

REQUEST FOR QUALIFICATIONS (RFQ)

CEQA SPECIAL COUNSEL SERVICES FOR THE PROPOSED TOWN OF NORTH TAHOE

The Placer Local Agency Formation Commission (LAFCo) is soliciting qualifications and fee proposals from a limited number of law firms with demonstrated expertise in the California Environmental Quality Act (CEQA), local government law, and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act).

The requested services relate to the proposed incorporation of the Town of North Tahoe. Given the complexity and potential statewide significance of this incorporation proposal, Placer LAFCo has elected to retain CEQA Special Counsel before initiating procurement of the environmental consultant. Special Counsel will assist the Commission in defining the appropriate scope of environmental review, advising on procedural requirements, and helping ensure the environmental process is legally defensible.

Pursuant to Government Code section 56800, LAFCo is required to prepare, or cause to be prepared by contract, a Comprehensive Fiscal Analysis (CFA) for an incorporation proposal. LAFCo has selected BAE Urban Economics to prepare the CFA. The CFA and environmental review will proceed as coordinated, cross-informing work efforts, with key service, boundary, fiscal, and governance assumptions developed through the CFA informing the CEQA analysis as appropriate.

Each RFQ response, referred to herein as a Statement of Qualifications (SOQ), will be evaluated based on the law firm's relevant CEQA and local government experience, familiarity with the CKH Act and incorporation proceedings, experience advising public agency lead agencies on complex or controversial projects, proposed approach, availability, and ability to successfully support LAFCo throughout the environmental review process. SOQs must be prepared in accordance with the following instructions and submitted by the deadline identified in Section XII, Tentative Schedule.

I. ABOUT THE INCORPORATION AREA

Placer County, located in Northern California, spans approximately 1,506 square miles and is situated northeast of the Sacramento Valley. The county extends from the Sacramento Valley to North Lake Tahoe and borders the State of Nevada. Placer County includes over 550,000 acres of heavily forested landscapes in the central Sierra Nevada foothills and mountains. This area stretches from Auburn to Lake Tahoe, and includes portions of three national forests, numerous state parks, and 60 percent of Lake Tahoe's west shore.

As of July 1, 2022, Placer County had an estimated population of 417,772, with approximately 18,606 residents residing in the proposal area. Within the proposal area, notable communities include those in the Tahoe Basin such as Tahoma, Homewood,

Sunnyside, Tahoe City, Tahoe Vista, Carnelian Bay, Kings Beach, and North Stateline. Other communities include Olympic Valley, Alpine Meadows, Northstar, and Martis Valley.

Major transportation routes in the proposal area including State Route 89, State Route 267, and State Route 28 facilitate access to various communities and recreational destinations. Additionally, rail passenger service by Amtrak serves the area.

The Tahoe Basin, accessible through Placer County, attracts approximately 25 million visitors annually. State Route 89 in Placer County hosts the second highest number of recreational sites and businesses in the Tahoe Basin, attracting about 4.9 million visitors annually. The area experiences seasonal influxes of visitors during the winter and summer months, drawn by recreational opportunities and multiple ski resorts such as Homewood, Northstar, and Palisades Tahoe. These variations in population due to tourism can pose challenges for service delivery, especially during peak visitor periods and severe winter storms.

The Tahoe Basin is also unique in that it is subject to a Bi-State Compact that created the Tahoe Regional Planning Agency (TRPA), resulting in separate environmental goals, standards and policies and defined development capacity for that portion of the proposed Town of North Tahoe boundary located within the watershed of the Lake Tahoe Basin, as defined in Article II – Definitions of the Tahoe Regional Planning Compact (1980) (Public Law 96-551).

II. BACKGROUND

A petition for incorporation of the Town of North Tahoe was submitted to LAFCo and certified as sufficient on January 26, 2026. An incorporation application was subsequently filed on February 25, 2026. Upon receipt, LAFCo distributed a Notice of Filing to affected and interested agencies on March 23, 2026, providing notice of the application and an opportunity for early comment. An informational agency meeting was held on April 28, 2026, and the deadline for initial agency comments related to the Notice of Filing was May 15, 2026. A project webpage with documents and additional information is available at: www.placerlafcoa.gov/norhtahoeinc.

