



REQUEST FOR PROPOSALS

Platte River Recovery Implementation Program Permitting Services RFP

PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM
Office of the Executive Director
4111 4th Avenue, Suite 6
Kearney, Nebraska 68845

September 10, 2014



PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM Request for Proposals

SUBJECT: Permitting Services
REQUEST DATE: September 10, 2014
CLOSING DATE: October 10, 2014
POINT OF CONTACT: Chad Smith
 Headwaters Corporation
 Director of Natural Resources
 4111 4th Avenue, Suite 6
 Kearney, Nebraska 68845
 (402) 432-7950
smithc@headwaterscorp.com

RECITALS

The Governance Committee (GC) of the Platte River Recovery Implementation Program (Program or PRRIP) submits this Request for Proposals (RFP) to solicit proposals from contractors to provide on-call assistance with securing appropriate federal and state permits for Program management actions in 2014-2016 including sediment augmentation through mechanical in-channel placement of sediment and species habitat projects such as in-channel construction of nesting islands for target species and wetland restoration projects. Work under this RFP would be conducted for the GC and supervised by the Program's Executive Director's Office (EDO).

The scope of work and schedule in this RFP describe a three-year plan of work from 2014-2016. Under the final contract, annual written Notice to Proceed from the EDO will be required before work begins. All work will be contingent on availability of Program funding and annual budgets and work plans will be developed jointly by the contractor and EDO, subject to annual approval by the GC and other Program Advisory Committees.

In responding to this RFP, the Governance Committee requests study proposals that include:

- 1) **General approach to permitting** – A description of respondent's approach to applying for and securing permits for work of this nature.
- 2) **General scope of work for permitting** – A scope of work for securing appropriate permits for the activities described in this RFP.
- 3) **List of relevant project experience** within the past five years, including name, location, and brief description of the projects; name, address, and phone number of the contracting officer for the client; and identification of key project participants and their tasks.
- 4) **Resumes** of all primary investigators and level of full-time employees, part-time employees, and student involvement (if any). Provide a table showing the tasks, responsibilities, and the number of hours each key participant is committing to this project.
- 5) **Conflicts of Interest Statement** addressing whether or not any potential conflict of interest exists between this project and other past or on-going projects, including any projects currently being conducted for the Program.



6) Acceptance of the terms and conditions as outlined in the attached Program’s Consultant Contract (**Attachment A**), or clear description of any exceptions to the terms and conditions.

TERMS AND CONDITIONS

The selected contractor will be retained by:

Nebraska Community Foundation
PO Box 83107
Lincoln, NE 68501

The GC has sole discretion and reserves the right to reject any and all proposals received in response to this RFP and to cancel this solicitation if it is deemed in the best interest of the Program to do so. Issuance of this RFP in no way constitutes a commitment by the Program to award a contract, or to pay Consultant’s costs incurred either in the preparation of a response to his RFP or during negotiations, if any, of a contract for services. The Program also reserves the right to make amendments to this RFP by giving written notice to Consultants, and to request clarification, supplements, and additions to the information provided by a Consultant. By submitting a proposal in response to this solicitation, Consultant understands and agrees that any selection of a Consultant or any decision to reject any or all responses or to establish no contracts shall be at the sole discretion of the Program. To the extent authorized by law, the Consultant shall indemnify, save, and hold harmless the Nebraska Community Foundation, the states of Colorado, Wyoming, and Nebraska, the Department of the Interior, members of the Governance Committee, and the Executive Director’s Office, their employees, employers, and agents, against any and all claims, damages, liability, and court awards including costs, expenses, and attorney fees incurred as a result of any act or omission by the Consultant or its employees, agents, sub-Consultants, or assignees pursuant to the terms of this project. Additionally, by submitting a proposal, Consultants agree that they waive any claim for the recovery of any costs or expenses incurred in preparing and submitting a proposal.

PRE-PROPOSAL MEETING

A **pre-proposal Web meeting /conference call** for interested parties will be held on **September 24, 2014 at 11:00 a.m. Central time**. This meeting will provide important information on the Program and the scope of work and offer interested parties the opportunity to seek clarifications or ask questions. To facilitate logistical arrangements, if you plan to participate and submit a response to this RFP please contact Chad Smith at smithc@headwaterscorp.com by **12:00 p.m. (noon) Central time on September 22, 2014**.

