



# Request for Qualifications

Tree Preservation Ordinances and Related Plans

**RFQ #2308-092322**

Proposal Due: **DATE by November 7, 2022 at 2pm PST**

**Deliver to:**

**[bids@hayward-ca.gov](mailto:bids@hayward-ca.gov)**

Rita Perez, Purchasing Manager

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# Notice of RFQ

## 1. Objective

The City of Hayward seeks to identify qualified contractors who are specially trained, experienced, and competent to work with staff and the community to revise the city's tree preservation ordinances and related plans in accordance with the terms, conditions, and specifications contained in this Request for Qualifications (RFQ).

## 2. Project Goals

The City's goals are:

- Update the existing city tree preservation ordinance (Article 15 – Tree Preservation).
- Develop educational materials related to the revisions and implementation of the revised ordinance.
- Provide supplemental documents to the “Hayward Executive Airport Wildlife Hazardous Mitigation Plan” dated October 17, 2016 (and subsequent revisions).

The purpose of this RFQ is to identify respondents that are qualified to:

- Perform benchmarking related to tree ordinance components.
- Analyze tree related data and materials.
- Provide a robust public outreach program.
- Update and streamline staff procedures and related documents.
- Prepare supplemental documents to the “Hayward Executive Airport Wildlife Hazardous Mitigation Plan” dated October 17, 2016 (and subsequent revisions).
- Prepare a policy analysis report.
- Manage the project, its schedule and budget.

## 3. Submission

Interested parties are invited to submit a statement of qualifications related to the above services. All statements of qualifications shall be submitted in accordance with the format and information listed in this RFQ.

**DUE DATE:** Submissions to this RFQ must be received via email no later than **November 7, 2022 by 2 pm PST**.

Please email [bids@hayward-ca.gov](mailto:bids@hayward-ca.gov) to:

1. Confirm your intent to submit,
2. Receive a complete list of questions asked by you and other vendors, along with the City's response, and
3. Submit your statement of qualifications.

**NOTE:** Respondents will absorb all costs incurred in the preparation and presentation of their submittal.

Please note important statement of qualifications dates below:

Ref	Activity	Date
1	Issue RFQ	October 6, 2022
2	<b>Deadline: Email RFQ questions</b>	<b>October 17, 2022</b>
3	City provides RFQ question answers via email	October 20, 2022
4	<b>Deadline: Email RFQ statement of qualifications</b>	<b>November 7, 2022</b>
5	Finalist interviews (if necessary)	November 28, 2022
6	<b>Selection of Firm or Individual</b>	<b>December 5, 2022</b>

**\*\*IT IS THE SOLE RESPONSIBILITY OF THE PROPOSING FIRM TO ENSURE THAT SUBMITTALS ARE RECEIVED PRIOR TO THE CLOSING DATE AND TIME AS LATE BIDS WILL NOT BE ACCEPTED.**

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## Background

### 1. About the City of Hayward

With a population currently estimated at 162,954, Hayward is the third largest city in Alameda County. The city area includes sixty-one square miles lying between the eastern shore of the San Francisco Bay and the southern Oakland-Berkeley Hills.

The Mayor is directly elected to a four-year term of office and serves as a voting member and the presiding officer of the City Council. The City Council includes six other members, each of whom is elected at-large to overlapping four-year terms. The Mayor and City Council serve as the legislative and policy-making body of the City government and appoint a City Manager, a City Clerk, and a City Attorney. The City Manager is the City's chief executive officer and appoints all other City staff. The City Manager is responsible for the daily administration of the City government and provides overall direction to all City departments.

Hayward provides a full range of services to its residents including law enforcement; fire prevention and protection; paramedic services; housing and economic development; land use development services and regulations; community planning; libraries; street construction and maintenance; landscape maintenance services; transportation planning; and contracted curbside recycling and refuse collection. In addition, the City operates and maintains facilities for water distribution, storm water, and sanitary sewer collection and disposal. The City also operates a general aviation airport, downtown parking facilities, a main and branch library, and a civic center. Park and recreation services are provided through partnership with the regional Hayward Area Recreational District (HARD), headquartered in the City. Grounds and areas fully maintained by the City include City hall and Main Library grounds, Downtown on B Street, South Mission Blvd. Greenway, Medians on Jackson, Foothill, Mission, Harder, Tennyson, Industrial Pkwy, Hesperian, A Street, D Street, Winton, Orchard Roundabout.

Hayward has been presented with the "Tree City USA" by the Arbor Day Foundation since 1986 for the past 34 consecutive years until 2019 until the temporary suspension due to the COVID-19. Tree City USA is a nationwide movement established in collaboration with the U.S. Forest Service and National Association of State Foresters in 1976. The purpose of the program is to recognize communities across the country that are taking steps toward effectively manage and expand public trees.