According to the application, the Initial Fiscal Feasibility Analysis (September 27, 2023) (IFFA) prepared by the project proponent (Eastern Placer Future) developed an initial boundary solely for the purposes of that analysis. The initial boundary was designed to: (1) capture all existing and planned development within the North Lake Tahoe area in Placer County; (2) follow the boundaries of existing special districts; and (3) exclude a large majority of state and federal forests from the proposed incorporation area. The assumption for the exclusion of the forests was that the inclusion of State Responsibility Areas (SRAs) for wildfire protection could create an additional burden on the future municipality for wildfire protection, and those costs could be avoided by leaving the SRAs outside the incorporated boundary.

While appropriate for preliminary fiscal analysis, the initial boundary resulted in multiple “islands” of unincorporated territory within the proposed town limits. Since that time, the

proponent has revised the proposal to include SRAs within the incorporation boundary, thereby eliminating these islands and creating a contiguous and more logical service area. The proposed incorporation boundary included in the application encompasses existing urbanized communities as well as areas planned for near-term development consistent with adopted land use plans.

Upon incorporation, the town would assume responsibility for municipal services currently provided by Placer County. The town may seek to contract with the County for certain services where it is more efficient or cost-effective to do so. This includes law enforcement and traffic enforcement responsibilities currently provided by the Placer County Sheriff and California Highway Patrol, respectively, to the proposed incorporation area.

Additionally, because the area is currently designated as SRA for wildfire protection, incorporation would result in its reclassification to a Local Responsibility Area (LRA), making wildfire protection a municipal responsibility. As part of the early CFA work, a review will be done on the expected costs to the new city of its responsibility for wildfire protection in the LRA. Should this review show that those costs would make the incorporation fiscally infeasible, LAFCo may consider changes to the proposed boundary to mitigate those costs.

For areas presently served by County Service Area (CSA) 28, service arrangements may be modified upon incorporation. Options may include detachment of CSA 28 and the town contracting for services directly, continuation of CSA services by agreement, or other service arrangements necessary to ensure continuity of service.

Existing independent special districts are proposed to continue providing the services they are currently authorized to provide, and the incorporation application does not propose the transfer of those services or associated revenues to the new town. However, service responsibilities and organizational arrangements will be further evaluated through the LAFCo review process, including the CFA and environmental review. This evaluation may identify potential changes to service delivery or governance arrangements where necessary or appropriate to support an effective transition to incorporation.

Placer LAFCo has retained BAE Urban Economics to prepare the CFA pursuant to Government Code section 56800. The current CFA scope is organized into two phases. Phase 1, anticipated to extend through approximately June/July 2027, will confirm the overall boundary and service delivery framework for the proposed incorporation (i.e., make any refinements necessary to the overall boundary shown in Figure 1 and Figure 2, attached) and develop a preliminary fiscal model using Fiscal Year 2026/2027 budget information. Phase 2 will update the fiscal model using Fiscal Year 2026/2027 actual revenue and expenditure data and prepare the final CFA. The CFA process will establish and document key assumptions regarding the proposed boundary, municipal service delivery, governance, operations, infrastructure, and transition that may also inform environmental review.

LAFCo will serve as lead agency for environmental review under CEQA and will coordinate and consult, as appropriate, with responsible agencies, trustee agencies, and other affected local, regional, state, and federal agencies, including but not limited to TRPA, Placer County, special districts, and agencies with jurisdiction or services potentially affected by the proposed incorporation. The portion of the proposed incorporation area within the Lake Tahoe Basin is also subject to the Tahoe Regional Planning Compact and TRPA's environmental review requirements. Early coordination among LAFCo, CEQA Special Counsel, the environmental consultant to be retained by LAFCo, the CFA consultant, TRPA, Placer County, the project proponent, and affected agencies will be important to align assumptions, identify the appropriate environmental review framework, and ensure that the administrative record supports LAFCo's ultimate action on the incorporation proposal. The selected Special Counsel will be expected to advise LAFCo on this coordinated process and on the relationship between CEQA, the CKH Act, and other applicable legal requirements.

