

TRUCKEE RIVER WATERSHED COUNCIL

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March 7, 2024

REQUEST FOR PROPOSAL COLDSTREAM CANYON - COLD CREEK: BIOLOGICAL RESOURCES PRE CONSTRUCTION MONITORING SERVICES

The Truckee River Watershed Council (TRWC) seeks to hire a consultant to provide monitoring services prior to construction activities for the Coldstream Canyon Project. Specifically, the selected consultant shall complete all biological pre-construction surveys, complete construction worker trainings, and other activities as required by project regulatory permits and compliance documents.

Consulting services to encompass all labor, materials, equipment, facilities, and incidentals required for completion of the scope of work.

The consulting firm shall have demonstrated experience in biological resources construction monitoring. The consulting firm must be willing to work with the TRWC, our project partner (landowner) the California Department of Parks & Recreation (CDPR), engineering oversight team, and the selected construction contractor.

PROPOSAL DEADLINE

Proposals must be received by **5pm April 12, 2024.**

PROPOSAL SUBMISSION

Submit proposals electronically (.pdf format) to Eben Swain, Program Manager (eswain@truckeeriverwc.org).

REQUESTS FOR ADDITIONAL INFORMATION

Direct all questions to Eben Swain at TRWC, eswain@truckeeriverwc.org or (530) 550-8760 x 7#. All requests must be received by 5pm on March 29, 2024.

RESPONDING TO MULTIPLE RFPS

In 2024, TRWC will release several Requests for Proposals (RFP) and Requests for Bids (RFB) for restoration design, construction, environmental compliance, permit assistance, and the like. We appreciate that some firms may wish to respond to multiple RFPs & RFBs. To help with proposal and bid preparation, we offer the following:

1. **Responding to Multiple RFPs/RFBs.** Firms may respond to multiple RFPs and RFBs. In the vast majority of our projects, a firm will not be prevented from bidding on future work if they participate in current work. In the rare case where this prohibition exists, we will state the prohibition in the current RFP/RFB.
2. **Lead Firm vs. Subcontracted Firm.** We understand and accept a given firm may be the lead in one response and a subcontractor in another response.
3. **Respond Uniquely to Each RFP/RFB.** Each of our projects has a unique combination of partners, stakeholders, funders, constraints, opportunities, and timelines. Due to the characteristics of each project, we purposely release separate RFPs/RFBs. Firms must submit a response to each RFP or RFB to be considered. While we appreciate that a firm might be able to offer efficiencies if we combined projects, the unique blend of characteristics of each project prevent us from combining projects more than has already been done.
4. **Repeating Information Across Multiple Responses.** We understand and accept that information about the firm, its staff, past work, references, work approach, and the like may be repeated, perhaps even word for word, across multiple responses.

INTRODUCTION AND BACKGROUND

The Project is located within Coldstream Canyon, a 12.5 square-mile watershed near Truckee, California. Coldstream Canyon is located to the south of Donner Lake and Donner Memorial State Park campground in unincorporated Placer County. All properties where project work will take place are owned and managed by CDPR.

The basis for this restoration project is found in the Coldstream Canyon Watershed Assessment (TRWC 2008). The full assessment report may be found at: https://www.truckeeriverwc.org/wp-content/images/documents/Coldstream_Canyon_Watershed_Assessment.pdf

Coldstream Canyon has a long history of human use. Legacy impacts include those associated with the construction of the Central Pacific Railroad in the 1860s; extensive logging in the watershed in the late 1800s and early 1900s, and gravel mining in the lower part of the watershed in the 1960s and 1970s. These legacy activities have led to water quality and ecosystem impacts that include excessive erosion and sedimentation throughout the watershed as well as diminished riparian habitat.

The Coldstream Canyon Restoration project is a stream channel, floodplain and riparian restoration project, designed to restore degraded sections of Cold Creek. The project will restore pre-disturbance hydrology: elevating the shallow groundwater table, restoring floodplain access, and increasing riparian vegetation habitat.

