



BIDDERS COMPANY NAME

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## REQUEST FOR QUALIFICATIONS

# **WRIA 11 - Identify Water Offset Projects - Feasibility Screening and Prioritization**

NISQUALLY INDIAN TRIBE

Prepared By:  
Nisqually Natural Resources Department  
Attn: George Walter  
4820 She-Nah-Num Drive  
Olympia WA. 98513



REQUEST FOR QUALIFICATIONS  
RFQ# 2019-WRIA 11

DATE: September 25, 2019

The Nisqually Natural Resources Department on behalf of the Nisqually Indian Tribe is issuing a Request for Qualifications (RFQ) for interested Contractors to submit proposals for the **WRIA 11 - Identify Water Offset Projects - Feasibility Screening and Prioritization** project. Minority and disadvantaged companies are encouraged to submit proposals. (This project has been designed by Lisa Dally Wilson, Dally Environmental. Additional information is available at (206) 915-9551).

Contact information for George Walter is 360-456-5221, ext. 2136 or [walter.george@nisqually-nsn.gov](mailto:walter.george@nisqually-nsn.gov).

**VIABLE CONTRACTORS: To be awarded this project CONTRACTOR, of the winning bid, must be current will all taxes, insurances, bonding and licensing. Failure to comply will result in bid rejection.**

SEALED STATEMENTS OF QUALIFICATIONS: Vendors will deliver two applications to the following address either by hand, delivery service or by US postal:

Nisqually Indian Tribe  
4820 She-Nah-Num Drive SE  
Olympia WA. 98513  
Phone: 360-456-5221  
Attn: Jill Wall  
Financial Services - Contracts

**CLOSING DATE FOR SUBMITAL SHALL BE October 15, 2019, by 5:00 p.m. Statements of Qualifications received after the above-cited time will be considered a late response and are not acceptable unless waived by the Natural Resources Director.**

- Please mark the envelopes clearly with Sealed RFQ # **2019-WRIA 11**
- Questions may be directed to George Walter, Project Manager, 360-456-5221, ext. 2136 or e-mail at [walter.george@Nisqually-nsn.gov](mailto:walter.george@Nisqually-nsn.gov)

Thank you for your Interest

**Definitions:** “Tribe” is Nisqually Indian Tribe  
“Bidder” an individual or business submitting a bid to Nisqually Tribe  
“Contractor” One who contracts to perform services in accordance with a contract

## **1. PROPOSAL TERMS**

- A. The Nisqually Tribe reserves the right to reject any and all proposals received as a result of this RFQ. If a proposal is selected, it will be the most advantageous regarding price, quality of service, the Vendor’s qualifications and capabilities to provide the specified service(s), and other factors in accordance with the Tribal policies. The Tribe does not intend to award a Bid fully on the basis of any response made to the proposal; the Tribe reserves the right to consider proposals for modifications at any time before a Bid would be awarded, and negotiations would be undertaken with the provider whose proposal is deemed to best meet the Tribe’s specifications and needs.
- B. The Tribe reserves the right to reject any or all applicants, to waive or not waive informalities or irregularities in bids, bidding or submission procedures, and to accept or further negotiate cost, terms, or conditions as determined by the Tribes to be in the best interests of the Tribe and the WRIA 11 watershed planning process.
- C. The price quotations stated in the bidders proposal will not be subject to any price increase from the date on which the proposal is opened at the Tribal headquarters to the mutually agreed-to date Bid.
- D. In the event it becomes necessary to revise any part of the RFQ, addenda will be provided. Deadlines for submission of the RFQ may be adjusted to allow for revisions.
- E. Proposals should be prepared simply and economically providing a straight-forward, concise description of the vendor’s ability to meet the requirements of the RFQ.

## **2. SCOPE OF SERVICES**

The Nisqually Tribe is seeking a statement of qualifications for a Contractor to perform the tasks described below. Funding and time frame available for conducting these tasks is limited. Funding available for work performed in 2019 is \$15,000 and all work must be completed by December 31, 2019. , as described below.



It is the intent of the Nisqually Tribe and the Nisqually Watershed Planning Unit to identify additional funding to extend the Contractor's work beyond this limited timeframe and scope.

The full RFQ is attached as Attachment 1.

## **CONTRACT PROVISIONS**

### REPORTING OF CONTRACTOR

Section 1 – The Contractor is to report to the Natural Resources Manager and/or Director and confer with them as necessary to insure satisfactory work progress.

Section 2 – All reports, estimates, memoranda and documents submitted by the Contractor must be dated and bear the Contractors name.