III. ANTICIPATED SCOPE OF SERVICES

The selected firm will serve as CEQA Special Counsel to Placer LAFCo and work collaboratively with the LAFCo Executive Officer and staff, LAFCo General Counsel, the environmental consultant to be retained by LAFCo, the CFA consultant, and other retained professionals. The scope below is intended to identify anticipated areas of assistance; the final scope may be refined based on project needs and the selected firm's recommendations.

Services are anticipated to include, but are not limited to:

1. CEQA Strategy and Procedural Advice

Advise LAFCo regarding CEQA procedural requirements applicable to the proposed incorporation, including the appropriate level and sequencing of environmental review, project description considerations, baseline and alternatives issues, consultation requirements, notices, public review, responses to comments, findings, and other procedural matters. Provide strategic legal advice throughout the process regarding emerging CEQA issues and changes in law that may affect the project.

2. Environmental Consultant Procurement and Scope Development

Assist LAFCo staff in developing and refining the scope of work for procurement of a qualified environmental consultant. Review solicitation materials, advise on the proposed technical approach and deliverables, and provide legal and technical input during consultant selection and contract/scope negotiations, as requested.

3. Coordination with CFA, CKH Act, and TRPA Processes

Advise LAFCo on integration of CEQA with the parallel CFA and incorporation proceedings under the CKH Act. Review key CFA assumptions and deliverables as necessary to identify environmental implications and maintain consistency in the project

description, boundary, service delivery framework, governance assumptions, and transition scenario evaluated in the environmental document.

Provide legal guidance regarding coordination with TRPA and the relationship between CEQA and applicable Tahoe Regional Planning Compact and TRPA environmental review requirements, including opportunities for coordinated review, shared technical information, and avoidance of unnecessary duplication. Participate in interagency coordination meetings as needed.

The current CFA schedule anticipates Phase 1 continuing through approximately June/July 2027, followed by Phase 2 using Fiscal Year 2026/2027 actual revenue and expenditure data. Special Counsel should assume that CEQA scoping and technical work may proceed concurrently with the CFA, while recognizing that certain environmental assumptions and analyses may need to be refined as the preferred incorporation scenario and CFA findings are developed.

4. Review of Environmental Documents and Technical Work

Provide legal review and comment on administrative draft environmental documents and supporting materials at appropriate milestones. Review, as applicable, the Initial Study, technical studies, proposed Negative Declaration or Mitigated Negative Declaration, mitigation measures, mitigation monitoring and reporting program, public and agency comments and responses, notices, and other CEQA-related documents. If preparation of an Environmental Impact Report is determined to be necessary, provide legal review of applicable EIR process and documents, including scoping, alternatives, responses to comments, findings, and other required documentation.

Advise LAFCo and the environmental consultant regarding adequacy of analysis, substantial evidence, feasible mitigation, the appropriate CEQA determination based on the environmental analysis, recirculation considerations, and other issues affecting legal defensibility. Special Counsel is not expected to prepare the environmental document or technical studies, but may be asked to assist in resolving significant legal or procedural issues identified during preparation and review.

5. Agency, Public, and Commission Process Support

Participate, as requested, in meetings with LAFCo staff, the environmental consultant, CFA consultant, project proponent, Placer County, TRPA, affected agencies, and other stakeholders. Advise staff regarding CEQA-related public comments and agency concerns, and assist in developing legally supportable responses or process recommendations.

Attend public workshops, Commission meetings, and hearings when requested, including presentation of CEQA legal issues and advice to the Commission in coordination with LAFCo General Counsel.

6. Administrative Record and Decision Documents

Advise LAFCo regarding development and preservation of an adequate administrative record throughout the environmental and incorporation proceedings. Assist in identifying materials that should be included in the record and in maintaining clear documentation of key assumptions, consultation, technical determinations, public comments, responses, and Commission direction.

Review and assist with preparation of applicable CEQA determinations and decision documents, including a Negative Declaration or Mitigated Negative Declaration, mitigation monitoring and reporting program requirements, notices, resolutions, conditions of approval, and other documents necessary to support Commission action. If an EIR is determined to be required, services may also include review and assistance with CEQA findings, a statement of overriding considerations if applicable, and other EIR-related decision documents.

7. Legal Defensibility and Post-Approval Support

Identify material litigation risks and recommend practical measures to strengthen the environmental review and administrative record. Provide advice regarding CEQA statute of limitations and notice requirements following Commission action. If requested by LAFCo, provide or coordinate post-approval CEQA advice and litigation support; any litigation representation may be separately scoped and authorized.

