



**STATE OF COLORADO**  
Department of Natural Resources

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<b>ORDER</b>				<b>*****IMPORTANT*****</b>			
<b>Number:</b> POGG1,PDAA,202300003584				The order number and line number must appear on all invoices, packing slips, cartons, and correspondence.			
<b>Date:</b> 5/2/23							
<b>Description:</b> Conejos River Restoration_CMS 183323				<b>BILL TO</b>			
<b>Effective Date:</b> 05/15/23 <b>Expiration Date:</b> 05/15/28				COLORADO WATER BOARD CONSERVATION 1313 SHERMAN STREET, ROOM 718 DENVER, CO 80203			
				<b>BUYER</b>			
				<b>SHIP TO</b>			
<b>Buyer:</b>				COLORADO WATER BOARD CONSERVATION 1313 SHERMAN STREET, ROOM 718 DENVER, CO 80203			
<b>Email:</b>				<b>SHIPPING INSTRUCTIONS</b>			
<b>VENDOR</b>							
ROCKY MOUNTAIN BIRD OBSERVATORY 14500 LARK BUNTING LANE BRIGHTON, CO 80603							
<b>Contact:</b> .				<b>Delivery/Install Date:</b> -			
<b>Phone:</b> .				<b>FOB:</b> FOB Dest, Freight Allowed			
<b>VENDOR INSTRUCTIONS</b>							
<b>EXTENDED DESCRIPTION</b>							
<b>Line Item</b>	<b>Commodity/Item Code</b>	<b>UOM</b>	<b>QTY</b>	<b>Unit Cost</b>	<b>Total Cost</b>	<b>MSDS Req.</b>	
1	G1000		0	0.00	\$101,179.00	<input type="checkbox"/>	
<b>Description:</b> Conejos River Restoration_CMS 183323							
For Phase II of the Conejos River Restoration project, Rocky Mountain Bird Observatory will complete design, stakeholder approval, permitting, and site preparation to improve streambank stabilization, floodplain connectivity, agricultural irrigation water delivery, and habitat for fish and wildlife for 3.8 miles of the Conejos River west of Mogote, Colorado. Specifically, this project will lead to improved habitat for Colorado Parks and Wildlife Tier 1 Wetland Species of Concern: Southwest Willow Flycatcher (federally endangered), Yellow-billed Cuckoo (federally threatened), and beaver. Instream habitat will also be improved for wild Brown Trout.							
As a part of this agreement, please refer to Exhibit A and B (dated 5/1/23) for a complete Statement of Work and Budget.							
Service From: 05/15/23				Service To: 05/15/28			



**STATE OF COLORADO**  
Department of Natural Resources

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**TERMS AND CONDITIONS**

<https://www.colorado.gov/osc/purchase-order-terms-conditions>

**DOCUMENT TOTAL = \$101,179.00**



**Colorado Water Conservation Board**

**Water Plan Grant – Statement of Work – Exhibit A**

**Statement Of Work**

<b>Revised Date:</b>	<b>5/1/2023</b>
<b>Name of Grantee:</b>	<b>Rocky Mountain Bird Observatory dba Bird Conservancy of the Rockies</b>
<b>Name of Water Project:</b>	<b>Conejos River Restoration</b>
<b>Funding Source:</b>	<b>Rio Grande Water Conservation District, Conejos Water Conservancy District, Colorado State Land Board, Colorado Parks and Wildlife Wetlands</b>

**Water Project Overview:**

Rocky Mountain Bird Observatory (“Bird Conservancy”) will partner with Southwest River Engineering (SRE) and at least thirteen committed landowners to complete Phase II of the Conejos River Restoration project. Phase II will generate engineering designs to improve streambank stabilization, floodplain connectivity, agricultural irrigation water delivery, and habitat for fish and wildlife along a contiguous 3.8 miles of the Conejos River west of Mogote, Colorado.