Project goals include:

- Enhance riparian vegetation and riverine habitat to restore ecosystem integrity.
- Create floodplain terraces to reduce flow velocities, reduce impacts of flooding and allow for balanced sediment deposition and transport.
- Reduce channel incision in the severely degraded reaches of Cold Creek to increase groundwater levels and reconnect channel/floodplain interaction.
- Stabilize actively eroding streambanks along the degraded reach to prevent further migration of large episodic sediment pulses to the lower undisturbed reaches.

The Project includes the following restoration activities:

- Riparian/floodplain expansion through removal of steep cut streambanks and incised channel conditions.
- Installation of bank protection and roughness log structures to protect streambanks from continued erosion
- Installation of large wood/rock complex structures designed to increase sediment deposition and protect against erosion.
- Installation of riffle grade control structures and boulder step-pools to hold channel grade and reduce incision.

Full restoration design plan sets will be provided to the selected consultant prior to any field or survey work.

This Project will be constructed in summer/fall of 2024 and biological resource surveys will need to align with the proposed construction schedule and with standard timing requirements stipulated by California Department of Fish and Wildlife (CDFW).

Project permits have been issued and approved for this project and will be provided to the selected consultant team prior to any fieldwork. Project permits include California Environmental Quality Act (CEQA), 401 Water Quality Certification, Section 1602 Lake and Streambed Alteration Agreement, and Section 404 Nationwide Permit.

The project's CEQA and environmental regulatory permits require that Standard Project Requirements be implemented as related to biological resources. The scope of this RFP relates to those project requirements.

WORK TO BE COMPLETED

Consultant will conduct a biological clearance survey prior to project implementation and will also conduct pre-construction biological surveys (Table 1), including surveys for nesting birds, Western Willow Flycatcher, special status plant surveys and bat habitat assessment. Consultant will also develop and implement a Worker Environmental Awareness Program (WEAP) and will conduct a training for all project personnel. Consultant will work closely with the project team to determine an appropriate person to serve as construction monitor during project implementation activities and will be available for consultation or site visits in the event that any sensitive species are discovered during implementation.

The following tasks (1-5) provide a complete scope of work.

Task 1: Project Management

The Consultant will manage tasks presented in this scope of work including meetings, fieldwork, preparation and submittal of deliverables, and coordination with TRWC and construction personnel, as required.

Task 1 Deliverables

- Project launch meetings with TRWC and the CDPR
- WEAP training and meeting participation
- Anticipate two additional on-site meetings with TRWC, CDPR and contractor team.
- Phone calls and email correspondence will take place from May – October as needed to clarify work tasks, survey results or timing of project implementation.
- Quarterly invoices and progress reports

Task 2: Pre Construction Surveys

The Consultant shall complete various pre-construction surveys as required by CDFW and the guiding CEQA document. These are summarized in Table 1.

Consultant will coordinate with TRWC and CDPR to review site characteristics and determine geography and timing of the applicable surveys noted in Table 2. This task will be completed prior to conducting survey/field work.