IV. ANTICIPATED BUDGET AND FEE INFORMATION

Respondents should provide a fee proposal identifying hourly billing rates for the proposed team, any applicable rate categories, anticipated reimbursable expenses, and general budget assumptions for the services described in this RFQ. Respondents may identify assumptions regarding level of effort or services that would be separately authorized. Final scope, compensation, and contract terms will be negotiated with the selected law firm.

V. ANTICIPATED PROJECT SCHEDULE

The selected firm is expected to begin work promptly following contract execution and to remain available throughout environmental review and LAFCo consideration of the incorporation proposal. The current CFA schedule anticipates Phase 1 through approximately June/July 2027, with Phase 2 following availability of Fiscal Year 2026/2027 actual financial data. Respondents should describe availability and anticipated staffing continuity over this period, including the ability to provide timely review of environmental documents and participate in key coordination meetings, workshops, and hearings. The environmental review schedule will be developed with Special Counsel and the selected environmental consultant and coordinated with CFA milestones to the extent practicable.

VI. STATEMENT OF QUALIFICATIONS REQUIREMENTS

SOQs must include:

- 1) Firm qualifications and relevant experience, including CEQA counsel and litigation experience, representation of public agency lead agencies, local government law, and familiarity with the CKH Act and LAFCo proceedings. Experience with incorporations, complex governance changes, or projects involving overlapping state/regional environmental review is desirable.
- 2) Project team and resumes, identifying the lead professional responsible for the project and all key personnel who will perform the work, including their roles and responsibilities.
- 3) Relevant project experience demonstrating CEQA legal counsel for complex or controversial public agency actions, including references for representative projects (name, title, agency, phone number, and email).
- 4) Proposed approach to the anticipated Scope of Services, including CEQA strategy, environmental consultant procurement, coordination with the CFA and TRPA processes, document review, administrative record development, and Commission support. Identify any suggested refinements to the scope.
- 5) Identification of anticipated legal, procedural, or coordination issues the firm believes should be addressed early in the CEQA process, based on the information provided in this RFQ.
- 6) Availability and staffing continuity, including anticipated response times for time-sensitive legal review and ability to support the project through completion.
- 7) Fee proposal, including hourly billing rates, staffing assumptions, reimbursable expenses, and any anticipated budget considerations.
- 8) Insurance compliance statement.
- 9) Conflict of interest disclosure.

VII. NON-DISCRIMINATION & EQUAL OPPORTUNITY

LAFCo is an equal opportunity employer.

VIII. CONFLICT OF INTEREST

Respondents to this RFQ warrant and covenant that no official or employee of LAFCo, nor any business entity in which an official of LAFCo has an interest, has been employed or retained to solicit or aid in the procuring of the resulting contract, and that no such person will be employed in the performance of such contract without immediate disclosure of such

fact to LAFCo. Respondents will notify LAFCo of any potential conflict of interest regarding other work or third-party contracts.

IX. INSURANCE REQUIREMENTS

The selected firm shall be required to maintain throughout the term of the contract, and for a minimum of six months following completion by the firm and acceptance by LAFCo of all services under the contract, the following insurance coverage:

- 1) Comprehensive general liability insurance, with a minimum, combined single limit coverage of \$1,000,000 per occurrence for all damages, including consequential damages, due to bodily injury, sickness or disease, or death to any person or damage to or destruction of property, including the loss of use thereof, arising from each occurrence;
- 2) Personal automobile liability insurance for owned, non-owned, and hired automobiles, with a minimum, combined single limit coverage of \$500,000 per occurrence;
- 3) Employer's liability insurance, with minimum coverage of \$100,000 per employee;
- 4) Professional liability insurance, with minimum coverage of \$1,000,000 per claim and \$1,000,000 aggregate; and
- 5) Workers' compensation insurance coverage for its employees at statutory limits.

The comprehensive general liability insurance policy will be endorsed to include LAFCo and its officers and employees as to all services the firm performs under the contract. Said policies will constitute primary insurance to LAFCo and its officers and employees so that other insurance policies held by LAFCo or its self-insurance program(s) will not be required to contribute to any loss covered under the firm's insurance policy or policies unless otherwise noted in the contract.

