

Request for Proposals
Soda Creek In Lieu Fee Mitigation Site
White River National Forest, Colorado

Background and Statement of Work:

The Soda Creek Mitigation Site (Site) is a part of the National Forest Foundation's (NFF) Colorado Western Slope In-Lieu Fee (ILF) Program (File Number SPK-2014-01100). The Site was approved by the United States Army Corps of Engineers (USACE) in October 2020. The Site is located on United States Forest Service (USFS) White River National Forest (WRNF) land which provides mitigation credits for USACE permitted impacts within the Blue (8-digit hydrologic unit code [HUC] 14010002) and Eagle (HUC 14010003) watersheds.

The purpose of the Soda Creek Restoration Project (Project) is to re-establish and rehabilitate wetlands adjacent to and near Soda Creek for use as Compensatory Mitigation for the unavoidable impacts to Waters of the United States (WOTUS). The Project will restore 42.5 acres of palustrine emergent (PEM) and palustrine shrub-scrub (PSS) wetlands. In doing so, the proposed Site will provide restored aquatic resources with enhanced ecological function, habitat for native flora and fauna, and downstream water quality and flood amelioration benefits for downstream communities.

Note that the Project is pending a final WRNF decision under the National Environmental Policy Act (NEPA). This means the award of this Project cannot be issued until the USFS WRNF NEPA decision is finalized. The estimated date for a final decision under NEPA is July 1, 2024. You can find more information on the NEPA process here:
<https://www.fs.usda.gov/project/?project=60771>.

Information Requested

If interested in submitting a bid for this project, please provide a proposal for the above statement of work by providing:

- Technical Approach
- Work Experience
- Cost
- Capacity for this project
- Experience in similar projects

Specific requirements are detailed below.

I. PROJECT OVERVIEW AND REQUIREMENTS

General Specifications

- (a) Description of Work – This Request for Proposals is for restoration services related to the Soda Creek Restoration Project (Appendix A – Soda Creek Overall Map), including the following:
1. Implementation of Soda Creek Restoration Project to rehabilitate 42.5 acres of historic wetlands according to the engineering stream design plan sheets dated January 2023, sealed plans submitted December 11, 2023. See Appendix B – Final Stream Design Plans for full details.
 - Exemptions to Appendix B exist and are listed in Appendix C - Information to Bidder dated 6.1.2024 and Appendix D – Carve out Areas to Avoid.
 2. Establish 10 permanent monitoring wells according to Appendix E – Permanent Monitoring Well Location Table.
 3. Decommission temporary logging road associated with the Swan Mountain Vegetation Management Project upon completion of the vegetation management activities (See Appendix F).
 - Temporary construction roads will be built across Soda Creek to allow the vegetation management contractor(s) to access the adjacent Swan Mountain Vegetation Management Project. Building the road is not included in the scope of the Soda Creek Mitigation Project; however, road reclamation and restoration is included in this scope. Road decommissioning will be performed upon completion of the Swan Mountain Vegetation Management Project.
 - Decommissioning the temporary road will not occur concurrent with the Soda Creek Mitigation Project. It will require separate mobilization efforts in 2025 or 2026.
 - a. The temporary road and stream crossing—comprising culverts—will need to be removed, and disturbed areas will be restored upon completion of construction.
 - b. A USFS-approved native seed mix and potted wetland plants must be used in wetland and upland areas for road reclamation efforts. The contractor must collaborate with USFS and NFF to identify and procure approved seed mixes and wetland plants.
 4. Compliance with all permitting and regulations outlined in Appendix G, including:
 - Compliance with USACE Nationwide 27 Permitting (Appendix H).
 - Compliance with Raptor Avoidance Guidelines and Restrictions as required by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

- Submission and compliance with Construction Storm Water Discharge General Permit No. COR400000 (can be submitted 180 days before beginning construction).
5. Contractor must coordinate with the NFF and USFS as defined in the project development plan (see Appendix I).
 6. **Optional Bid Item:** Contractor will perform three years of Interim Monitoring and Maintenance (see Appendix J) in accordance with the Project Development Plan (Appendix I).

The Contractor shall identify what they can supply in terms of materials, labor, equipment, supplies, supervision, quality control, and incidentals required to complete the work described. The Contractor shall perform all work in a safe and conscientious manner.

- (b) Project Location – Soda Creek, White River National Forest, Summit County Colorado (Appendix A – Soda Creek Overall Map).
- (c) Work Schedule – The earliest work can commence is July 1, **pending a signed National Environmental Policy Act (NEPA) decision by the USFS**. The latest on the ground implementation can occur is September 30. There are no time restrictions for monitoring. Stream and wetland restoration work must be completed by September 30, 2025, at the latest. Road decommissioning must be completed one year after the Swan Mountain Vegetation Management Project is complete.

Other Project Requirements and Specifications

- (a) Utilities – In many locations there will be no or limited sanitation, water, electrical or housing services available. The Contractor shall make its own arrangements for temporary facilities if needed.
- (b) Specifications – Project work shall be accomplished in accordance with the following specifications:

Appendix ID	Appendix Name	Notes
A	Overall Site Map	
B	Final Stream Design Plans	
C	Information to Bidders	Exemptions to Appendix B
D	Carve Out – Areas to Avoid	Exemptions to Appendix B
E	Permanent Well Locations	
F	Temporary Logging Road Impacts	
G	Permit Matrix	
H	USACE Nationwide 27 Permit	
I	Project Development Plan	

J	Interim Maintenance and Monitoring Plan	Applicable if optional monitoring bid item is awarded.
K	USFS Aquatic Ecosystems BMPs	
L M	Pricing Schedule Long Term Management Plan	To be used for placing a bid on this project.