In the 1950's the City of Hayward adopted its first tree preservation ordinance. Several updates have been made since then, in 1971, 2002, and 2018. These updates ranged from minor to more major changes with the most substantial update in 2002.

Currently, the City protects all trees with a diameter of 8 inches or greater and native trees with a diameter of 4 inches or greater (measured at 54 inches above natural grade also known as Diameter at Standard Height or DSH). All trees planted in private properties as a part of conditions of approval and in the right-of-way are protected regardless of size. All memorial trees are protected after dedication by an entity recognized by the City, and all specimen trees that define a neighborhood or community. A tree(s) of any size planted as a replacement for a Protected Tree for the removal of a protected tree are also protected. These trees require permitted removal.

Tree removal permits are reviewed and approved by the City's Landscape Architect based on the 11 criteria for removal. The criteria include the following:

1. The condition of the existing Protected Tree with respect to disease, danger of falling or deadwood.
2. Danger to the public or to other Protected Trees in its present condition or location.
3. Interference with existing utilities (e.g., sewer lines, power lines) or with a neighboring property's view; provided that the view interference was not pre-existing, or the tree is estimated not to have existed prior to the neighboring house being built.
4. (Whether the Protected Tree is a Specimen Tree, Street Tree or Memorial Tree.)
5. Whether the Protected Tree is lifting the sidewalks and the sidewalk cannot be repoured with a root barrier or relocated to preserve the tree.
6. Whether removal, relocation, re-shaping, or encroaching into the Protected Zone of the tree is necessary in order to allow reasonable use of the property.
7. Whether the Protected Tree is anchoring a slope or the removal or disturbance of the Protected Zone of the tree would cause erosion, loss of soil, increase the flow of surface runoff, or cause a diversion of water that would affect downstream properties.
8. The total number of overall or Protected Trees on the property in comparison to surrounding properties and the effect the tree removal would have on surrounding property values.
9. Whether an effort has been made to preserve the character of the area and the more valuable specimens have been preserved or relocated on site.
10. Whether the property will support the number of existing trees, taking into consideration any proposed development and zoning for the property, in a healthy growing condition and whether a different layout might allow for the preservation of the tree(s) in place.
11. Whether the Protected Tree is encroaching on or damaging the existing primary residence or development and if it is, whether it could be trimmed or reshaped in a natural looking form, or the roots pruned and redirected with root barriers to protect the existing development.

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## Project Overview

### 1. Proposed Scope of Services

The qualified respondent will provide the following:

1. Identify provisions in the code conflict with other codes or City documents
2. Benchmark with other cities to identify areas of deficiency with standards and to identify possible areas of growth
3. Develop a public outreach strategy - Community engagement throughout the process is essential
  - a. Develop a website/handout/newsletter/email blast for easy-to-follow guides to the Ordinance compliance and tree care
4. Work with staff to develop a streamline applicant for TPO
5. Develop Alternatives for Tree Mitigation
6. Incorporate public tree protections

- a. Develop New Section/Appendix for Street Tree List, Tree Care and Maintenance Practice and Pruning Guidelines
  - b. Evaluate Street Tree List
- 7. Develop a website/handout/newsletter/email blast for easy-to-follow guides to the Ordinance compliance and tree care
- 8. Develop code section that identifies how to meet the Hayward Executive Airport Wildlife Hazardous Mitigation Plan
  - a. Develop enforcement strategy
  - b. Develop recommended tree list for this area

The qualified respondent will have the ability to:

- 1. Be familiar with the provisions of Federal Aviation Administration (FAA) Advisory Circular 150/5200-33C dated February 21, 2020 (and subsequent revisions) "Hazardous Wildlife Attractants on or near Airports".
- 2. Can prepare a plan that addresses provisions of the "Hayward Executive Airport Wildlife Hazardous Mitigation Plan" dated October 17, 2016 (and subsequent revisions).
- 3. The best qualified consultant will have previous experience in the preparation of Landscaping Plans at airports and provides examples of their work.

## 2. Desired Qualifications

The project manager and lead consultant should have the following minimum qualifications:

- a. ISA Certified Arborist
- b. ASCA Registered Consulting Arborist
- c. ISA Qualified Tree Risk Assessor
- d. ASCA Qualified Tree & Plant Appraiser
- e. Experience in the preparation of Landscaping Plans at airports
- f. Experience with completed tree ordinance projects for municipalities in the SF Bay Area (within the last 5 years)
- g. Experience with master planning projects for municipalities within the past 5 years

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## SOQ Format

To ensure the fair and accurate consideration of all submissions, responses must contain the following information. Submissions shall not be longer than 10 pages.

### 1. Cover Letter

The cover letter should be on company letterhead and include the following:

- i. Company name, address, phone and fax numbers.
- ii. Designation of primary contact within the company who is authorized to answer questions regarding the assigned work, including their name, contact phone number and e-mail.
- iii. Signature of an officer of the prime contractor. In case of joint venture or other joint-prime relationship, an officer of each venture partner shall sign.

