

14. LIABILITY IN PROPORTION TO FAULT

To the extent not covered by the contractor's indemnification and insurance, MMWD and the Managing Parties agree that liability for economic and non-economic damages arising out of performance of this agreement or arising out of acts or omissions with respect to any contract funded under this agreement shall be allocated in direct proportion to each party's percentage of fault. If any party satisfies or is obligated to satisfy more than its proportional share of the costs of defending and satisfying a claim for such damages, that party is entitled to recover its proportionate contributions of such costs from the other parties.

15. AMENDMENT

Except as expressly provided in this agreement, no changes in this agreement are valid unless made in writing and signed by the parties to the agreement. No oral understanding or agreement not incorporated in this agreement is binding on any of the parties.

16. LOCUS

This agreement is deemed to be entered into in the County of Marin.

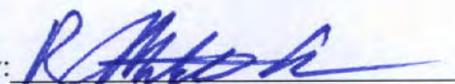
STATE COASTAL CONSERVANCY

By:  11/23/10
Samuel Schuchat Date
Executive Officer

MARIN MUNICIPAL WATER DISTRICT

Paul Helliker
By: _____ Date June 29, 2010
Paul Helliker
General Manager

CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By:  October 18, 2010
Mitch Avalon Date
Deputy Director

BAY AREA CLEAN WATER AGENCIES

By: *Amy Chastain*
Amy Chastain
Executive Director

Date June 29, 2010

List of DACI Outreach Partner Applications Received

Project No.	Organization	Project Name
1	City of Hayward	Tennyson Corridor (Hayward) Outreach
2	Nature in the City	Bayview Hunters Point Outreach
3	Nuestra Casa	East Palo Alto/East Menlo Park/North Fair Oaks Outreach
4	Sonoma Ecology Center and Daily Acts	Southern Sonoma County Outreach
5	Ronald V. Dellums Institute For Sustainable Policy Studies and Action	Water Management and Greenway Access Community Involvement Plan for Deep East Oakland, San Leandro Creek and Oakland Underrepresented Communities
6	Sonoma Land Trust and Sonoma Resource Conservation District	Lower Sonoma Creek Flood Reduction, Community Outreach and Project Development
7	San Francisco Bay Conservation and Development Commission's (BCDC) Adapting to Rising Tides (ART) Program	ART Bay Area Project
8	Contra Costa Resource Conservation District (CCRCD)	Contra Costa County Resource Conservation District Proposal
9	Keep Coyote Creek Beautiful	Coyote Creek Walkable Watershed Project
10	Gallinas Watershed Council	Santa Venetia Flood Resilience and Watershed Awareness Building Project
11	Friends of Sausal Creek	Sausal Creek Walkable Watershed Concept Plan
12	Resilient Communities Initiative (RCI)	Equity in Sea Level Rise Planning
13	Point Blue Conservation Science	Canal Community (San Rafael)/Tomales Bay Sea Level Rise Outreach
14	Greenaction for Health and Environmental Justice	Bayview Hunters Point Outreach
15	Shore Up marin (SUM)	Marin City and Canal Community Outreach
16	Marin County Community Development Agency	Point Reyes Station and Dillon Beach Outreach
17	San Francisco Estuary Partnership (SFEP)	North Richmond Shoreline Outreach
18	The Watershed Project (TWP)	Iron Triangle (Richmond) Outreach

