

Dungeness Crab Task Force Consultant

REQUEST FOR SERVICES

The Ocean Protection Council (OPC) seeks the services of a consultant to serve as a facilitator for the California Dungeness Crab Task Force (DCTF). Senate Bill 1690 (SB 1690), which was signed in September 2008 and amends Fish and Game Code Section 8276.4, requires the OPC to develop a task force composed of commercial and recreational fishermen, crab processors, non-governmental organizations (NGOs), as well as representatives from California Sea Grant and California Department of Fish and Game (DFG). The purpose of the DCTF is to make management recommendations related to Dungeness crab to the Joint Committee on Fisheries and Aquaculture, DFG, and the Fish and Game Commission (FGC).

The chosen consultant will work with OPC staff to organize monthly task force meetings, provide background materials to DCTF members, mediate conflicting proposals within the DCTF, and draft recommendations to state regulators that represent the outcomes of the DCTF by January 15, 2010. It is anticipated that this contract may be extended through January 1, 2011 if continued services of the consultant are required by the DCTF, depending on the availability of funding and the needs of the project.

Interested parties should submit a written statement of approach and a statement of qualifications (for details refer to Section 5: Submittal Guidelines). Applicants will be scheduled for an interview; final selection will be based on a ranking that considers both the application and interview. Submittals must be received by 5 p.m. on **Monday, January 12, 2009**. An electronic copy of the submittal should be sent to:

Rachelle Fisher
rfisher@scc.ca.gov

1. Background

Dungeness crab is a valuable California commercial fishery that produces between \$15 and \$20 million each year. Over the last 60 years, Dungeness crab landings have exhibited a cyclical pattern alternating between decades of high and low periods. Fisheries managers have concluded that these cycles are not caused by flaws in the current management system but rather by changes in ocean conditions that affect egg production as well as larval survival and distribution.

The California Dungeness Crab fishery is currently managed pursuant to Fish and Game Code Section 8275 *et seq*, which requires that the fishery be managed by a 3-S (sex, size, and season) principle. The 3-S principle asserts that commercial fishermen may only harvest male crabs greater than 6.25 inches from the end of November or beginning of December until July. While it is estimated that 90 percent of legal male crabs are harvested each season, it is assumed that the fishery is stable.

However, even without the threat of fisheries collapse, there is a growing desire to improve how the fishery is currently being managed. The fishery currently experiences a “derby” dynamic whereby 80 percent of the season’s catch is landed within the first six weeks of the season

opening. This dynamic encourages fishermen to fish in dangerous weather conditions to catch an adequate “piece of the pie.” It also decreases the value of the product since fresh crab is worth more than crab that has been frozen. Additionally, the surge of landings at the beginning of the season creates a dominance of larger processors since smaller crab processors fold due to a limited capacity. In addition to the derby dynamic, fishermen are also concerned about the potential for increased fishing competition. There are currently 400 active and 200 unused commercial Dungeness crab fishing permits in California. This large latent capacity raises questions about the economic and biological sustainability of the fishery into the future.

Various management reform approaches have been considered to address the latent capacity issue and reduce the derby dynamics of the fishery, including individual fishing quotas (IFQs) and pot limits. Yet, no consensus exists on what management approach should be used to resolve these issues.

Based upon these management concerns, SB 1690 amends Fish and Game Code Section 8276.4 to require the establishment of a DCTF to review and evaluate Dungeness crab management measures and make management recommendations to regulators. The bill requires the OPC to develop and administer the DCTF and hire a consultant to coordinate the DCTF. To meet the requirements, goals, and timelines set forth by the bill, the OPC is hiring a consultant to help inform, manage, and support the work of the DCTF. The end result of the overall project will be consensus recommendations Dungeness crab fishery management. These recommendations will be presented to the Joint Committee on Agriculture and Fisheries, DFG, and FGC to inform management decisions.

2. Scope of Work

The term of this contract will be for an initial 12-month period based on the current level of funding available for the services to be provided under this contract. If additional funding is authorized and additional services are required, the parties anticipate that the term of the contract may be extended up to an additional 12-months and the scope of work will be revised by amendment.

The consultant will be responsible for organizing and managing monthly DCTF committee meetings and will prepare all necessary materials prior to the meetings under OPC supervision. The consultant will investigate and evaluate DCTF issues and objectives and will determine how the deliberative process should be structured and managed. Serving as a third-party neutral, the consultant will plan, prepare, conduct, and document DCTF planning efforts and meetings held as part of the deliberative process as appropriate. The consultant will document the outcomes and the deliberative processes of the DCTF in the form of meeting summaries, memorandums, and/or action plans. The consultant will be responsible for continuing communication with DCTF members between scheduled meetings to revise recommendations and negotiate disagreements. The consultant will help prepare the final report providing recommendations based on DCTF meeting conclusions to the Joint Committee on Fisheries and Aquaculture, DFG, and the FGC by January 15, 2010.