**Project Objectives:**

Phase II will create engineering design solutions intended to achieve the following long-term objectives for watershed health within this reach of the Conejos River:

1. Stabilized streambanks that are resilient to high flow events
2. Revegetated streambanks and riparian zones; enhancement and/or creation of habitat suitable for riparian-dependent species, including the federally endangered Southwestern Willow Flycatcher and federally threatened Western Yellow-Billed Cuckoo
3. Diversified channel characteristics, including reconnection of side and overflow channels for high flow resilience and fish habitat development
4. Enhancement and/or creation of in-stream aquatic habitat for fish, primarily Brown Trout, to support recreation
5. Expansion of natural beaver activity through installation of beaver dam analogues as a contributor to process-based restoration outcomes
6. Updated, functional, and efficient diversion infrastructure for irrigation
7. Stable and functional irrigation ditch channels
8. Established network of landowners and partners along the reach that can act as resources for each other regarding future concerns relating to the Conejos River and/or any associated ditches



Tasks
<b>Task 1 – Comprehensive site assessment</b>
Description of Task:
Bird Conservancy will subcontract Southwest River Engineering (SRE) to complete a detailed topographic survey of the project reach on the Conejos River. SRE will build a base map for use in the design phase of the project and overlay general information on property boundaries, easements, and utilities to the extent they can be determined.
Method/Procedure:
With assistance from Bird Conservancy, SRE will conduct topographic survey and on-the-ground site assessments to develop preliminary design drawings that will include a detailed plan view displaying the proposed channel and riparian area improvements at each property location, and an initial estimate of construction costs. Bird Conservancy will schedule meetings with SRE and all interested parties, including the landowners, to review the preliminary design and ensure the goals of the project, as well as any concerns, are addressed in the final design.
Deliverable:
Bird Conservancy will provide CWCB with an aerial base map with preliminary designs and project cost estimates delineated per property along the entire project reach. Bird Conservancy will provide attendance and summaries of stakeholder meeting(s) held to review and approve these preliminary designs.

Tasks
<b>Task 2 – Complete construction designs and cost estimates</b>
Description of Task:
SRE, on behalf of Bird Conservancy, will utilize the preliminary designs to create construction-level design drawings for restoration work on the project reach. The final design drawings will include construction quantities, typical sections, structure details, and an updated estimate of construction costs.
Method/Procedure:
SRE will produce final design drawings and make materials calculations in AutoCAD Civil 3D or similar professional design software. Bird Conservancy will consult with SRE and schedule meetings with stakeholders, including landowners, to review the final design and ensure the goals of the project are adequately addressed.
Deliverable:
Bird Conservancy will provide final construction design plan sets and construction cost estimates for the entire project reach to CWCB.



Tasks
<b>Task 3 – Construction permitting application</b>
Description of Task:
SRE will act as the agent for Bird Conservancy through the Section 404 permit review and approval process. SRE anticipates that the U.S. Army Corps of Engineers will only require a standard Nationwide type permit and not an Individual Permit to complete project work.
Method/Procedure:
SRE will prepare the submittal documents needed to obtain a Section 404 Permit for the work in the river from the U.S. Army Corps of Engineers Regulatory Branch. Bird Conservancy will assist with site visits and assembling information needed for the permit application.
Deliverable:
Bird Conservancy will provide CWCB with the 404 Nationwide Permit application documents and follow-up with the U.S. Army Corps of Engineers during the permit review process.

Tasks
<b>Task 4 – Site preparation</b>
Description of Task:
SRE will assist Bird Conservancy in selecting a qualified construction contractor to complete the project work. SRE will direct laying out the site in preparation for the implementation phase and provide guidance as required on how to construct various elements of the design.
Method/Procedure:
SRE will develop bidding documents for Bird Conservancy to solicit construction bids from qualified construction contractors and provide construction layout staking for the contractor when they are ready to proceed. Bird Conservancy will assist with landowner access and general construction management, including accountability for use of best management practices (BMPs) and contracting a professional land surveyor if needed for boundary delineations.
Deliverable:
Bird Conservancy will provide CWCB with project bid documents and documentation of project work as accomplished, along with professional survey records as required.



Tasks
<b>Task 5 – Project management</b>
Description of Task:
Bird Conservancy will utilize a variety of personnel to effectively administer partner funds and complete Phase II as described above. Additionally, this task includes an indirect cost rate of 10% to cover organizational overhead costs. Bird Conservancy has a Negotiated Indirect Cost Rate Agreement (NICRA) with the US Forest Service of 26.2%, however, we are only requesting a 10% indirect cost rate for this grant.
Method/Procedure:
Bird Conservancy will manage communication, budgets, schedules, logistics, subcontracts, invoicing and reports required for CWCB and other funding partners.
Deliverable:
The fully designed project and final reports will serve as deliverable for this task.