Table 2: Pre Construction Surveys to be Completed

Parameter	Scope
Biological Clearance Survey	<p>Within three (3) calendar days prior to starting project activities, a Designated Biologist shall survey the project site for fish and wildlife species. The Designated Biologist will make observations of species observed and any sensitive resources.</p> <p>The Designated Biologist shall take extra precaution in surveying for amphibians and reptiles, including but not limited to southern long-toed salamander, Sierra garter snake, and rubber boa. The Designated Biologist shall assess any species or sensitive resources encountered during surveys and prepare a site-specific report that summarizes these findings for CDFW review.</p> <p>The report shall include a Designated Biologist recommended plan for avoiding and minimizing impacts to fish and wildlife. The plan may include measures for high visibility flagging of sensitive/avoided plant species, temporary no disturbance areas, etc.</p> <p>Any additional measures included in the approved plan shall be implemented during project activities. This report may overlap with other requirements of other measures listed below.</p>
Nesting bird survey	<p>Contractor shall survey the area within a minimum 500-foot (for migratory birds) and minimum 1/2-mile (for raptors) radius around the project area.</p> <p>The results of the survey shall be provided to CDFW upon completion. The survey shall be conducted no more than 10 days prior the beginning of project-related activities.</p> <p>Active Nests: If an active nest is found, active nests shall be avoided, and a no disturbance or destruction buffer shall be determined and established by a Designated Biologist. The buffer shall be kept in place until after the breeding nesting season or the Designated Biologist confirms the young have fledged, are foraging independently, and the nest is no longer active for the season.</p> <p>The extent of these buffers shall be determined by the Designated Biologist and will depend on the species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers.</p>
Western Willow Flycatcher	<p>Contractor shall conduct at least one (1) Western Willow Flycatcher (<i>Empidonax traillii</i>) protocol survey prior to construction. Protocol-level surveys shall be conducted according to <i>A Willow Flycatcher Survey Protocol for California</i> (Bombay et al., 2003) or other most</p>

	<p>recent agency-approved or preferred protocol.</p> <p>The results of the survey shall be provided to CDFW upon request. If willow flycatchers are detected, work shall be suspended, and CDFW notified. Work may not re-initiate until the Permittee has consulted with CDFW and can demonstrate compliance with CESA. Survey results will be submitted to TRWC and to CDFW. A 300-foot buffer area will be established until August 31 or the nests are inactive.</p>
Special Status Plant Surveys	<p>The Consultant's qualified biologist shall perform a pre-construction survey for the special status plant species listed in Attachment 1.</p> <p>If special-status plants are discovered during this survey, the Permittee shall coordinate with CDFW to develop a plan for avoiding project impacts to special-status plants. The project may not commence until an avoidance and minimization plan is approved by CDFW. If no special-status plants are found, project activities may proceed as scheduled.</p>
Sierra Nevada mountain beaver and snowshoe hare	<p>The Consultant's qualified biologist shall survey the areas of riparian vegetation within the project area for Sierra Nevada mountain beaver and snowshoe hare prior to construction. If necessary, TRWC shall submit survey results to CDFW. The Consultant shall establish a 500-foot non-disturbance buffer around nests or burrow sites and implement any other avoidance or impact minimization measures necessary to preserve species and habitat.</p>
Bat Habitat Assessment	<p>Prior to tree removal, the Designated Biologist shall assess potentially affected bat habitat, as determined by the Designated Biologist, within 150 feet of Cold and Emigrant Creeks. The results of the bat habitat assessment shall be submitted to CDFW upon request and may include: 1) the location of any roosting sites 2) the number of bats present at the time of visit (count or estimate) 3) species of bat present, to the maximum extent identification is feasible. If suitable habitat or actively used habitat is found, a site-specific avoidance, minimization, and/or mitigation plan shall be prepared for review and acceptance by CDFW. This plan shall be submitted prior to starting construction activities that could impact bats or bat habitat.</p>

Task 2 Deliverables:

- Biological Clearance Survey – summary of findings and report detailing a recommended plan for avoidance and minimizing impacts to fish and wildlife
- Nesting bird survey & resulting findings and results. If necessary, provision of mapped buffer zones and avoidance measures.
- Western Willow Flycatcher survey results and findings, and if necessary, implementation of required protection measures
- Special status plant survey results and implementation of required protection measures
- Bat Habitat Assessment and results and findings. Avoidance, minimization and/or mitigation plan if necessary.