**Bay Area IRWM DACI Program Request for Proposals
Criteria for Evaluation of Proposals**

	Criterion	Score	Rank	Weight
1.	Goals & Objectives			
1a.	Alignment with EJCW & BAIRWM DACI Program Goals/Desired Outcomes (Reference: RFQ page 2)		0-5	2
1b.	Approach to water related outreach that provides benefits to one or more DACs/URCs within the Bay Area (Reference: RFQ page 4, bullet 1)		0-5	1
2.	Relevance			
2a.	Relevance of proposal to EJCW & BAIRWM DACI Program outreach, data collection, and needs assessment needs (Reference: Page 3, Section A. of RFQ)		0-5	2
2b.	Relevance of proposed activities to entire BAIRWM region		0-5	1
3.	Organizational Capacity & Knowledge			
3a.	Organizational capacity to work with EJCW staff on timely and successful invoicing and deliverable completion (Reference: RFQ page 4, bullet 6)		0-5	2
3b.	Knowledge of research and technical writing, or local resources to perform research and technical writing (Reference: RFQ page 4, bullet 8)		0-5	2
3c.	Understanding of Bay Area disadvantaged and under-represented community management needs and priorities (Reference: RFQ page 4, bullet 3)		0-5	2
3d.	Demonstrated familiarity with technology and software, such as; data analysis software, mapping tools, GIS, etc.		0-5	1
3e.	Capacity to be flexible and responsive to EJCW and community needs; ability to work collaboratively with EJCW and participate fully in BAIRWM DAC Involvement Program as an outreach partner (Reference: RFQ page 4, bullets 7 and 9)		0-5	1
4.	Community & Grant Experience (<i>examples/evidence required</i>)			
4a.	Developing, deployment, and analysis of community surveys, needs assessments, and interviews (Reference: RFQ page 4, bullet 5)		0-5	2

4b.	Community-specific outreach, including communication, coordination, and facilitation to promote public involvement (Reference: RFQ page 4, bullet 4)		0-5	2
4c.	Ability and experience working effectively with DACs, community-based organizations, local businesses and/or local government (Reference: RFQ page 4, bullet 2)		0-5	3
4d.	Providing resources and technical assistance to communities via workshops, trainings, and meetings (Reference: RFQ page 5, bullet 10)		0-5	2
5.	Budget			
5a.	Proposed budget is reasonable, clearly aligned to tasks, and well-structured for the proposed work. Justification supports the proposed budget. (Reference: RFQ page 5, Section E)		0-5	2
6.	Proposal Content			
6a.	Provides satisfactory evidence that community meets DAC Median Household Income threshold (Reference: RFQ page 5, Section E)		y/n	y (req'd)
	Total Score:			

Scoring Criteria Definitions:

- 0 A score of 0 points will be awarded where the criterion is not addressed.
- 1 A score of 1 point will be awarded where the criterion is minimally addressed and not described in the proposal.
- 2 A score of 2 points will be awarded where the criterion is marginally addressed and description in the proposal is incomplete and insufficient.
- 3 A score of 3 points will be awarded where the criterion is less than fully addressed and description in the proposal is incomplete or insufficient.
- 4 A score of 4 points will be awarded where the criterion is addressed but not fully supported by the content of the proposal.
- 5 A score of 5 points will be awarded where the criterion is fully addressed and supported by the content of the proposal.

Notes from follow-up calls with DACIP Outreach Applicants

KEY:

Organization

1. Concern
2. Answer
3. EJCW's take

Marin County Community Development Commission (\$45,160)

Funding a position, need to know how long and what happens to this staff and the effort after this short amount of time.

- For existing staff. Except for the consultant. Alex and Lorene are full time staff, the time is for their effort in this. Once project is over, we're still here to follow up with next steps. Consultant can continue as needed. Not hiring for this program It's for existing personnel.

Does it help involve DAC representation in IRWM.

- Acknowledged that other things could be brought to the surface, so don't have to worry about them not addressing other than leaky septic tanks.
- How do connect to RIWM - when we do community projects we work with other stakeholders as well. We bring all stakeholders in, but the focus of the grant is to bring the community in. The TAC for Pt. Reyes station does include reps from other state and regional agencies, so IRWM program would fold into that.

Can we get some of the Marin County Proposals to work together?

Is Dillon Beach truly a DAC? - require ground truthing?

- Looks like you have a project already in mind, but based off needs assessment tool, would you be willing to incorporate efforts into your work.
- We would go to communities and let them express their priorities and issues and if wastewater rises to the surface, we'll focus on that. It will be community driven and if it's about sea level rise or water conservation, then we're ready to work with them on that or on affordable housing, etc.
- Based DAC criteria on the maps from DWR, etc. - Subdivision up the hill, but downtown area is a problem and doesn't get a lot of attention, so it was good to see this opportunity to focus on this area.