Section 3 – All reports made in connection with these services are subject to review and final approval by the Natural Resources Director.

Section 4 – When Applicable, the Contractor will submit a final written report to the Natural Resources Director.

Section 5 – After reasonable notice to the Contractor, the Tribe may review any of the Contractor's internal records, reports, or insurance policies.

### PERSONNEL

Section 1 – The contractor will provide the required services and will not subcontract or assign the services without prior written approval of the Natural Resources Director. Subcontractors, as well as primary contractors, are subject to the TERO ordinance and the Tribe's Native American preference policy (detailed below.) This ordinance applies to all sub tiers as well.

### INDEMNIFICATION AGREEMENT

The contractor will protect, defend and indemnify the Nisqually Tribe, its officers, agents volunteers and employees from any and all liabilities, claims, liens fines, demands and costs, including legal fees, of whatsoever kind and nature which may result in injury or death to any persons, including the Contractors own employees and loss of damages to any property, including property owned or in the care, custody or control of the Nisqually Tribe in connection with or in any way incident to or arising out of the occupancy, use, service, operations, performance or non-performance of work in connection with this contract resulting in whole or in part from negligent acts or



omissions of contractor, any sub-contractor, or any employee, agent or representative of the contractor or any sub-contractor.

#### NATIVE AMERICAN PREFERENCE/TERO

The Nisqually Tribe's Native American preference in contracting policy will be used to select the winning bid.

The owner wishes to make available any and all opportunities for employment and training for Nisqually Tribal Members, their immediate families, and all other Native Americans. Therefore, the Tribal Employment Rights Ordinance (TERO) is in effect for this project. This includes but is not limited to:

- Native preference in employment.
- Native preference in contracting.
- 1.75% Employment Rights tax on all contracted projects.

TERO also applies to subcontractors and all sub tiers.

It is the responsibility of the bidder to contact the TERO officer.

Nisqually TERO; Dan Derickson

(360) 456-5221 ext.1273

[derickson.dan@nisqually-nsn.gov](mailto:derickson.dan@nisqually-nsn.gov)

#### TRIBAL HISTORIC PRESERVATION OFFICER REQUIREMENTS

- THPO requires 30 day notice prior to any ground disturbances or tree removal to ensure for review and determination of what level of survey is needed to better protect the cultural, historical, and archaeological resources of the TRIBE. A THPO representative shall be present at all dig sites, regardless of size or depth of dig, in order to prevent any damage to known or potential cultural resource sites. THPO laws, regulations and executive orders are in effect.

#### INSURANCE REQUIRMENTS

- Contractor is required to provide proof of current workers Compensation Insurance with Washington State statutory limits and Employers liability Insurance.
- Contractor will provide proof of Commercial General Liability Insurance stating adequate coverage for project.
- Automobile Liability Insurance covering all owned hired and non-owned vehicles with Personal Protection Insurance and Property Protection insurance.



## **Attachment 1**

### **Request for Qualifications**

#### **Consulting Services to Identify Water Offset Projects - Feasibility Screening and Prioritization**

#### **Nisqually Planning Unit - Water Resource Inventory Area 11 (WRIA 11)**

**September 15, 2019**

#### **Introduction**

The Nisqually Planning Unit, Water Resource Inventory Area 11 (WRIA 11 Team) seeks a Consultant to further develop and evaluate water offset projects that meet the requirements of the Streamflow Restoration Act (RCW 90.94) and are aligned with the January 2019 Addendum to the Nisqually Watershed Management Plan (2019 Addendum). Priority will be given to projects that achieve multiple benefits. The Consultant should be familiar with the final Streamflow Restoration Competitive Grants Guidance document from the Department of Ecology (Public Comment draft, 8-8-2019) and the Final Guidance for Determining Net Ecological Benefit (July 2019) and use the guidance to direct further project development.

Members of the WRIA 11 Team have very generally conceptualized both habitat restoration projects and streamflow restoration projects in the 2019 Addendum. These projects require further development, evaluation, and prioritization such that a short-list of preferred projects can be selected by the WRIA 11 Team. Project characterization and evaluation should be done in a way that aligns with Net Ecological Benefits (NEB) analysis and provides cost-benefit criteria comparable across project types. Prioritized projects would then be further developed by the consultant to the extent they are ready for submission as grant applications for the 2020 grant cycle for Streamflow Restoration Act funding.

The Nisqually Indian Tribe is the Lead Entity for this project and will issue the contract to the successful Consultant.

The WRIA 11 Team project area includes all of WRIA 11, so that projects may exist in Lewis, Pierce or Thurston County or on Tribal Lands.