Please use this link to download Appendices A - M: <https://nff.files.com/f/bcb23becbb0a20fe>

Insurance Requirements

Upon selection of the winning bid, the Contractor agrees that it has and shall maintain the following insurance coverage indicated below. The effective date of all coverage shall precede the start of any work.

- a. State minimum workers' compensation insurance coverage for its employees, if any.
- b. Broad form general liability, property damage, and automotive liability insurance in the minimum amount of \$1,000,000 for bodily injury, death, or damage to property of any person and \$2,000,000 for bodily injury, death, or damage to property of more than one person. The Contractor shall name NFF an Additional Named Insured and provide NFF with a certificate of insurance evidencing such coverages, prior to the initiation of the Scope of Services.
- c. If the Scope of Services includes professional services as identified herein, Contractor shall also provide professional errors and omissions liability insurance. Professional services for purposes of this section include, but are not limited to performing architecture, engineering, landscape architecture, land surveying or planning, preparation and signing or stamping of drawings, maps, surveys or construction specifications, or design and development of computer software, programs or websites by the Contractor or by subcontractors on behalf of the Contractor, for which professional liability insurance would typically be required. The minimum coverage limits required are \$1,000,000 for each claim and \$1,000,000 annual aggregate.

Prohibited Telecommunications Services and Equipment

The Contractor is responsible for compliance with the prohibition on certain telecommunications and video surveillance services or equipment identified in 2 CFR 200.216.

Payment/Performance Security

Contractor shall post cash, a letter of credit, bond, or other financial security that is easily convertible into cash in a form acceptable to the NFF, in its sole determination, to assure completion of the work required under any subsequent agreement and payment of all amounts lawfully due to all persons supplying or furnishing to the Contractor or Contractor's subcontractors with labor, laborers, materials, rental machinery, tools or equipment used or to perform the work. Contractor may incorporate required associated costs into mobilization costs or other approved expenses.

- a. Work that is classified as construction in accordance with the Miller Act or Little Miller Act or if required per conditions of the funding source, payment and performance bonding will be required in the full amount of any Agreement. For the purposes of this

Request for Proposal, construction is defined as “any contract greater than \$100,000 for the construction, alteration, or repair of any public building or public work where the federal government is the owner”, or

- b. If Contractor is not self-performing at least 85% of the total contract value or if the cost of materials is in excess of the larger of \$100,000 or 50% of the contract total, payment and performance bonding will be required in the full amount of the agreement, or
- c. If the value of the agreement is in excess of \$250,000, Contractor will be required to post financial security in a form acceptable to the NFF in the amount of 5% of the total agreement value up to \$250,000 in total financial security.

Federal Exclusion Verification

The selected Contractor will be required to affirm that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

Federal Flowdown Provisions

Flowdown Requirements: Any Agreement associated with this RFP may be subject to flowdown requirements under associated federal or state funding agreements, which are included and made part of by this reference.

II. REQUIRED COMPONENTS

Technical Proposal

Please provide a detailed technical approach to implementing the Soda Creek Project in compliance with stated guidelines, permits, permits and BMP. If monitoring and maintenance are included in the bid, please provide a detailed technical approach for implementing effective monitoring.

Contractor Qualifications

- (a) Past Experience – Please provide a brief explanation of previous work experience with land management agencies.
- (b) References – Please provide three professional references that can speak to past performance.

Pricing Schedule

Contractor shall price work according to the itemized schedule included in Appendix L. Contract will be awarded as a lump sum.

III. SUBMISSION, EVALUATION, AND CONTACTS

Contractor Selection Process

This is a request for proposals only and bids furnished are not offers from the National Forest Foundation. This request does not commit the National Forest Foundation to pay any costs incurred in the preparation or submission of the proposal or to contract for supplies or services.

The NFF will use the Evaluation Factors below to review each submitted bid. Based on the outcomes of that selection process, the NFF will notify successful and unsuccessful bidders by Monday, August 5, 2024 and will prepare a separate contract document.

Evaluation Factors and Relative Importance

The following criteria will be used in the evaluation of submitted proposals, ordered from highest weighting (level 3) to lowest weighting (level 1).

Level 3 Criteria

- Contractor Expertise and Experience in implementing similar projects
- Price / cost
- Equipment and contractor capability
- Timing of when contractor can begin and/or finish the project
- Past performance, references, and USFS feedback

Level 2 Criteria

- Technical proposal / proposed approach to project
- Overall strategic benefits to meeting NFF goals and grant needs, requirements, and timelines

Level 1 Criteria

- Benefits to the local community
- Relationship to local community

Point of Contact

Please submit any questions about the project in writing to the Point of Contact.

Adde Sharp
National Forest Foundation Colorado River Watershed Program Coordinator – Rocky Mountain Region
asharp@nationalforests.org

Responses will be shared with known interested parties by email or otherwise posted at <https://www.nationalforests.org/rfp>.

Bid Submission

Submit bids via email to asharp@nationalforests.org by Wednesday, July 3, 2024.

Equal Opportunity Provider

In accordance with Federal law and U.S. Department of Agriculture policy, the National Forest Foundation is prohibited from discriminating on the basis of race, color, national origin, sex, age, religion, political beliefs, or disability.