Budget and Schedule
This Statement of Work shall be accompanied by a combined Budget and Schedule that reflects the Tasks identified in the Statement of Work.

Reporting Requirements
<b>Progress Reports:</b> The applicant shall provide the CWCB a progress report every 6 months, beginning from the date of issuance of a purchase order, or the execution of a contract. The progress report shall describe the status of the tasks identified in the statement of work, including a description of any major issues that have occurred and any corrective action taken to address these issues.
<b>Final Report:</b> At completion of the project, the applicant shall provide the CWCB a Final Report on the applicant's letterhead that: <ul style="list-style-type: none"><li>Summarizes the project and how the project was completed.</li><li>Describes any obstacles encountered, and how these obstacles were overcome.</li><li>Confirms that all matching commitments have been fulfilled.</li><li>Includes photographs, summaries of meetings and engineering reports/designs.</li></ul>
The CWCB will pay out the last 10% of the budget when the Final Report is completed to the satisfaction of CWCB staff. Once the Final Report has been accepted, and final payment has been issued, the purchase order or grant will be closed without any further payment.



### Payment

Payment will be made based on actual expenditures and must include invoices for all work completed. The request for payment must include a description of the work accomplished by task, an estimate of the percent completion for individual tasks and the entire Project in relation to the percentage of budget spent, identification of any major issues, and proposed or implemented corrective actions.

**Costs incurred prior to the effective date of this contract are not reimbursable.** The last 10% of the entire grant will be paid out when the final deliverable has been received. All products, data and information developed as a result of this contract must be provided as part of the project documentation.

### Performance Measures

Performance measures for this contract shall include the following:

- (a) Performance standards and evaluation: Grantee will produce detailed deliverables for each task as specified. Grantee shall maintain receipts for all project expenses and documentation of the minimum in-kind contributions (if applicable) per the budget in Exhibit B. Per Grant Guidelines, the CWCB will pay out the last 10% of the budget when the Final Report is completed to the satisfaction of CWCB staff. Once the Final Report has been accepted, and final payment has been issued, the purchase order or grant will be closed without any further payment.
- (b) Accountability: Per Grant Guidelines full documentation of project progress must be submitted with each invoice for reimbursement. Grantee must confirm that all grant conditions have been complied with on each invoice. In addition, per Grant Guidelines, Progress Reports must be submitted at least once every 6 months. A Final Report must be submitted and approved before final project payment.
- (c) Monitoring Requirements: Grantee is responsible for ongoing monitoring of project progress per Exhibit A. Progress shall be detailed in each invoice and in each Progress Report, as detailed above. Additional inspections or field consultations will be arranged as may be necessary.
- (d) Noncompliance Resolution: Payment will be withheld if grantee is not current on all grant conditions. Flagrant disregard for grant conditions will result in a stop work order and cancellation of the Grant Agreement.



## COLORADO

Colorado Water  
Conservation Board

Department of Natural Resources

### Colorado Water Conservation Board

#### Water Plan Grant - Exhibit B

#### Budget and Schedule

Prepared Date: 5/1/2023

Name of Applicant: Rocky Mountain Bird Observatory dba Bird Conservancy of the Rockies

Name of Water Project: Conejos River Restoration

Project Start Date: 5/15/2023

Project End Date: 5/15/2028

Task	Task Description	Task Start	Task End	Grant Funding	Match Funding	Total
1	Comprehensive site assessment	5/15/2023	5/15/2028	\$ 37,500.00	\$ 23,953.00	\$ 61,453.00
2	Construction designs & cost estimates	5/15/2023	5/15/2028	\$ 45,500.00	\$ 11,000.00	\$ 56,500.00
3	Construction permitting application	5/15/2023	5/15/2028	\$ 11,844.00	\$ 1,000.00	\$ 12,844.00
4	Site preparation	5/15/2023	5/15/2028	\$ 1,500.00	\$ -	\$ 1,500.00
5	Project management	5/15/2023	5/15/2028	\$ 4,835.00	\$ -	\$ 4,835.00
<b>Total</b>				\$ 101,179.00	\$ 35,953.00	\$ 137,132.00