EJCW: Want to ground truth that Dillon Beach is a DAC; otherwise felt good about follow-up and pending DAC status, want to fund project

Subregion: SF/ BAYVIEW HUNTER'S POINT (GREENACTION, BCDC, RCI, and NITC)

Greenaction for Health and Environmental Justice (\$50,000)

How can we structure SF/BVHP applicants? Is Greenaction open to working with RCI/NTC/BCDC?

- Always strive to work with most allies and partners.
- NTC: Literacy for environmental justice has already been around for several decades, they said they work well with NTC
- RCI: Of course would be happy to work with RCI, but RCI proposal is to support 4 member orgs to engage in ART effort.
 - All RCI groups wouldn't realistically go to BVHP, but Greenaction would be willing to host RCI/incorporate them into their proposal
- BCDC: ART isn't broken up community by community - RCI proposal is to allow 4 groups to participate in ART efforts. Good point that ART would fund as many communities across whole region and need RCI involved in all work. Decided to be more involved in BVHP because of Greenaction's work there and sparked their interest. Have reached out to Sheridan personally to help with general public participation.

How will your budget be broken down? Where does the needs assessment come in?

- Will be ready to provide a task-by-task budget to justify at a later date, but for now, more specific info about tasks and needs assessment are included in the proposal under budget justification, model projects, outreach goals sections

Is Bayview really asking for help with sea level rise? Is this work genuinely a high priority issue for the community.

- BVHP task force has been where community members are helping raise the concern of sea level rise. Residents are participating in environmental review at shipyard. Anecdote is that residents have \$5mill problems in community, but once they learned through Greenaction education and outreach they did 5 years ago, they learned toxic waste will be exposed through flooding. Greenaction has brought together community members.

Resilient Communities Initiative (RCI) (Ask: \$50,000)

How does RCI fit into BVHP picture (there are a lot of proposals, can't invest all funds here)? RCI proposal didn't stand on its own/scored lowest. Very high overhead/budget

- Phoenix commenting on BCDC's proposal: Idea with joint proposal is that the funding through RCI would fund RCI participation - to recruit from the DACs to be involved with

the process, and the pass through for BCDC would pay for DAC community members - joint proposal - RCI involved but also engaging to include more DACs, which BCDC proposal would fund.

- Open to being a contractor with BCDC or Greenaction, decision should be made by steering committee - flexible, but want to state their preference (will follow up after talking to SC)
- ART process is a good overlap and ties in with other grantees under this. Good to include RCI as most active as community partners. Great to increase one of the founding goals of RCI, which is to get affected communities at the table.

(BCDC) Adapting to Rising Tides (ART) Program (\$50,000)

How do we structure funding/projects in BVHP - do we have BCDC absorb any clumpers/how will re-granting work?

- It makes sense to us to have RCI included in our proposal. Will contact partners in SF about NTC - think they're good but think connections to city might prove detrimental to community - because community doesn't trust city; could also lead to bridging that mistrust

How did you imagine passthrough funding going to partner orgs?

- We've talked to a couple of organizations, rose foundation is one (who is very receptive), that often serve as passthrough so we aren't in role of having to manage small contracts and pass throughs, we have done in past and can do that, but problem is if we go over budget, have to have an RFP, so passing to foundation that does this would help us do this most efficiently. Invoicing would go through Rose

Planning on naming other groups beyond RCI as subcontractors?

- Once we are able to work / if we do focus on working on BVHP or other communities we're working in as well, we will work with RCI to work to more community groups, so would imagine we'd be providing smaller contracts to other groups we did not name in this proposal. Could work ahead a little to get into final budget

Nature in the City (\$43,550)

Structure of PVHP proposals:

- Other groups who have a deep root in BVHP neighborhood.
- NIC is a little bit newer to the community, now restoring community garden that's there. Working with SF enviro and Aecom to do needs assessment survey about blue greenway and shoreline and getting communities to open spaces and areas.