3. Schedule Milestones:

OPC to select consultant	January 2009
Expected consultant start date	February 15, 2009
Plan kick-off meeting	February-March 2009
Work of the task force	March- November 2009
Make recommendations as set forth in SB1690	January 2010

4. Budget Estimate:

Funding will be determined based upon the award scope and approach. If additional work under this contract is required, the parties anticipate that the contract will be extended depending on the needs of the project and the availability of funds.

5. Submittal Guidelines:

Interested parties should submit an application via email to Rachelle Fisher at rfisher@scc.ca.gov no later than 5:00pm on **Monday, January 12, 2009**.

The application should be **no longer than four pages** and should include:

- A brief outline of the applicant's proposed approach for this project and a summary of knowledge of the issues
- A statement of qualification – include a description of similar projects previously completed
- A tentative schedule and a proposed budget broken down by task

The following items should be attached to the application:

- Resumes or curriculum vitae of project leads
- Name and contact information of three professional references
- Any potential conflicts of interest that the applicant may have in carrying out the tasks described herein

Applicants will be ranked based on the following criteria:

- 1) Demonstrated competence in the areas of facilitation and knowledge of ocean and coastal conservation, resource management and environmental protection issues, including:
 - Past experience with similar projects
 - The education and experience of key personnel, including principals to be assigned and the proposed level of their participation
 - Ability to adequately analyze the project
 - Ability to meet the project schedule
 - Longevity of firm and amount of staff turnover
 - Nature and quality of the firm's past completed work
- 2) The proposed approach to the task
- 3) Specialized qualifications for the services to be performed, including:
 - Knowledge of the Dungeness crab fishery, including management approaches used for crabs in other states or nations and West Coast-wide fishery dynamics

- Knowledge of existing California fishery legislation, regulations, and management process (i.e., roles of DFG, FGC, and the Legislature)
 - Knowledge of applicable alternative management approaches for the Dungeness crab fishery and how these approaches have been applied in other regions or countries or for other fisheries
 - Experience working with a diverse group of constituencies including commercial and recreational fishermen and fishing communities, DFG, FGC, and/or other state and federal resource management agencies
 - Experience with conflict resolution
 - Ability to coordinate large groups, organize committee meetings, and develop meeting objectives
- 4) State-Certified small Business status of the applicant submitting a statement of qualification;
 - 5) State-Certified Disabled Veteran Business Enterprise (DVBE) status of the applicant submitting a statement of qualification;
 - 6) The “good faith effort” of the applicant to subcontract with D/VBEs as set forth in Public Contract Code Section 10115.

Applicant interviews will be conducted the week of January 14-26, 2009. It is anticipated that the successful applicant will be selected and notified by the end of January 2009. Work should begin mid- to late-February 2009.

Applications are being solicited from qualified contractors who submitted qualifications in response to the OPC’s annual request for statement of qualifications and other applicants responding to this request, pursuant to 14 CCR § 13875 and Gov. Code § 4527. Applicants will be ranked based upon the above criteria in consideration of the information presented in the application, interview, and any performance data on file with the State Coastal Conservancy or the OPC, pursuant to 14 CCR § 13876. These above factors shall be weighed according to the nature of the project, the needs of the OPC, and the complexity and special requirements of the specific project.

The OPC will attempt to negotiate a contract with the best qualified applicant at compensation that the OPC determines is fair and reasonable to the State of California. If the OPC is unable to do so, negotiation with that applicant will be terminated and negotiations will then proceed in the same manner with the other applicants on the list in order of ranking. If the OPC is unable to negotiate a satisfactory contract with any of the selected applicants, the OPC may select additional firms and continue the negotiation process.

The consultant will be hired under contract with the State Coastal Conservancy on behalf of the OPC. The consultant will be paid for its actual time and expenses up to the amount provided for each task in the final project budget. The consultant should anticipate that 10 percent will be withheld until all work is completed to the satisfaction of the OPC. The consultant will also be required to comply with the substantive requirements of the “[Standard Provisions](#),” attached.

6. Contact

Questions about the application process may be emailed to Rachelle Fisher, Ocean Protection Council, rfisher@scc.ca.gov, 510-286-4172.

7. Relevant Links

Senate Bill No. 1690: http://info.sen.ca.gov/pub/07-08/bill/sen/sb_1651-1700/sb_1690_bill_20080930_chaptered.pdf

OPC Strategic Plan: http://www.resources.ca.gov/copc/strategic_plan.html