Evidence of Insurance – Before commencing any operations under the contract, the firm shall furnish LAFCo with a Certificate of Insurance and copies of all applicable endorsements evidencing compliance with the above insurance requirements and that such insurance will not be canceled or materially changed without 30 days' advance written notice.

Duration of Insurance Coverage – All required insurance coverages shall be maintained during the entire term of the contract. Insurance coverage written on a claims-made basis shall be maintained during the entire duration of the contract and until at least six months following termination and acceptance of all work under the contract, with the retroactive date of said insurance concurrent with the commencement of activities according to the contract.

All required insurance shall be placed with insurers with a current A.M. Best's rating of no less than A:VII or equivalent and with deductible amounts acceptable to LAFCo.

X. STATEMENT OF QUALIFICATIONS SUBMITTAL

The following requirements apply to the submission and consideration of SOQs for this solicitation.

- 1) An electronic copy in Adobe PDF format or hard copy of the Statement of Qualifications shall be received no later than 4:30 p.m. Pacific Time on the date identified in Section XII, Tentative Schedule. SOQs received after the deadline will not be considered. If delivery is to be in person, please call the LAFCo office at (530) 886-4602 to arrange a delivery time.
- 2) All submittals will become the property of LAFCo.
- 3) Respondents shall bear the cost of the preparation of SOQs.
- 4) An authorized employee or officer of the respondent must sign the SOQ to receive consideration.
- 5) LAFCo is not responsible for SOQs delivered to a person/location other than that specified herein.

XI. SELECTION PROCESS

This RFQ is intended to facilitate a qualifications-based selection process for CEQA Special Counsel services. Selected respondents may be invited to participate in interviews or follow-up discussions on the schedule identified in Section XII.

Final selection will be based upon evaluation of the submitted SOQs, interviews or follow-up discussions (if conducted), and the respondent's demonstrated qualifications, experience, project understanding, availability, and proposed team. Following selection, LAFCo intends to negotiate a professional services agreement, including final scope, rates, budget, and schedule. The selected firm must execute an agreement with LAFCo prior to commencing services.

A selection committee will use the criteria listed below to evaluate the SOQs, rank the respondents, and make a recommendation to LAFCo. At the selection committee's discretion, additional information may be requested.

- 1) Relevant Experience and Qualifications. Evaluation of the respondent's CEQA, public agency, and local government experience, including demonstrated experience advising lead agencies on complex environmental review, familiarity with LAFCo and CKH Act processes, and experience with incorporation or comparable governance matters where applicable.

- 2) **Project Approach and Understanding.** Evaluation of the respondent's understanding of the proposed incorporation and the legal and procedural issues likely to arise under CEQA, including coordination with the CFA, CKH Act proceedings, TRPA, and affected agencies. Consideration will be given to the clarity, practicality, and effectiveness of the proposed approach to producing a legally defensible environmental review and administrative record.
- 3) **Project Team and Capability.** Evaluation of the qualifications, experience, and availability of the proposed project team, including key personnel and any subconsultants. The respondent shall possess all necessary licenses, credentials, and professional qualifications required to perform the work.
- 4) **Quality, Clarity, Value, and Ability to Successfully Deliver the Services.** Demonstrated ability to provide timely, practical, and well-supported CEQA advice and to work effectively with agency staff, consultants, general counsel, and decision-makers will be rated favorably. Consideration may also be given to availability, staffing continuity, overall value, and reasonableness of the proposed fee structure and level of effort.

LAFCo reserves the right to award a contract to the firm that presents a response to the RFQ that best accomplishes in the sole judgment of LAFCo the desired results. LAFCo reserves the right to reject any or all SOQs, request clarification or additional information from any respondent, waive informalities or minor irregularities, modify or cancel this RFQ at any time, issue a subsequent solicitation, and negotiate deviations with one or more respondents. After the award of the contract, LAFCo may revise the scope of services to meet budget constraints.