- Less familiar with Greenaction - strong relationship with parks alliance, sf environment, and other city agencies which could give them more leverage and benefits.
- Ready to jump in and do different things and to assist and help in any way that's helpful to the projects and the community. Work is more about community-based habitat restoration and how people can participate as stewards.
- Program is to reach DACs in the area that haven't been involved in IRWM planning to-date, which why we're contracting with outreach partners who have ties and help us gather priorities.

Partners w/Lennar Development? Need more info on budget justification. How is funding being passed through to community?

- Collect and compile data that's there to reach out to groups they're involved with to develop a strategy together and make sure we're helping everyone come forward with this. Can be adaptable and flexible with the money that's spent, but want to make sure all events are welcoming enough (food, translators, assistance with surveys, etc.)
- Getting ready to facilitate community process to lead to plans for Integrated watershed projects.
- Want to get things ready for community to come in and get ready to start working on projects.
- Gathering resources, sharing resources and educating communities on where we're located now and how we're moving forward on getting them involved in participating in this effort.
- Willing to work with EJCW on scope of work and how fits into work with other groups in BVHP and work with us on budget.
 - Open to collaborating and restructuring aspects of our proposal, given we better understand limitations on funding and how much each org would have for use of funds.
 - Interested in having a collaborative approach to designing the final project to benefit the entire project.

EJCW: We think RCI should be absorbed into BCDC's proposal and granting should go through the Rose Foundation. All parties seem on board with this. NIC should be involved if other parties feel comfortable collaborating/contracting with them, pending they prove they have added benefit in the area. Justified to put \$100K into BVHP, as BCDC work will be replicated throughout the region via RCI's involvement. (Fund: BCDC and Greenaction)

Ronald V. Dellums Institute For Sustainable Policy Studies and Action (\$45,000)

Where's the needs assessment in their proposal?

Have already had 83 meetings over past 8 years with full report including needs assessment data to-date. Can build upon existing information, and reframe around this particular project.

Recently received \$4.1 million for implementation component, but still have outreach tasks required in adjacent DACs to those where they already have connections. \$4.1 Million is going through flood control agency, so not as open to community input.

Needs assessment - already know they want jobs and clean environment and safety, getting to next level of expecting more than the minimum, that's part of what we would do. Can actually plan for some ideal things; ask what they've seen elsewhere that they like that they might want

No mention of IRWM and how to use this program to include participation and involvement in IRWM.

Could easily incorporate any Needs Assessment activities not already done around water into current outreach. Trying to engage around storm and trash.

YES - Excited about being greater part of IRWM planning efforts.

EJCW: Fund

City of Hayward (\$50,000)

Looks like they're retooling or adding onto their energy outreach work. How does water work fit in?

CYES - does have a water and energy focus, based on type of funding they have. Hayward will run the CYES program next summer, no matter what.

- This program would be in addition to - a customized approach that could be only water-related.
- The "regular" program would be running with already existing water components, but thinking to do something above and beyond that's highly customizable, with no energy component.
- Excited to bring on more youth, so very flexible.

Survey and post- program survey data was a little unclear.

How many households will be engaged and will they be folks that haven't been engaged in the past?

- Have a waitlist and actually keep in touch, so the people on the waitlist get priority. No shortage of getting people to sign up for the service.

- Nice relationship with the Hayward adult school and mission of both orgs are aimed at job training and employment
- City council voted to make the Tennyson corridor a top priority, so staff will be trying out different pilots, so will have plenty of opportunities to do outreach in DACs. Still learning how to do that and where exactly it will occur, so if there are high priority areas, they can include it in their work plan.

Can create a guide or share their curriculum with other outreach partners and to spread the program ideas with other cities.

- Definitely! Take for granted how easy it is to run this, but it's due for some sharing. We have unique water purveyor perspective.
- CYES and Rising Sun has honed their outreach, so I'm sure they'd be very excited to share what they're learning.