#### **Description of Work**

The work will occur in two phases. The consultant chosen to perform Phase I is expected to be retained to execute future phases of project development work for the WRIA 11 Planning Unit as funding becomes available.

Phase I – \$15,000

Using the general projects identified in the 2019 Addendum, the first phase of work involves a geospatial analysis overlaying the following information to determine areas where project implementation would be most beneficial and achieve multiple benefits:

1. Spatial distribution of anticipated future rural domestic households in Pierce, Thurston and Lewis County.
2. Tributaries with known streamflow deficiencies – including timing and location
3. Salmonid distribution and priority habitat reaches under ESA recovery plans and Ecosystem Diagnosis and Treatment modeling for Chinook and steelhead
4. Priority areas for habitat restoration that achieve both streamflow and salmonid benefits, including the location, timing and type of benefit
5. Map of current water right holders (WWT, 2010 and WWT, 2019)
6. Map of forestland by owner/manager and stand ages
7. Other simple screening criteria (as proposed by the WRIA 11 team and/or the consultant) that will assist the WRIA 11 team to select projects for advancement. These may include, but are not limited to:
  - a. County-identified wetland or floodplain storage projects
  - b. Fish passage barrier datasets

Additional screening data may be selected based on (1) project prioritization guidance and (2) project categories in the Streamflow Restoration Competitive Grants Guidance document as follows.

#### Project Prioritization

Proposed projects that improve stream flows are the highest priority for funding in this grant round.

- Projects that do not increase streamflow, but do benefit instream resources, are eligible. However, those types of projects will tend to be less competitive for funding.
- Projects that neither increase streamflow nor benefit instream resources will tend to be the least competitive in this grant round, and are unlikely to receive funding unless they are a critical component or phase of a broader project that does increase streamflow or benefit instream resources.

#### Project Categories (not limited to those below)

- Water rights acquisitions
- Water storage
- Altered water management or infrastructure
- Watershed function, riparian, and fish habitat improvements
- Environmental monitoring
- Feasibility studies

Based on the results of the geospatial analysis of potential project sites in areas with overlapping benefits, the consultant would then meet with a subcommittee of the WRIA 11 PU to jointly identify up to 10 projects from the 2019 Addendum that would provide the greatest local streamflow and habitat benefits. Based on the outcome of this meeting, the consultant would provide a list of up to 10 potential projects in the form of one-page mini-proposals. These proposals should include a comparative analysis



of implementation cost per acre-foot or other unit of benefit calculation, and an assessment of feasibility study needs or other pre-application requirements for managed aquifer recharge, water rights acquisitions, or water infrastructure projects identified in Ecology's Streamflow Restoration Competitive Grants guidance (draft 8-8-19).

The full WRIA 11 PU would then meet to prioritize and vote on which projects to further develop for the next round of streamflow restoration grant proposals. Full project development for grant submittal is expected to be covered by Phase II funding sources.

In addition, the Consultant is encouraged to suggest additional projects that may occur as viable options, based on knowledge gained during the project and through professional experience.

The WRIA 11 Team and Consultant will consider the project prioritization identified in the final Streamflow Restoration Competitive Grants Guidance (WA Ecology, Public Comment draft, 8-8-2019) in jointly identifying projects to be developed into one-page proposals.

### **Schedule**

The successful Consultant will propose a schedule and management approach achieves the intent of Phase I of this project by December 31, 2019.

### **Team Qualifications**

The successful Consultant will propose a team that can meet these requirements:

- Experience with the technologies, strategies, hydrogeology, habitat, permitting and engineering of projects in WRIA11 that simultaneously improve both streamflow and salmonid habitat.
- Understanding of Ecology's project scoring requirements for both Net Ecological Benefit and grant funding under the RCW 90.94 Streamflow Restoration Act.
- Experience with providing screening-level cost estimations.
- Sufficient staff capacity to provide the required work ahead of the upcoming grant cycle.

### **Cost**

The Consultant will provide a cost for the Scope of Work described above. Because of the uncertainties involved in the project, the Consultant will identify a basic Time-and-Materials cost, with typical staff hourly rates. In addition, the Consultant should identify limitations, exclusions and timing required to proceed as described.

### **Contract**

The contract will be issued by the Nisqually Indian Tribe, which will authorize the start of work, and any changes to the work. All authorizations, scope and changes must be signed by the Nisqually Indian Tribe. The primary Point-of-Contact will be George Walter of the Nisqually Indian Tribe, 360-456-5221, ext. 2136, [walter.george@nisqually-nsn.gov](mailto:walter.george@nisqually-nsn.gov).