XII. TENTATIVE SCHEDULE

- Request for Qualifications Release: September 16, 2026
- Statements of Qualifications Due: October 15, 2026 at 4:30 p.m.
- Interviews: Week of October 26, 2026
- Contract Award / Contract Execution: November 2026
- Firm Begins Work: Upon contract execution

XIII. CONTACT INFORMATION

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Figure 1: Initial Boundary and Community Planning Areas

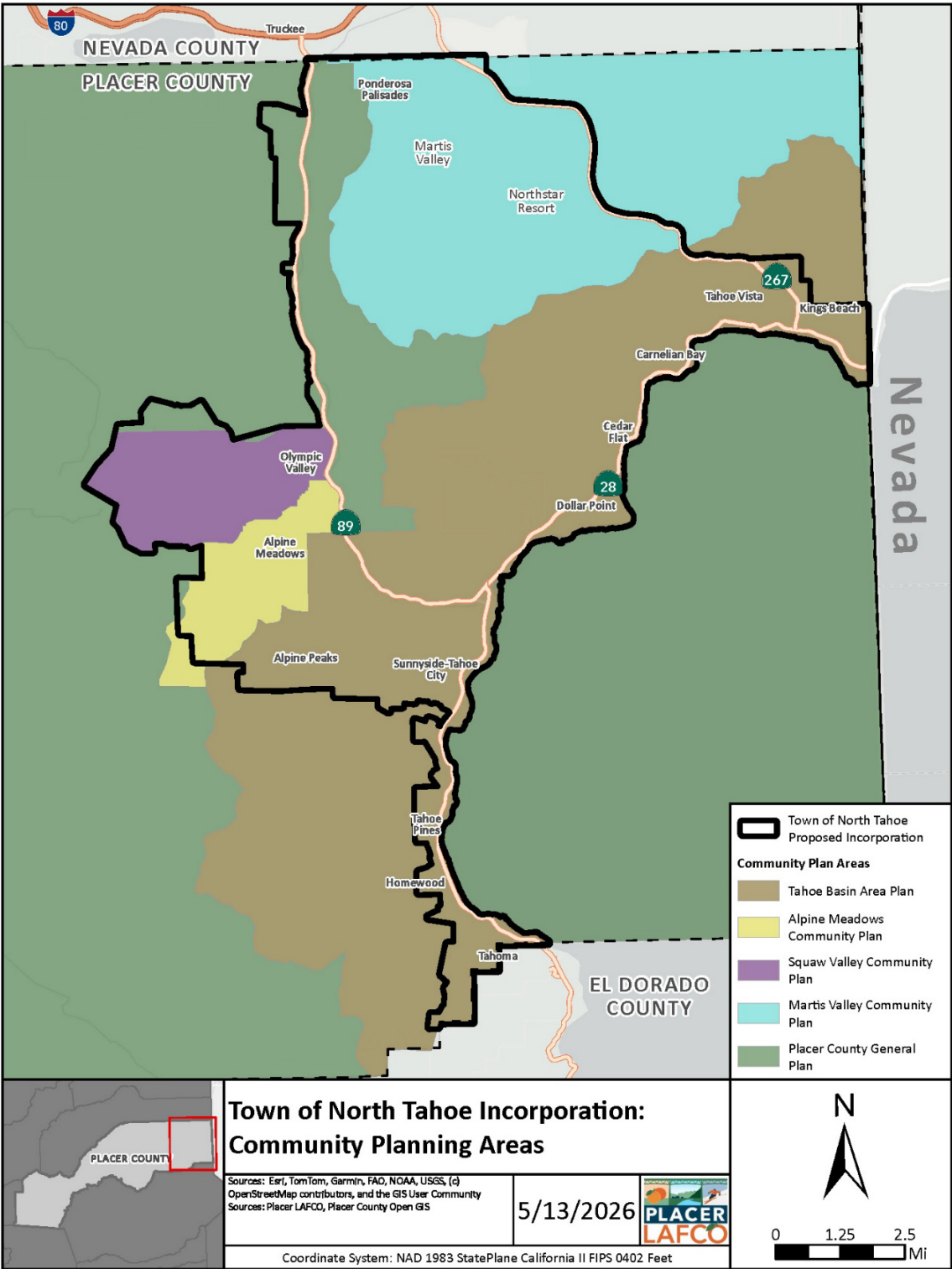


Figure 2: Initial Boundary and Boundary Alternative Subareas