Can we review their surveys and make sure that it includes a heavy water component. (make sure survey review language is in contract)

- Could customize their format in whatever way serves the program best.

EJCW: Fund

Subregion: Marin (Shore up Marin and Point Blue Conservation)

Shore up Marin (\$50,000)

Budget is a lot for 6 mo of part time work.

- Can make modifications to make scope of work and budget for 1 year. Asked for scope of work including how many meetings, how many communities they believe they'll be able to have outreach to, how much money needed for each activity

Do they see themselves being able to work with Point Blue Conservation?

- Would be interested in meeting with them and learning more about what they're doing. They have technical expertise but not connections with community. Would want to see what partnership would look like, don't want to commit to something that gets in way of what we're trying to do, trying to protect community. Have tried to reach out to Point Blue before, STRAW program.
- We'll need to know if they're going to work in our core areas, if funding provided is limited, if a lot of the work is in totally new in new communities, that will need to be taken into account. If thinking needing help in Novato and W Marin, that's possible, but

would take more resources than in communities where we already have many things established.

- Things have changed over last year, Marin city - worried about quality of water and soil - one of things we're looking at that we need is a community participatory research project. This is more refined in terms of what we need to do, I don't know what CPR project would cost, but something we definitely need to explore . Jonathan at UC Davis - public sediment/sentiment team?

Point Blue (N/A)

Lacking budget ties to tasks or many specific actions for DACs

In general, there were so many ideas and opportunities for collaboration, was hard to develop a specific budget without picking a direction and working with partners on a way to achieve it; were confused if needed a specific budget or budget info.

What we were proposing is relative to staff time, if we wanted to get into on the ground work in communities; as far as other stuff, it would be staff time; geographic range would be a huge difference, etc

I don't see justification for DAC?

Relationship working in DACs: expand upon relationships working in DACs you plan to work in: Primary audience we work in - through schools, a lot of different tools to figure out what qualifies, whether free and reduced lunch. Way that works is a few different levels of strategies: prof dev work with teachers - summer workshop, multiple small workshops and talks throughout the year; also field days themselves - out with teachers, students, parents, do quite a few of these: 50-60 restoration projects/year.

Can we include them in Shore Up Marin proposal?

PB been in MC for over 50 years, STRAW program in Canal district - been doing for quite some time too; haven't worked directly with SUM, have worked in collaborative situations; In our role we don't do advocacy specifically, role is to support people doing advocacy so info is accurate .

Been in collaborative forums with SUM before, would be interested in exploring collaboration.

When thinking about actual implementation - design part - have v specific design tools, telling com members involved in/students - could explore larger design component - actual doing of

restoration is built into philosophy of doing restoration work with community - inherently is outreach activity, connects them to place they're dependent on for flood protection/water quality.

EJCW: If Shore Up Marin is interested in partnering with Point Blue as subcontractors to bring technical and science component, sure. Otherwise, we suggest cutting them from the running. Definitely fund Shore Up Marin, contingent on them providing a 1 year work plan if they want to stick to \$50K.

Subregion: North Richmond (SFEP and The Watershed Project)

San Francisco Estuary Partnership (SFEP) (\$50,000)

Willing to work with Urban Tilth as curriculum developer, outreach designer?

Originally wanted Urban Tilth in scope, but couldn't at the time of proposal for various reasons. Now they can include them. SFEP's role is often to be hub of wheel.

Work with The Watershed Project is very complementary - because have ability to be hub, have reach to broad set of orgs, TWP has deep roots in that area, strong capacity to directly engage with residents and talk to people on the ground, have education capacity

Looks like already have completed much outreach work. What new data or info do you expect to collect?

Some of methodologie we utilized were: community charette - visual survey to collect input from residents and stakeholder meetings. Limited in scope, focused on defined area of shoreline, some of issues josh mentioned, looking at water related issues on more of a watershed scale we weren't able to address due to time and scope limitations of funder. Survey reached 200 residents, obviously would like to get a larger sample size. Great way to engage that was accessible / met on own terms, build off could be great way to collect more input / have more robust findings to inform projects on ground that comes directly from residents.

