

**TAHOE REGIONAL PLANNING AGENCY**  
**Permitting and Compliance Department**  
**REQUEST FOR PROPOSALS (RFP)**

Hearings Officer  
RFP #230011

**Announcement:** March 29, 2023

**Project Description:** The Tahoe Regional Planning Agency (TRPA) is requesting proposals from all interested contractors to conduct regularly scheduled Hearings Officer meetings at its Market Street office.

**Evaluation:** Proposals will be evaluated according to the criteria in section 4 of this document.

**Deadline:** April 12, 2023 – Bidding Firms’ Questions Due  
May 2, 2023 – Deadline for Proposal Submissions

**Questions:** All questions should be submitted in writing to the RFP Coordinator:

Jessica Gillies  
Tahoe Regional Planning Agency  
PO Box 5310  
128 Market Street  
Stateline, NV 89449  
775-589-5335  
[jgillies@trpa.gov](mailto:jgillies@trpa.gov)

## 1. Introduction and Agency Background

### **Introduction:**

This request for proposals is seeking bids from qualified contractors to conduct regularly scheduled Hearings Officer meetings at the Tahoe Regional Planning Agency office. The TRPA Hearings Officer position was authorized by the Governing Board as an efficiency measure to streamline the TRPA permit process and improve service to the public. Before the creation of a Hearings Officer this position was routinely filled by TRPA staff, usually by a Division Chief. The decision to contract with an independent Hearings Officer was made in 2004 because it removed potential perceptions of impartiality that might occur at a public hearing.

Chapter 4, Appendix "A" of the TRPA Code of Ordinances contains a list of projects that may be reviewed by the Hearings Officer. Originally, this position only reviewed routine non- controversial projects. However, the Governing Board modified this policy to include projects that might include controversy rather than automatically moving these projects to a Governing Board agenda. The TRPA Hearings officer can also review and approve projects that have been delegated to local jurisdictions according to various TRPA Memoranda of Understanding.

### **TRPA Background Information:**

Established in 1969, by a Federally sponsored, interstate compact between California and Nevada, TRPA is authorized under California law (California Government Code sections 66800 through 66801), Nevada law (NRS 277.190 through 227.200), and Federal law (PL 96-551).

The mission of TRPA is to "lead the cooperative effort to preserve, restore, and enhance the unique natural and human environment of the Lake Tahoe Region, while improving local communities, and people's interactions with our irreplaceable environment." TRPA is the leading partner for plans and actions to preserve the environment of the Tahoe region. TRPA establishes transportation and land use policy as the region's Metropolitan Planning Organization and works with local, regional, state, and Federal organizations and governments to facilitate a cooperative approach in implementing these plans and programs. The TRPA Regional Plan is designed to maintain a healthy natural environment, meet adopted environmental thresholds, maintain social and economic health, and allow orderly growth in the Region.

TRPA is governed by a 15-member Board. California and Nevada each have seven members comprised of elected officials and governmental appointees. In addition, a non-voting member is appointed by the President of the United States. Further information can be obtained at TRPA's website at [www.trpa.gov](http://www.trpa.gov).

Lake Tahoe faces a constant and serious threat from the introduction and spread of aquatic invasive species (AIS). AIS can devastate aquatic ecosystems, and negatively impact the recreation opportunities that drive Lake Tahoe's economy. The Lake Tahoe Aquatic Invasive Species Program's mission is to prevent, detect, and control aquatic invasive species in the region so that future generations can enjoy

Lake Tahoe. TRPA and the Tahoe Resource Conservation District lead the program in collaboration with the public and private partners.

TRPA is granted environmental planning and regulatory authority at Lake Tahoe pursuant to the Tahoe Regional Planning Compact (Public Law 96-551). TRPA requires all projects to be consistent with the applicable development and environmental standards found throughout the TRPA Regional Plan package.

## **2. Project Description**

### **Scope of Work**

**Task 1:** Review TRPA and Local Jurisdiction staff summaries for conformance with TRPA Regional Plan and other ordinances and regulations. Local Jurisdiction review shall be in accordance to an approved TRPA Memoranda of Understanding.

**Task 2:** Reside as a TRPA Hearings Officer at regularly scheduled Hearings Officer meetings at the TRPA Office, or at alternative locations in the Lake Tahoe Region as selected by TRPA. The Hearings Officer shall act in accordance with Article XIV of the TRPA Rules of Procedure (enclosed) and other applicable TRPA rules and regulations.

**Task 3:** Review and (if appropriate) approve Hearings Officer meetings minutes prepared by the appointed Hearings Officer Clerk.

### **General provisions:**

1. Hearings Officer Meetings are scheduled for every other Thursday of each month, although alternate days may be selected with the concurrence of the Hearings Officer and Executive Director.
2. The Executive Director reserves the right to select an alternate Hearings Officer when the need arises.
3. Estimated time for reviewing Hearings Officer staff summaries; and presiding at a hearing is approximately two to three hours per meeting.

