
August 3, 2017

Erika Powell, Lead for the Ad Hoc Subcommittee on the Request for Proposals and Application
Luisa Valiela, Advisory Committee Chair
Kelly Malinowski, Staff Project Manager

At the May 12, 2017 meeting of the San Francisco Bay Restoration Authority Advisory Committee (AC), an Ad Hoc Subcommittee was formed to provide comments to staff and recommendations to the Governing Board on the Measure AA draft request for proposals (RFP) and grant application. Following the release of the June 12, 2017 draft of the Measure AA 2017 Proposal Solicitation (also known as the RFP) and Grant Application, members of the Ad Hoc Subcommittee developed and shared comments. In July, the subcommittee met via conference call to reconcile their comments, hear staff’s initial responses, and seek resolution of issues raised. Issues needing further discussion at the August 11, 2017 AC meeting are described in Part II below.

Ad Hoc Subcommittee’s RFP and Application Review Process

Staff distributed the draft RFP and the draft grant application to the ten members of the Ad Hoc Subcommittee on June 23, 2017, along with a timeline to meet the Ad Hoc Subcommittee’s commitment to submit, discuss and reconcile comments. Subcommittee members provided their edited documents to staff, and staff created a comments table to organize the 57 comments received in advance of the conference call. The Ad Hoc Subcommittee’s feedback fell into four general categories: question, comment, edit, discussion items. Staff cross-referenced the recommended edits with the Restoration Authority’s enabling legislation’s language, Measure AA, and the Grant Program Guidelines to ensure that they were not in conflict with those documents.

Staff scheduled a call on July 14th to discuss comments with the Ad Hoc Subcommittee. In general, the Ad Hoc Subcommittee members were in agreement with the initial responses provided by staff, so additional discussion was not needed for the majority of the comments. The subcommittee was able to sift through and identify several of the comments that were deemed needing additional discussion after staff’s first response to comments.

Included below in Part I is a summary of the six themes discussed at the Ad Hoc Subcommittee meeting on July 14th. Part II outlines three remaining themes that the Ad Hoc Subcommittee wanted to bring to the full AC for discussion. Specifically, out of these three remaining themes, one is anticipated to be presented as a proposed recommendation for the Restoration Authority Governing Board at their September 8th meeting.

Part I: Six Themes Discussed during the Ad Hoc Subcommittee Call

The following six themes were pulled from the list of Ad Hoc Subcommittee comments and were discussed during the subcommittee’s call on July 14th.
1. **The Restoration Authority’s “elevator pitch” – Comment to add “and expand access to” to our ‘standard’ description of Measure AA: “…to fund shoreline projects that will protect and restore San Francisco Bay.”**

**Summary of Discussion and Resolution:** Discussed if we want to include public access, as suggested above, to our standard description/elevator pitch for Measure AA. It was discussed that if we add public access to this description, we should add flood protection as well, and whether or not we want to highlight public access and flood control in this description, or leave the focus on habitats. It was decided that in talking about Measure AA projects, we want to keep the focus on habitats, and so this ‘elevator pitch’ was edited to read: “…to fund shoreline projects that will protect, restore, and enhance San Francisco Bay,” and “expand access to” was not added.

2. **Prioritization of Projects, Specifically Pilot Projects – Request to add “demonstration of a pilot…” to staff interpretation of “greatest positive impact.”**

**Summary of Discussion and Resolution:** Since staff interpretation of “greatest positive impact” was included in the Grant Program Guidelines document approved at the June 9, 2017 Governing Board meeting and cannot be edited without editing the Grant Program Guidelines, we discussed where else this preference for calling out pilot projects could be added, and generally how to highlight that pilot projects are eligible and desirable. It was decided that this would fit best under the “Additional Information” section of the RFP, which will be added following the August 11th AC meeting.

3. **California Environmental Quality Act (CEQA) Readiness – Concern over projects needing to have environmental documents completed in time to be presented to the Governing Board within the next 12 months.**

**Summary of Discussion and Resolution:** First, it was clarified that this refers to implementation projects. There will be a Request for Proposals once every 12 months, so the thinking behind this is that first, we do not want to tie up funds for 12 months for a project that will not complete CEQA within 12 months, and would prefer the applicant to wait until the next grant cycle if this is the case. Second, there is a legal concern with approving implementation projects before CEQA is complete, since, for example, if the Restoration Authority board approves funding for an implementation project, and that project then has negative environmental impacts. For implementation projects, CEQA must be completed before being brought before the Restoration Authority board for approval for funding, and planning and implementation phases cannot be approved for funding by the board at the same time.

4. **Reviewer Language - How should “tangible and meaningful” and “very significantly implementing” vs. “satisfactorily implementing” language be considered?**

**Summary of Discussion and Resolution:** The purpose of this differentiation is for the application reviewer to determine if the activities described will result in the benefits that are being assumed or described. The discussion resulted in a modification to the language to read “measurable” instead.

5. **Monitoring Comments - Is there additional guidance that can be provided to applicants for meeting the monitoring requirements? Should the AC recommend a 5-10 year monitoring requirement instead of 20 years, and recommend using the California Rapid Assessment Method (CRAM) defining parameters for reporting?**
Summary of Discussion and Resolution: The subcommittee discussed both options and came to the general consensus that the application should specify “light” monitoring (e.g., observation to confirm that the site is still being used for purpose for which it was funded) vs “intensive” monitoring (e.g., data collection on various parameters and trend analysis) for 20 years. An argument for this language was that there is already a requirement for monitoring as part of the permitting process and the 20-year length allows the opportunity to go back and continue to enhance the project with future restoration or other type of improvements such as a trails project.