Expanding would help inform a more robust approach.

Clarify the budget and how you'll use the funds. As part of your stakeholder outreach, would you be willing to reach out beyond North Richmond?

I think we were trying to strike balance in proposal between having not a completely clear sense of if you wanted us to actually propose scope of work or if EJCW would create overall work plan we'd be planning under

We tried to have clear path could define or work under broader program; wasn't totally clear on expectations

Once get to that phase, can definitely provide more details in numbers

Bulk of cost would be staff time and venues for meetings

If scope changes and with moving parts of TWP and county, might help refine scope - it sounds like it's a collaborative, organic process

A lot of moving parts

Didn't see a connection to IRWM or need to rework scope to include this.

Had a targeted outreach campaign trying to und how res in community engage with shoreline in particular, space in our gathering of community members when do additional advisory/ed group meetings/community meetings to expand to things that would be more germane to IRWM

Can integrate and imbed, if things that rise to the top, what we'd want to pursue

County interested in continuing to engage around water quality issues and trash abatement and greenstreets, what we're working on w sea level rise is flooding. Not sure if water

supply/security issue out there, but can delve more into that and ask those questions

Would look back to you a little for direction/collectively with all partners, what are the main pieces that are essential to a needs assessment that will answer all qs and bring program to place where there's no gaps

The Watershed Project (TWP) (\$50,000)

Seems to be funding existing efforts/positions. What's new?

What part of budget going to paid staff vs. meetings vs. education events vs. community members, etc.

- Happy to provide more detailed, task-based budget breakdown when needed.
- For community part, have engagement leaders, or paid members of community from green collar team for college students - or high school grads (\$17/hour).
- Block ambassadors are also paid.
- Refer to page 3 for information on block ambassadors, etc.

How does this differ exactly from what they're doing with SFEP proposal?

Have 8 different geographic locations outside of North Richmond - one of which was where work overlapped with SFEP, because we worked together on that project - planning for SLR - we did outreach and education component and did the survey for on the ground activities - gathering communities, taking them on tours, then convening group of local experts

- What we do is that we're on the ground. We have a group of residents that are hired by watershed project and are in the process of planning for green infrastructure - pieces that are interactive with the community in partnership with SFEP.

Locations for bioretention - for bioswales , already rolling out tree planting component. So, water assessment is another element of that. Also working with SFEP on improvements of water treatment plants and where community can provide input on what they want to see there.

EJCW: Figure out a way to include both in one scope (either SFEP or TWP as lead). Might need to reduce funding, but not less than \$50K total, especially if we ask them to expand geographic aspect of scope.

Keep Coyote Creek Beautiful (\$41,269)

Is this budget entirely SKEO? Who is the funding going to, just key personnel? Can we provide any funding directly to community members?

- Have budget broken down in worksheet - can provide that to you. Breakdown of funding between orgs: Deb's work is involved in every step of the process, and also have some time in there for San Jose State still (I believe) - even mix, especially in coalition work and kickoff part, mix is about 50%, when start getting into the writing reports and technical assessment/map development, leans more heavily toward SKEO, with idea that SKEO does technical work that allows Deb and coalition members to move forward with outreach work.
- In the community there are translators for both Vietnamese and Spanish, don't know how much specifically we'd be using that as a partner source, as we do have some translators at the state who have been very helpful when we've asked them to contribute to the various programs that we've had. Seem to be extremely community-centric. A lot of in-kind work done in community because they want to improve their community
- In original budget might have had stipend for community groups, have space that could be moved toward that / key coalition members. Can be a lot of groups that are interested and tend to volunteer - hasn't been interest in accepting stipends. Everyone is so excited about doing work they're doing.
- SKEO feels very flexible on how budget is allocated, made it so there's space in it, if you see opportunity, we'd be excited to make sure the community is benefiting from the resources. Open to restructuring in way that best meets goals of program
- Students want to do things that help them get a job, these things lead to experience that helps them get a job. Some other universities - might have people come from other