

CALIFORNIA COASTAL COMMISSION

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W6f

August 24, 2022

TO: California Coastal Commissioners and Interested Public

FROM: John Ainsworth, Executive Director
Madeline Cavalieri, Chief Deputy Director
Jessica Chan, Chief, Fiscal & Business Services
Sophia Mak, Fiscal & Business Services Analyst

SUBJECT: **Contract Award for Broadband Middle-Mile Network Environmental Services for public hearing and Commission action**

STAFF RECOMMENDATION

Staff recommends that the California Coastal Commission (Commission) authorize the Executive Director, or his designee, to approve and sign a contract with the successful bidder of a competitive bidding process for an amount of approximately \$900,000 to provide environmental analysis services for the Broadband Middle-Mile Network project for a period of six months beginning October 3, 2022, with an option to extend the term for an additional six-month period.

MOTION

"I move that the Commission authorize the Executive Director or his designee to enter into a contract with the successful bidder of a competitive bidding process for an amount of approximately \$900,000 to provide environmental analysis services for the Broadband Middle-Mile Network project for six months beginning October 3, 2022, with the option to extend the contract for an additional six-month time period, in accordance with the Department of General Services instructions."

Staff recommends a **YES** vote.

Background

Universal, accessible, and affordable access to high-speed internet is critical to the state's economy, education, and essential health and well-being. The 2021-22 State Budget provides a \$7 billion investment over three years as part of a plan to expand broadband infrastructure, increase affordability, and enhance access to broadband high-speed Internet for all Californians as supported by Executive Order N-73-20 and Senate Bill No. 156. This funding will support the build out of a critical statewide broadband "middle-mile" network (BMMN), incentivize providers to expand service to unserved and underserved areas by substantially reducing their upfront infrastructure costs, create new opportunities

for municipal fiber networks, and promote affordability for consumers. This essential backbone infrastructure is a foundational step towards the entire state having broadband access.

To implement buildout of the BMMN, the California Department of Transportation (Caltrans) has been tasked with the planning, designing, permitting and construction of 10,000 miles of broadband infrastructure throughout the state including fiber optic cable conduit, vault boxes, cable marker posts, and repeater hub stations. All infrastructure will be placed within the State Highway System (SHS) right-of-way owned and operated by Caltrans. Approximately 900 miles of the network will occur within the coastal zone, passing through approximately 56 different LCP segments as well as various state, federal and tribal lands from the Oregon/California border south to Imperial Beach, San Diego. Caltrans therefore must obtain coastal development permits (CDPs) from the Commission and/or from local jurisdictions with certified Local Coastal Programs (LCPs) for the portions of the project within the coastal zone pursuant to the California Coastal Act.

The BMMN project is on a highly compressed timeline for permitting and construction due to state funding availability, with a deadline for completing construction by the end of 2026. Due to this compressed timeline and the complexity and workload involved with analyzing coastal resource issues across 900 miles of certified and uncertified coastal zone jurisdictions, the Commission is seeking an experienced and qualified outside consultant to assist with the Coastal Act/LCP consistency analyses needed to complete the CDP process within Caltrans' project schedule. This consultant work is being funded by the California Department of Technology (CDT), who will be maintaining the BMMN following construction of this project, in support of achieving the project goals and timelines.

Contract Specifications

In accordance with state contracting requirements, a Request for Proposals (RFP) was prepared by the Commission staff and posted on the Cal eProcure website on July 28, 2022, with responses due on August 22, 2022. Consultant contracts are competitively bid and managed statewide by the Department of General Services/Procurement Division (DGS/PD). In order to award the contract under the DGS/PD regulations, a bidder must meet the stated Minimum Qualifications and receive the highest score on the evaluation process detailed in the RFP. The Commission is utilizing the "best value" method RFP process, a process in which the resulting contract is awarded based on highest points scored overall (including up to 70 points based on Technical Criteria and up to 30 points based on Cost Proposals for a total of 100 points maximum). Due to the unique and highly specialized service being sought and the importance of providing high quality work products in a short timeframe, the RFP requires all proposers to demonstrate their experience in providing environmental analysis and mapping services for complex development and/or infrastructure projects in the California coastal zone, particularly any experience related to broadband infrastructure, CEQA analysis, Coastal Act analysis, and LCPs.

The RFP states the Commission's goals and objectives for obtaining said environmental analysis services, and includes the following deliverables:

Literature Review/Research: Procurement and compilation of existing environmental resource and environmental hazard information. This will include any information made available by or requested from Caltrans, the Commission, local governments, and other resources with a focus on resources that are protected under the Coastal Act. This will also include identification of relevant Coastal Act and certified LCP policies based on the known or potential environmental resource areas and hazard areas that intersect with the project routes.

Gap analysis: Identification of critical remaining unavailable environmental information, with a focus on coastal resources that are protected under the Coastal Act, including recommendations for obtaining such information through field studies or other methods and recommendations for how to address any unavailable or otherwise unattainable information in the Coastal Act consistency review.

Field Studies: Prioritization and implementation of field studies necessary to fill in critical information gaps as feasible within the contract term, including reports summarizing the objectives, methods, and observations of any conducted field studies.

Mapping: Mapping of all procured environmental resource and hazard information in GIS format with a focus on resources that are protected under the Coastal Act, including coordination with the Commission's Mapping Unit to provide the final GIS files to the Commission.

Final Report: Final report with a detailed summary of confirmed or potentially present coastal resources and environmental hazards in the vicinity of the proposed project within the coastal zone, an analysis of potential permanent and temporary resource impacts that may be caused by project construction, consistency analysis of the project with the Coastal Act and certified LCPs, and recommendations for avoiding, minimizing, or mitigating all potential impacts.

This scope of work is intended to begin on October 3, 2022, and must be completed by April 3, 2023, with the possibility of a six-month contract extension to allow Commission staff sufficient time to complete the CDP review process and bring the various segments of the Project to Commission public hearings.

Conclusion

The deadline for responses to the RFP was August 22, 2022. Proposal packages will be evaluated and scored by Commission staff by August 29, 2022, upon which date Commission staff will issue a Notice of Intent to Award to the bidder with the highest value score under the "best value" method based upon RFP specifications. Thus, at the time of publishing this staff report, Commission staff were still completing the evaluation and scoring process. Staff will provide the Commission with an update on the outcome of the competitive bid process at the hearing for this item. Staff recommends that the Commission authorize the Executive Director or his designee to approve and sign a six-month contract, with an option to extend for an additional six-month time period, for an amount of approximately \$900,000 to provide environmental analysis services for the BMMN project.

The motion is on page 1 of this staff report.