### **Term of Engagement**

It is the intent of the Agency to contract for services presented herein for a one-year term effective July 1, 2023, and expiring on June 30, 2024.

The Agency reserves the right to extend contract terms to a maximum five-year contract term expiring on June 30, 2028. Contract renewal is subject to the annual review of the Agency, the satisfactory negotiation of terms (including a price acceptable to both the Agency and the selected firm), and the annual availability of an appropriation.

**TRPA Budget**

As a public agency, TRPA’s annual operating budget is constrained. Please take this into account when responding to this call for qualifications.

**3. RFP Schedule & Submission Process**

**Public Records:**

The documents submitted in response to this RFP should be considered public information and subject to FOIA disclosure. Restrictions on any information submitted will render a bid non-responsive.

TRPA assumes no contractual obligation to enforce any exemption on behalf of a respondent to the RFP.

**RFP Coordinator:**

Upon release of this RFP, all communications concerning this proposal request should be directed to the RFP Coordinator listed below. All written questions and requests for clarification must be received by the deadline on the RFP schedule listed below. Email shall have the subject stating: “**RFP INQUIRY – RFP #230011 Hearings Officer.**” Responses will be posted to the website [trpa.gov/contact/request-for-proposals/](http://trpa.gov/contact/request-for-proposals/) in accordance with the RFP schedule listed below. The respondent should rely only on written statements issued by the RFP Coordinator.

Jessica Gillies  
Tahoe Regional Planning Agency  
PO Box 5310  
128 Market Street, Suite 3A  
Stateline, NV 89449  
775-589-5335  
[jgillies@trpa.gov](mailto:jgillies@trpa.gov)

**Request for Proposal Schedule:**

TRPA anticipates the following schedule, which is subject to change:

Date of Announcement:	March 29, 2023
Bidding Firms’ Questions Due:	April 12, 2023
Questions and Answers posted to <a href="http://www.trpa.gov">www.trpa.gov</a>	April 14, 2023
Deadline for Proposal Submissions:	May 2, 2023
Sealed Proposals Opened:	May 3, 2023
Selection of Consultants for Interviews (if necessary):	May 4, 2023
Consultant Interviews (if necessary):	May 11, 2023
Anticipated Award of Contract:	May 15, 2023
Commencement of Work:	July 1, 2023

Late proposal submissions will not be considered and will be returned unopened to the sender.

**Proposal Submission:**

Electronic submission of proposals via email, file transfer, or other method is preferred. RFP and cost proposals are submitted separately, and cost proposal is only opened for proposals that meet format requirements. Send electronic submittals to [bids@trpa.gov](mailto:bids@trpa.gov) with the subject line “**DO NOT OPEN – RFP #230011 Hearings Officer RFP Response [lead firm name]**” and “**DO NOT OPEN – RFP #230011 Hearings Officer RFP Cost Proposal [lead firm name]**”.

Mailed submissions will be accepted if the submission is too large to transmit digitally. Please include hard copies and digital files on a thumb drive. Mailed submissions must be received by TRPA before the RFP deadline.

Address written proposals to:

Tahoe Regional Planning Agency  
Attention: Jessica Gillies  
128 Market Street, Suite 3A  
PO Box 5310  
Stateline, NV 89449-5310  
Subject Line: “**DO NOT OPEN – RFP #230011 Hearings Officer RFP Response [lead firm name]**” and “**DO NOT OPEN – RFP #230011 Hearings Officer RFP Cost Proposal [lead firm name]**”

All opened proposals and accompanying documentation become the property of TRPA and will not be returned. Any late proposals will be returned unopened.

**Terms and Conditions:**

- TRPA reserves the right to amend the RFP schedule or issue amendments to the RFP at any time. TRPA also reserves the right to cancel or reissue the RFP, to reject any or all proposals, to waive any irregularities or informalities in the selection process, and to accept or reject any item or combination of items. TRPA reserves the right to request clarification of information from any bidder or to request supplemental material deemed necessary to assist in the evaluation of the proposal. TRPA reserves the right to accept any agreement deemed by the agency to be in its best interest. This RFP does not obligate the TRPA to accept or contract for any expressed or implied services.
- In the event that the bidder to whom any services are awarded does not execute a contract within thirty (30) calendar days after TRPA approval, TRPA may give notice to such bidder of intent to award the contract to the next most qualified bidder or to call for new proposals and may proceed to act accordingly.
- TRPA will not reimburse any bidder for any of the costs involved in the preparation and submission of responses to this RFP or in the preparation for and attendance at subsequent interviews.