6. Application Comments –

Summary of Discussion and Resolution: Not a lot of comments on the application were received or discussed due to lack of time. However, the comments that were received were deemed not significant or needing discussion. The comments were simple enhancements to the draft application such as adding a second point of contact. Perhaps the most significant comment was regarding the length of Section I. Grant Application – Project Description. The recommendation was to increase the length of this section to six or more pages, i.e., half page for each of the 13 responses to allow the applicant enough space to provide an appropriate response. However, there was also a concern and discussion over length of the application, and review time.

The AC Chair and Ad Hoc Subcommittee Lead met with staff on July 24th to review all comments and responses. The comments that could not be resolved by the Ad Hoc Subcommittee members or that the subcommittee felt could not be fully developed in time for the release of the 2017 RFP are being presented to the AC for resolution at the August 11, 2017 AC meeting, as outlined in Part II below. Comments after the July 14 conference call were reviewed, categorized and potentially incorporated into the RFP if they were deemed not needing additional discussion.

Ad Hoc Subcommittee members who preferred to present their comments to the full AC or who did not submit their comments in time to be discussed with the entire Ad Hoc Subcommittee were encouraged to bring their comments to the full AC for further discussion. These comments are being presented with unresolved comments to the full AC.

Part II: Discussion Items for August 11th Advisory Committee Meeting

1. Recommendation to the Governing Board: Clarify Transparency in Scoring.
   a. The RFP does not currently provide a set of point values that are attributable to particular criteria. Further clarification should be added to the RFP so that applicants can see that a high score is attained by meeting the primary goals of Measure AA as described in the legislature, for example, which refers back to Criteria II: Priorities of Measure AA, which is worth a total of 40 points. The text would need to be modified to communicate to prospective grantees that trying to address more than one activity does not ensure more points, and one well implemented activity may provide a higher score as well. (See Table 1 below for an explanation the relationship between the proposal scoring criteria and where to find reference to them in the application and RFP.)

2. Additional Items for Discussion and Potential Recommendations to the Governing Board:
   a. Monitoring: Any additional discussion, including potentially CRAM requirements, etc. (See Comment 5 above for a summary of discussion to date on monitoring issues.)
   b. Budget: “For budget: include annualized costs throughout the life of the project (delineate annual costs by task in current dollars, uninflated and undiscounted, for each
year through completion), delineate contingency costs, delineate risks and plans to deal with risks, delineate annual costs to complete for ‘optimistic’ and ‘pessimistic’ scenarios.”

i. The comment as understood by the Ad Hoc Subcommittee is if it would be possible to add a requirement to provide multiple budget scenarios and risk assessments/risk mitigation measures.

- Background on Comment Submittal and Previous Staff Response:
  - Comment originally made: May 12, 2017 during AC’s first review of the draft RFP.
  - Staff Response to this initial comment included:
    - Added as Question #10 to Application: “Barriers and Risks: Please discuss any barriers that may exist in implementing your project, and how they may be overcome, as well as how you would address and overcome any anticipated undesired outcomes or risks regarding the proposed project. Examples may include addressing current and projected sea level rise impacts, infrastructure present at the project (e.g. transmission lines), risks of invasive species, and other potential barriers and risks associated with the proposed project.” (page 3 of application)
    - Added after Budget: “Uncertainties and Operation and Maintenance Ability” with space to fill-in details.

- Summary of Discussion: Some of the subcommittee members expressed concerns with requiring this type of budget and risk documentation if grant applicants do not have the resources to generate it. There was a general agreement that the documentation would be useful and could likely be provided by some of the larger and well established flood districts or public agencies, but that it may be difficult to develop these guidelines in time for the release of the first RFP. Given the complexity of these application criteria, it was recommended that this comment be brought forth to the AC for additional discussion.
### Table 1. SFBRA Scoring Criteria, and Relation to RFP and Application

<table>
<thead>
<tr>
<th>Proposal Scoring Criteria</th>
<th>Points</th>
<th>Where in the <strong>Application</strong> to find these criteria</th>
<th>Where in the <strong>RFP</strong> to find these criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. The extent to which the project implements the programs and activities of Measure AA (Section II).</td>
<td>20</td>
<td>Section I overall, and specifically Question #1.</td>
<td>II. Eligibility and Required Criteria: d. Eligible Project Activities (page 4) [Explained in further detail under Section V. Application Review and Evaluation: d. Scoring Criteria (page 8-11)]</td>
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<td>III. Solicitation Priorities (page 6) [Explained in further detail under Section V. Application Review and Evaluation: d. Scoring Criteria (page 8-11)]</td>
</tr>
<tr>
<td>II. The extent to which the project achieves the priorities of Measure AA, as defined by the prioritization criteria under Section III.</td>
<td>40</td>
<td>Section III.</td>
<td>V. Application Review and Evaluation: d. Scoring Criteria (page 8-11)</td>
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<td>III. The project’s likelihood of success, based on the applicant’s demonstration of capacity and resources to complete the project in an effective and timely way, as well as the likelihood of success in addressing the project’s barriers and risks.</td>
<td>40</td>
<td>Section I of the Application (which captures information about the project such as what the project entails, its goals, specific tasks, etc. and well as any potential barriers or obstacles etc.), Section II of the Application (which is the budget, and a narrative about any unforeseen risks in the budget, etc.), and the overall application (the way the application is written, reflecting the grantee’s likelihood of success).</td>
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**TOTAL POINTS**

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