### 2. Contact & Customer Service

Please describe all support services available from your company/business, specifically addressing the following issues:

- i. Normal hours of availability
- ii. Quality assurance program(s)
- iii. Guaranteed response time
- iv. Other support services

### 3. Personnel

Identify staff who work on the project. Describe their qualifications, education, background, and experience as they relate to the goals and objectives of the project. Include CVs for each person.

### Reference and Experience

Identify at least three (3) but no more than five (5) references of current or past contracts for which the Contractor has performed or is performing work of similar type, scope, and complexity within the past five years. This list shall include the names, addresses, email addresses, and phone numbers of the contracting party as well as a description of services performed and the dollar amount of the contract. Upon further consideration of the submittal, the City may request additional vendors.

### 4. Capacity to Perform the Work

Describe other major work commitments and/or capacity to perform the requested services. Projects completed within the past three years, particularly in Alameda, Contra Costa, Santa Clara or San Mateo Counties, are of particular interest.

### 5. Project Scope & Approach

Describe the plan and approach you have used in projects of similar scope. What were key lessons that you learned from these projects?

### 6. Fee Schedule

Provide current hourly rates as well as any terms for reimbursement of direct expenses.

### 7. Insurance

The submittal will include confirmation that the consultant has insurance for Commercial General Liability, Automobile Liability, Workers' Compensation and Employer's Liability, and Professional Liability, and provide the policy limits where applicable. Selected vendor will be required to sign a Professional Services Agreement.

### 8. Current City Business License

The contractor selected for this project shall obtain or provide proof of having a valid City of Hayward business license.

### 9. Required Forms

***Attach the following required forms:***

- i. Cover Letter
- ii. Statement of Qualifications

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# Selection Process and Criteria

The City of Hayward will award a contract based on the best interests of the City and will be to a firm or firms whose overall submittal is rated as being in the City's best interest.

Factors to be considered in the selection process include, Items #1 and #3 are priorities:

1. Quality & thoroughness of the response;
2. Experience and past performance in completing projects of a similar type, size and complexity;
3. Demonstrated capacity to deliver high-quality work within a preset timeline and budget;
4. The quality of example materials and any presentation requested by involved city officials;
5. Fee schedule;
6. References; and
7. Any other considerations deemed pertinent by the City.

## 1. Selection Process

A review committee will evaluate all responses to the RFQ that meet the submittal requirements and deadline. Submittals that do not meet the requirement or deadline will not be considered. The review committee will rank the submittals and then may arrange for on-site interviews with staff if necessary.

The City reserves the right to select a vendor based solely on the information submitted in the proposal and to make a contract award without any further discussion with the Vendors regarding the responses received. Therefore, responses should be submitted initially on the most favorable terms available to the City from a price, contractual terms and conditions, and technical standpoint. The City also reserves the right to conduct discussions with vendors who submit proposals. The City is not under any obligation to reveal to a vendor how a response was assessed or to provide information relative to the decision-making process.

The City reserves the right to request additional information or materials from bidding parties if necessary to determine the winning respondent.

Likewise, the City reserves the right to accept or reject any or all submittals, or to alter the selection process in any way, to postpone the selection process for its own convenience at any time, and to waive any informality in the submittals. The City of Hayward retains the right at its sole discretion to select a contractor.

All submittals submitted to this RFQ become the property of the City and public records and, as such, may be subject to public review.

The City reserves the right to cancel or revise any section of this RFQ prior to the date submittals are due including, but not limited to: selection procedures, submittal date, and submittal requirements. If the City cancels or revises the RFQ, all interested firms will be notified. The City also reserves the right to extend the date by which responses are due.

If selected, the firm will be required to sign a professional services contract and provide evidence of insurance coverage.

### Reference Checks

Reference checks using information from the RFQ for prior projects may be used to determine the applicability of Respondent's experience to the services the City is requesting and the quality of services and staffing provided to prior clients, as well as adherence to schedules/budgets and the Respondent's



problem-solving, project management, and communication abilities, as well as performance on deliverables and outcomes, and effectiveness in meeting or exceeding project objectives.

**NOTE: The City will not pay costs incurred by the respondent during this process. All costs shall be borne by the responding party.**

## 2. Discretion and Liability Waiver

The City reserves the right to exercise discretion and apply its judgment with respect to any qualifications submitted.

The City reserves the right to reject any or all submittals, either in part or in their entirety, or to request and obtain, from one or more of the businesses submitting, supplementary information as may be necessary for City staff to analyze the qualifications pursuant to the contractor/consultant selection criteria contained herein.

The City may require contractors/consultants to participate in additional rounds of discussions, negotiations, or more refined submittals before the ultimate selection of a contractor/consultant is made. These rounds could encompass revisions of the submittal criteria in response to the nature and scope of the initial qualifications.

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## End of Request