- Selected consultant(s) will be expected to sign the TRPA Consultant Services Agreement listed on [trpa.gov/contact/request-for-proposals/](http://trpa.gov/contact/request-for-proposals/). Any desired edits to this agreement should be included in the Contractor's proposal. Desired edits may not be accepted by TRPA.
- The Consultant or its employees may be subject to the provisions of Article III (a)(5) of the Tahoe Regional Planning Compact (P.L. 96-551, 94 Stat. 3233, Cal. Gov't Code Section 66801, N.R.S. 277.200), which requires disclosure of any defined economic interest and prohibits such persons from attempting to influence Agency decisions affecting certain economic interests.
- Bidder shall thoroughly examine and be familiar with these terms and conditions of the TRPA Consultant Services Agreement. The failure or omission of any bidder to receive or examine this document shall in no way relieve any bidder of obligations with respect to this proposal or the subsequent contract.
- Bidder must certify to the best of its knowledge and belief that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency. TRPA will verify bidders' status by checking the SAM system.
- All subcontractors, if any, used by the selected consultant will require prior written consent of TRPA and will be subject to all provisions stipulated in the TRPA Consultant Services Agreement.
- This contract will be funded by federal and state grant awards and is subject to federal and state grant award requirements including, but not limited to, cost principles and administrative regulations including but not limited to travel and per diem rates, mileage rates, and allowable cost requirements.

## 4. Minimum Required Proposal Contents

### **Minimum Required Proposal Contents:**

All proposal responses should address the following matters:

Main Proposal – Max Page Limit: 3

1. **Definition of the Project:** Indicate your understanding of the Project objectives.
2. **Project approach:** Briefly describe how the Project will be managed, implemented, and evaluated to accomplish the objectives and requirements outlined in this request.
3. **Team Organization:** Briefly describe how the project team will be organized to facilitate effective management, implementation, and evaluation.
4. **References:** Provide a minimum of three (3) client references of similar sized and/or governmental accounts which the bidder has served in a similar capacity over the past two years and/or is currently serving. Provide a contact person, telephone number, and email

address for each reference customer. References should be submitted as an attachment to this response.

Cost Proposal – Max Page Limit: 1

1. **Schedule and Cost:** Provide a timeline and itemized cost estimate based on the Tasks described in Scope of Work section. Tasks described in Scope of Work section. Cost estimates should be based on hourly rates and/or milestones and deliverables. Please provide a “Not to Exceed” cap and a bid guarantee through June 30, 2024.

### **W-9 and Proof of Insurance**

Submit a completed IRS form W-9. Proof of Insurance will be required if selected under this RFP for a contract award. TRPA contract insurance requirements are outlined in the TRPA Standard Two-Party Contract, available here <https://www.trpa.gov/wp-content/uploads/documents/archive/TRPA-Standard-Two-Party-Contract.pdf>.

## **5. Notification and Selection Process**

### **Review of Proposals**

After the deadline date the Agency shall review and evaluate all proposals for responsiveness to the RFP in order to determine whether the bidder possesses the professional qualifications necessary for the satisfactory performance of the services required. The Agency shall also investigate qualifications of all bidders to whom the award is contemplated, and the Agency may request clarifications of proposals directly from one or more bidders. In reviewing the proposals, the Agency may consider the following:

1. The experience and past performance of the bidder and its agents, employees, and sub-consultants in completing projects of a similar type, size, and complexity.
2. The Agency may consider Bidder's timely and accurate completion of similar projects within budget.
3. The specific recent experience of the bidder and its agents, employees, and sub-consultants in auditing governmental entities and especially transportation entities.
4. The feasibility of the proposal based upon the performance and cost schedules, and the methodology to be used by the bidder.
5. Bidder's understanding of the work to be completed based upon the clarity of the proposal and responsiveness to this RFP.
6. Bidder's proposed language for the Professional Services Agreement.
7. TRPA agrees to make a good faith effort to contract with small, minority, disabled, and women

owned business enterprises. Accordingly, the TRPA strongly encourages small, minority, disabled, and women owned businesses to reply to this RFP and submit Small Business Enterprise (SBE), Disadvantaged Business Enterprise (DBE), Women Business Enterprise (WBE), Disabled Veteran Business Enterprise (DVBE), or similar certifications as an attachment to this RFP.

### **Award of Agreement**

Upon completion of the review period, the Agency shall notify those bidders whose proposals will be considered for further evaluation and negotiation. All notified bidders may be required to make presentations and negotiate in good faith in accordance with direction from the Agency. Any delay caused by bidder's failure to respond to direction from the Agency may lead to a rejection of the proposal.

If the Agency determines, after further evaluation and negotiation, to award the Agreement, the TRPA Two-Party Contract Agreement shall be sent to the successful bidder for the bidder's signature. No proposal shall be binding upon the Agency until after the Agreement is signed by duly authorized representatives of both the bidder and the Agency.

Should the selected bidder and TRPA be unable to agree to the terms of a contract within thirty (30) calendar days after TRPA approval, TRPA will reserve the right to disqualify the consultant and select another qualified bidder. Should this process not result in the hiring of a consultant, the RFP may be reissued.

The Agency reserves the right to reject any or all proposals, and to waive any irregularity. The award of the Agreement, if made by the Agency, will be based upon a total review and analysis of each proposal and projected costs.

TRPA will contract with the bidder that will best accomplish the project objectives for the best value and in the best interests of the Agency.