Task 3: WEAP Development & Trainings

The Consultant shall develop and implement a Worker Environmental Awareness Program (WEAP) for all project personnel involved with disturbance. The WEAP shall:

- Include a review of the special status species and other sensitive resources that exist in the project area, including the locations of sensitive biological resources and their legal status and protections, and measures to be implemented for avoidance.
- Provide instruction on appropriate protocol in the event that special status species are encountered while conducting work.
- Emphasize the need to avoid entry into areas where biological resources have been identified based on pre-disturbance field surveys and to implement the buffer avoidance or other protection measures in accordance with CDFW and USFWS requirements and with the required Standard Project Requirements included in the project's IS/ND.
- Instruct personnel regarding the recognition of cultural and heritage resources per the IS/ND

The Consultant shall maintain a record of all trained personnel.

Task 3 Deliverables:

- Draft WEAP for TRWC review
- Final WEAP
- Present to project team and provide record of project personnel that received WEAP training

Task 4: Construction Monitor and Consultation

*** We anticipate that the requirements detailed in Task 4 above will be incorporated into the initial report developed as a component of the Biological Clearance Survey and can be conveyed to appropriate project team members during the WEAP training (Task 3). The primary role of selected consultant for Task 4 will be to identify likelihood of sensitive species being present and determine appropriate avoidance and mitigation measures if presence is found or likely.**

Consultant will work closely with the project team to determine an appropriate person to serve as construction monitor during project implementation activities and will be available for consultation or site visits in the event that any sensitive species are discovered during implementation.

Per CDFW requirements, the following tasks will need to be completed during times when construction activities are active:

- **Daily Clearance Survey and Necessary Relocation of Stranded Wildlife.** Before the start of daily project activities, the Designated Biologist or construction monitor shall survey the project area to ensure wildlife incidentally trapped due to project activities are allowed to escape or, if necessary, captured and moved out of harm's way. Measures shall be taken to avoid harm and mortality resulting from relocation activities. This condition does not allow for the take or disturbance of any listed species.
- **Relocation Out of Harm's Way During Construction.** If any wildlife is encountered during the course of construction, said wildlife shall be allowed to leave the construction area unharmed. If needed, the Designated Biologist, or construction monitor, may guide, handle, or capture an individual non-listed wildlife species to move it to a nearby safe location within nearby

refugium, or it shall be allowed to leave the project site of its own volition. If the wildlife species is discovered or is caught in any pits, ditches, or other types of excavations, it shall be released it into the most suitable habitat nearby the site of capture. Measures shall be taken to avoid harm and mortality resulting from relocation activities.

- **Wildlife Records.** A record shall be maintained of all fish and wildlife relocated out of harm's way. The record shall include the date of capture, the method of capture, the location of movement relation to the project site, and the number and species moved. The record shall be provided to CDFW within two weeks of the completion of the work season or project activities, whichever comes first.
- **Special-Status Species encountered during work.** If the Permittee encounters any special-status species during project activities, work shall be suspended, CDFW notified, and conservation measures shall be developed in agreement with CDFW prior to re-initiating the activity. If during project activities, the Permittee encounters any species listed pursuant to the California Endangered Species Act (CESA).

EXPECTED SCHEDULE

Task	Completion Date
Proposals due	April 12, 2024
Interviews	April 15-19, 2024
Contract award (expected)	May 1, 2024
Project launch meeting(s)	May 16, 2024
Draft WEAP	June 1, 2024
Final WEAP	June 15, 2024
Pre-Construction Surveys	July 1, 2024 - Aug. 15 2024
WEAP Trainings*	July 1, 2024 – Oct 15, 2024
Construction start (estimated)*	August 1, 2024
Construction completion	October 15, 2024

**Note- construction schedule is pending until submitted from construction contractor and approved by TRWC and CDPR.*

PROPOSAL FORMAT

Please limit proposals to 20 pages or less. Concise writing and graphics are greatly appreciated.

Detailed Work Plan

Scope: Define specifically the scope of services to be provided to complete the work tasks described above. The contractor may elect to suggest modifications to the scope or schedule above to provide work or cost efficiencies.

Include estimated schedule of the major tasks to be accomplished.

Objectives: Identify and discuss briefly the specific objectives you will achieve through the conduct of the services within the project, as defined and specified above.