POINT OF CONTACT & RFP DUE DATE

Questions about this RFP should be e-mailed Chad Smith. Questions, responses, and any additional information related to the RFP will be available to all bidders on the Program website (www.platteriverprogram.org/Contractors/Pages/OpenRFPs.aspx). **One electronic copy of your proposal in PDF format must be submitted to Chad Smith at smithc@headwaterscorp.com no later than 12:00 p.m. (noon) Central time on October 10, 2014.**



SCOPE OF WORK FOR CONTRACT SERVICES

INTRODUCTION

The Program initiated on January 1, 2007 between Nebraska, Wyoming, and Colorado and the Department of the Interior to address endangered species issues in the central and lower Platte River basin. The species considered in the Program, referred to as “target species”, are the whooping crane, piping plover, interior least tern, and pallid sturgeon. A Governance Committee reviews, directs, and provides oversight for activities undertaken during the Program. The Governance Committee is comprised of one representative from each of the three states, three water user representatives, three representatives from environmental groups, and two members representing federal agencies. The Governance Committee named Dr. Jerry Kenny to serve as the Program Executive Director. Chad Smith, representing the Program EDO, will be the primary contact for prospective contractors responding to this RFP.

OBJECTIVES AND SCOPE

Implementation of the Program’s Adaptive Management Plan (AMP) includes management actions in the channel of the central Platte River intended to test hypotheses related to habitat creation and maintenance and subsequent use by the target species. Three primary actions require permitting authority:

1) Sediment Augmentation

Several AMP hypotheses relate to restoration of sediment balance in the central Platte River. The Program completed a sediment augmentation pilot study in 2014 comparing the effectiveness of two types of augmentation activities. That pilot study was conducted under a Section 404 permit from the U.S. Army Corps of Engineers that included Section 401 Water Quality Certification from the Nebraska Department of Environmental Quality. A final pilot study report was made publicly available in July 2014. The results of the pilot study indicate that the most effective means of augmentation for the Program in the near term will be through mechanical placement of sediment in the channel, either directly into the channel during periods of adequate flow or through stockpiling and placement for mobilization during subsequent high flow events. All sediment can be accessed and prepared on Program lands along the central Platte River. This augmentation is expected to begin in late 2014 and occur annually as directed by the Governance Committee and in accordance with implementation of the AMP. Augmentation planning and oversight of implementation will be conducted by the Program’s Executive Director’s Office. However, the Program is seeking expert contractor assistance to secure necessary federal and state permits for augmentation activities.

2) In-channel island construction

Nesting habitat for interior least terns and piping plovers in the central Platte River channel is generally considered to be bare sand islands moated by river flow. Since 2011, the Program constructed islands on certain Program properties according to habitat criteria developed by the Program’s Technical Advisory Committee (TAC). While some of those islands persist, many have been largely or completely eroded or otherwise degraded by several high flow events on the central Platte. Those islands were constructed under permitting authority from the U.S. Army Corps of Engineers. Additionally, more islands will be constructed over time to continue investigations into habitat selection by terns and plovers. The Program is seeking expert contractor assistance to secure necessary federal and state permits for new island construction and ongoing maintenance.

3) Wetland restoration and enhancement

The Program committed to acquiring and maintaining approximately 400 acres of off-channel palustrine wetland habitat. The Program acquired a portion of the required palustrine wetland habitat and is considering restoration and enhancement activities to improve habitat suitability for whooping cranes.



Activities may include excavation, construction of water control structures, and other construction activities to increase wetland area and improve function.

In all instances, general activities under this RFP include:

- Meet with Executive Director's Office staff in Kearney, Nebraska to discuss planned activities, necessary permits, and strategies for securing those permits.
- Coordinating and completing all necessary permit application documentation.
- Coordinating meetings between the Corps, Nebraska Department of Environmental Quality, and Program as necessary.
- Ensuring permit requirements are met and all required reporting is completed in full and on schedule.

Permitting activities conducted under this RFP will be contracted through a Master Service Agreement. The EDO will develop and execute Task Orders for specific permitting tasks as necessary. Detailed costs and scopes of work for each permitting task will be developed for each Task Order and that process will include appropriate review by the EDO and the Program's Technical Advisory Committee and Finance Committee as necessary.

PROJECT SCHEDULE

In general, the annual schedule will be determined by planned Program activities. The 2014 schedule is compressed because ideally sediment augmentation activities will be permitted and will begin before the end of the calendar year. A proposed schedule for 2014:

- September 2014 – contract awarded, initial meeting with Program, begin permit application process
- October 2014 – meeting with Corps and State of Nebraska if necessary; complete final paperwork
- November 2014 – secure necessary permits; award mechanical augmentation contract, begin work

AVAILABLE INFORMATION

Several additional sources of information are available to assist potential contractors in responding to this RFP. All of these documents can be accessed either from the Program Web site (www.PlatteRiverProgram.org) or by contacting Chad Smith. Documents include:

- PRRIP FINAL Sediment Augmentation Pilot Study Report
- Pilot Study Permit – U.S. Army Corps of Engineers
- Pilot Study Water Quality Certification – Nebraska Department of Environmental Quality
- Island Construction Permit – U.S. Army Corps of Engineers

DELIVERABLES

The successful contractor will be responsible for completing all necessary permit application paperwork, transmitting final permits to the Program, maintaining necessary documentation, and compiling and submitting all necessary reporting for any permits.



Attachment A

Standard Consultant Contract

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