

Western Joshua Tree Conservation Fund RFQ

Questions from Webinar Participants & Answers from the California Department of Fish and Wildlife

Q: Should Applicants just focus their application on the land acquisition/selection process, or should Applicants propose properties to CDFW for consideration?

A: Entities can apply to serve one or more of the consultant roles outlined in the RFP, whether they have actual proposed properties or not.

Q: Should land acquisition teams include real estate attorneys, title companies, etc., or will the selected consultant be working with CDFW's team on those specific items?

Applicants don't need to include a title company on their teams, but they will work with those types of entities. CDFW's attorneys will only be involved if there are issues they need to address. This usually revolves around deviations from the conservation easement sample language or senior rights on the property that may impact the conservation values. The land acquisition consultant does not have to have an attorney on their team, but they should be familiar enough with how to legally remedy any title issues. If there were things needing drafting like subordination agreements, then the consultant would need to obtain the services of an attorney to draft those agreements. A CDFW attorney would review any such agreements drafted by the consultant's attorney.

Q: Does restoration/enhancement work include implementation or just planning?

CDFW is looking for a consultant that can help with project management in all aspects. If the implementation cannot be performed in-house, we would like the consultant to be able to sub-contract out the work, if needed.

Q: Does the consultant have to perform the Phase 1 Environmental Site Assessment for the properties?

The consultant has to obtain a Phase 1 performed by an environmental professional and reviewed prior to submitting it with the land package to CDFW. The consultant does not have to perform the Phase 1 themselves, but can if they have the appropriate qualifications.

Q: Does the consultant have to be a licensed real estate broker or agent?

No.

Q: The climate models indicate the entire range of JTs, including *v. jaegeriana*, can you clarify?

We should clarify that although the climate models include both the western Joshua tree (*Yucca brevifolia*) and the eastern Joshua tree (*Yucca jaegeriana*), land acquisitions should focus only on western Joshua tree habitat in California. See RFQ Boundary Map for the range of western Joshua tree.

Q: Can a consultant apply for selective roles/tasks from each bucket, or must we stick to either bucket OR everything from both buckets?

Consultants can apply for specific roles and tasks from each bucket (e.g. nursery work only, relocation

only, etc.). CDFW intends to build a network of consultants who can perform different tasks to maximize efficiency to conserve the species.

Q: Will consultants be paid via specific potential acquisition processes under a specific budget, or will they be paid via a percentage of the acquisition?

The selected consultants will enter into agreements with NFWF where they will be paid actual costs of project planning (based on invoiced work or cost estimates for advance requests). The actual costs will include the consultant's staff time and some project administration/overhead costs as shown on the Project Example Costs Template in the RFQ. There will not be a commission or compensation provided, above those costs.

Q: Can proposed projects be mitigation projects?

The Western Joshua Tree Conservation Fund cannot be used to pay for mitigation, so it cannot be used to implement proposed mitigation projects. However, as with any other conserved lands, proposals to implement restoration or enhancement projects that would further increase the value for the species on those conserved lands could be considered.

Q: If a proposal team includes a committed restoration contractor sub, will this show as strongly as in-house capability to implement?

If a consultant has a dedicated subcontractor to perform certain tasks, please include them in the rate sheets and project cost examples and indicate they are a "subcontractor". CDFW will be comparing rates and costs among applicants, so please confer with them that the rate you provide is correct. Your application will look stronger by having someone in mind that can perform those activities, even though they may not be performed by your organization.

Q: Will this Webinar presentation be posted online?

Yes.

Q: I would like to partner with others. Can you release a list of potential applicants?

No, for privacy reasons, a list of potential applicants will not be released.

Q: Is it correct that the conserved lands will not be used as a mitigation bank or ILF, as all funds for acquisition, restoration, and long-term management would come directly from funds that already exist?

The majority of funding in the WJT Conservation Fund will come from future mitigation fees paid by permittees. The lands acquired, conserved, restored, enhanced, etc. with monies in the WJT Conservation Fund will not be used as mitigation banks or in-lieu fee (ILF) as they would have already been funded with mitigation dollars.

Q: Will the budgets for a specific project be developed iteratively? Based on the stage of review and approval by the Dept?

Once a consultant has a proposed project, they would develop a budget specific to that project for

review and approval by CDFW. The consultant will develop a project-specific budget for each project.

Q: Do consultants need to have GIS staff and specialists in-house for the Conservation Land Assessment?

While it is not required to have a GIS specialist in-house, we need to know who will be performing the range-wide analyses to identify and prioritize land acquisitions. One of the questions in the questionnaire relates to the applicant's ability to perform range-wide analyses, of which remote sensing and GIS will be key for cost efficiency.

Q: How long will consultants be included in this program? Will this consultant selection process be repeated in the future at regular (or irregular) intervals?

There are no set time limits for how long consultants can be included. Through this RFQ process, CDFW hopes to get one or more consultants on board to assist CDFW with acquiring, conserving, and managing western Joshua tree conservation lands and completing other activities to conserve the western Joshua tree. This will include a variety of projects and CDFW has the ability to retain multiple consultants. At this time, we have not determined if or when there will be future consultant selections beyond this current RFQ.

Q: Are you looking to bring on a single prime consultant or more than one prime?

There can be more than one prime consultant. The WJTCA states CDFW can retain one or more consultants to help with conservation activities.

Q: How many properties does CDFW anticipate will be assessed every year?

CDFW hopes to get as many properties conserved and conservation projects implemented as possible each year.

Q: Do have guidance about the length of the answers to the questionnaire?

Please provide enough information so that the questions are answered completely.