Detailed work approach: Discuss in detail each of the activities you will conduct to achieve the scope and objectives defined and identified above. Please specifically address work components outlined in the “Work to be Completed” section above, and elaborate as needed. Modifications to the components listed in the work statement can be included. Technical merit and details of work proposed will be heavily weighted in proposal evaluation.

Cost Proposal

Personnel costs: Itemize by task to show the following (include subcontractors):

- Name and title
- Estimated hours per staff person, per task
- Rate per hour
- Total cost per task

Support costs: supplies, printing, postage, etc.

Transportation: Travel expenses directly related to the contract services. Mileage must be charged at the current IRS rate.

Other costs: Show costs and expenses that do not fall within the other categories.

General overhead and administrative charges not allowed.

Background and References

Include experience in biological resources, provide particular detail on experience related to pre-construction surveys for sensitive plant/animal species, associated protection measures and demarcation of archaeological sites. List specific projects that demonstrate this experience and include discussion of performance.

Include a duty statement and resume of each key person to be assigned to the project, by name and title, with experience in pertinent fields. If subcontractors will be used, include a description of those persons or firms including a description of their qualifications.

Provide a minimum of three references for similar projects, with name and phone number.

Contract Terms and Agreements

Once a contractor is selected, TRWC will negotiate a satisfactory contract and reasonable fee for the services needed. In the event a satisfactory agreement cannot be negotiated with the top ranked qualified firm, the negotiations shall be terminated with the firm and the negotiations continued with the remaining qualified firms in order of their ranking. When the contract is awarded, these terms will apply:

Payments

Payments for services performed shall be made in arrears upon receipt and approval of contractor's detailed invoices indicating costs and obligations incurred and services rendered to date. Payments will be made quarterly.

Funding for this contract is provided by the State of California and by private foundations. TRWC is a grantee and invoices quarterly (March 31, June 30, Sept. 30th, and Dec. 31st) for work completed. The obligation of TRWC to pay its subcontractors shall be subject to and conditioned upon its receipt of payment from the funder. Implied or stated in TRWC's agreement with the grantor is that payments are subject to the availability of funds.

Changes in Personnel

Contractor's key personnel as indicated in contractor's response to this RFP may not be substituted without the written consent of the TRWC Project Manager. This will be monitored and enforced by TRWC.

Termination for Convenience

TRWC may, at its option, terminate the contract at any time upon thirty (30) day written notice to contractor. Contractor may submit written request to terminate only if TRWC should substantially fail to perform its responsibilities as provided in the contract. If terminated, contractor will be compensated for costs incurred up to the time of the termination notice for work satisfactorily completed. In no event shall payment of such costs exceed the contract price.

Unique Billing of Work

All work produced for the project will be original for TRWC, and will not have been billed to other clients previously. Work produced under the contract with TRWC will be billed only to the contract with TRWC and not to other clients or funders.

Liability Insurance

Contractor shall provide before entering the premises and shall maintain in force during the term of this contract the following liability insurance:

- General Liability
- Motor Vehicle Liability

Each policy of liability insurance described above shall be in an amount of not less than one million dollars (\$1,000,000) per occurrence for bodily injury and property damages combined. TRWC and California Department of Parks and Recreation will need to be noted as additionally insured on insurance policy.

Quarterly Progress Reports

Contractor to provide quarterly progress reports and meet with TRWC representatives upon reasonable notice to allow TRWC to determine if the contract is on the right track, whether the project is on schedule, provide communication of interim findings, and afford occasions for airing difficulties or special problems encountered so that remedies can be developed. All reports will be in Microsoft Word or Adobe pdf format. Data shall be provided in Microsoft Excel files as appropriate. If GIS shapefiles, layers and associated data are developed, all data will be projected to NAD 83 Zone 10N.

ATTACHMENTS

1. [CNDB Sensitive Plant Species – Required Species Survey](#)
2. [Project Location](#)