faxable unbound copy should be submitted.

Proposals must be complete and submitted by the due date. Late submissions or delivery via facsimile will not be considered. IWPC assumes no responsibility for delays caused by delivery service. Postmarking by the due date will not substitute for actual receipt.

Schedule for Selection Process

- _____ Publication of RFP on IWPC's Website
_____ RFP filing deadline
_____ Final selection and approval by Commissioners

Evaluation and Rating Criteria

Proposals may be evaluated based upon, but not limited to, the following criteria in priority order:

Firm expertise and competence including experience with similar projects.

- Professional qualifications and experience of the key personnel assigned to the project.
- References.
- Ability to work effectively with IWPC staff and representatives.
- Proposed budget.

IWPC retains sole discretion to evaluate proposals and may make an award to the consultant it deems to have the most responsive proposal. Receipt of proposals in response to its RFP does not obligate IWPC in any way to engage any consultant and IWPC reserves the right to reject any or all proposals, wholly or in part, at any time, without penalty. IWPC shall retain the right to abandon the proposal process at any time prior to the actual execution of a contract with a consultant and shall bear no financial or other responsibility in the event of such abandonment. IWPC reserves the right to negotiate any and all final terms and conditions including term, scope of services, and compensation of any agreements entered into.

Questions Regarding This Project

The technical point of contact for this project is_____. She can be reached via e-mail at _____. Questions received and IWPC's responses will be posted on the IWPC website at mendoiwpc.com.

Changes to RFP

IWPC will post any changes of this RFP on the website at mendoiwpc.com. Such changes become an integral part of the RFP for incorporation into any contract awarded pursuant to the RFP.

Rights to Submitted Materials

All Proposals and related correspondence, reports, charges, schedules, exhibits and other documentation submitted with this RFP will become property of IWPC and a matter of public record. All documents submitted in response to this request will be subject to disclosure in accordance with the California Public Records Act (Gov't Code §6250 et seq.).

Agreement and Insurance Requirements

The successful proposer(s) will be required to sign a contract with IWPC relating to the work to be performed. Once selected, the proposer must procure and maintain insurance in accordance with the IWPC's insurance requirements (see "Professional Services Agreement") for the duration of the contract. The cost of this insurance is the proposer's responsibility.

Reference Checks

IWPC reserves the right to contact any reference or any client listed in the documents for information which may be helpful in evaluating the Contractor's performance on previous assignments.

General Conditions of RFP

- IWPC reserves the right to reject any and all proposals, to waive any informality, to request interviews of Contractor(s) prior to award and to select and negotiate the Contract services in the best interest of IWPC.
- IWPC reserves the right to accept all or part of any proposal, and to negotiate a contract for services and cost with the selected Contractor.
- The Contractor shall provide all necessary personnel, materials and equipment to perform and complete all work under this proposal.