

Tuolumne River Trust
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Sonora, CA 95370
209-588-8636
www.tuolumne.org

February 23, 2024

REQUEST FOR PROPOSAL

**BASSO/LA GRANGE REACH FLOODPLAIN AND SPAWNING HABITAT RESTORATION PROJECT PHASE 1 :
RFP FOR SAMPLING FOR AQUEOUS MERCURY AND SOIL MERCURY PROJECT**

The Tuolumne River Trust (TRT) is inviting Contractors to submit competitive proposals for aqueous total mercury, aqueous methylmercury, and mercury soil sampling before, during, and after a salmon habitat restoration implementation project on the Tuolumne River near the town of La Grange, CA. The successful bidder will develop a plan and implement mercury sampling that satisfies the requirements that are spelled out in the Water Quality Monitoring Plan and RWQCB NOA requirements that are attached in the bid package.

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

The Contractor shall have demonstrated experience in developing and implementing all the requirements that are involved in the mercury sampling needs. The Contractor must be willing to work with TRT, our project partners and landowners the California Department of Fish and Wildlife (CDFW) and County of Stanislaus, engineering oversight team led by FlowWest, and the construction Contractor TBD.

Date:	Description:
February 23, 2024	Invitation for Bids Issued
March 8, 2024	Bids Due
March 11, 2024	Bid Opening
March 12, 2024	Written Notice of Intent to Award Contract
March 17, 2024	Written Notice of Award Contract

March 29, 2024	Deadline to Sign Agreement
April 1, 2024	Earliest Start Date
April 5, 2024	Contractor Launch Meeting
July 15, 2024, September 15, 2024, January 15, 2024, April 15, 2025, July 15, 2024, and September 15 2025.	Quarterly update reports until all work is complete
December 31, 2025	Deadline to Complete All Work. Final closeout summary report due.

PROPOSAL DEADLINE

Proposals must be received by 5:00pm, Thursday, March 7, 2024.

PROPOSAL SUBMISSION

Submit proposals by mail to the following address:

TRT (c/o Restoration Director)
P.O. Box 3727
Sonora, CA 95370

Proposal and cost estimate must be provided in separate envelopes. Proposals with a cost estimate included in the same package as the proposal will not be considered.

REQUESTS FOR ADDITIONAL INFORMATION

Direct all questions to Julia Stephens at TRT at julia@tuolumne.org , or 209-588-8636. All requests must be received by NOON on Monday, March 4, 2024. All questions relevant to the project will be posted with answers on the RFP page on TRT’s website.

As needed, addenda to this RFP will be posted on TRT’s website (www.tuolumne.org). All interested contractors who ask to be notified of updates to the RFP will be notified about any addendas.

INTRODUCTION AND BACKGROUND

Project Overview

In April 2021, the California Department of Water Resources (DWR) approved San Joaquin Fish Population Enhancement Program (SJFPEP) grant funding for the design, construction, and monitoring of the Basso/La Grange Reach Floodplain Restoration Project (the “Project”). The goals of the grant

program are to enhance populations of native fish in the lower San Joaquin River watershed and reduce the vulnerability of native fishes at all life stages within or upstream of the Delta.

The Basso/La Grange Phase 1 Restoration Project would create new habitat for Fall-run Chinook Salmon and *O. mykiss* in the Tuolumne River in an area with extensive armored floodplains disconnected from the river channel. Floodplain surfaces would be lowered, improving juvenile salmonid rearing habitat. Coarse sediment from excavated floodplain will be used to create spawning habitat and stockpiled for future phases of the project. Two ponds harboring invasive predatory fish will be filled, and remnants of an old haul road bridge will be removed from the river. The project will also enhance aquatic microhabitats and stabilize the channel through the addition of native, riparian vegetation.

The Basso/La Grange Phase 1 Restoration Project Area is within the spawning area of both fall-run Chinook Salmon (*O. tshawytscha*) as well as resident and anadromous *O. mykiss*. Populations of both species have declined significantly since the 1960s. During the first half of the 1900s, the Tuolumne River channel and floodplain were dredged for gold. Dredger tailines were scraped and hauled away to build Don Pedro Dam in the 1960's, leaving behind cobble-armored floodplain surfaces elevated and hydrologically disconnected from the river channel. These areas remain largely barren, unproductive surfaces with exposed coarse sediment/cobble and little or no soil layer. In addition to floodplain impacts, dredger mining converted numerous low-gradient riffles highly conducive to Chinook Salmon spawning and rearing habitat to a smaller number of high-gradient riffles that were separated by long backwater pools. The steeper riffles were not as suitable for spawning. Due to this degradation, restoration of the Basso Project Area is identified as high priority in the Habitat Restoration Plan for the Lower Tuolumne River Corridor (McBain and Trush 2000). The overarching goal of this project is to improve the geomorphic, hydrologic, and biologic functionality of the Tuolumne River, and improve the viability of fall-run Chinook Salmon and Central Valley Steelhead. The primary objectives for this project overall are to create floodplain rearing habitat for juvenile fish, create spawning habitat and gravel stockpiles for future maintenance activity needs with suitable excess material, reduce non-native predatory fish habitat, restore geomorphic function and sediment transport, and to increase aquatic microhabitats, food sources, and add stability to the channel by planting native riparian vegetation.

The project improves ecosystem level function (improved riparian habitat, improved sediment transport) and provides functional floodplains that can accommodate flood flows. The project primarily benefits anadromous fish (Chinook Salmon, *O. mykiss*, Pacific lamprey) although we anticipate it will also benefit amphibians (Western Pond Turtle, Foothill Yellow-legged Frog, CA Tiger Salamander, etc), reptiles, and avian species.

Phase 1 will create 3.14 acres of high Floodplain habitat, 1.86 acres of low floodplain habitat, 2.24 acres of riffles will be constructed in-channel, and ~27,000 native plants will be planted in Phase 1 project area emergent, riparian, transition, and upland zones. The plant zones were distinguished based on the depth to groundwater. The Phase 1 revegetation plan will plant ~2 acres of infill, ~11 acres of seed and mulch, and 4 willow clumps (3-4 willow cuttings per clump).

This project will be constructed during the summer and fall of 2024, with construction anticipated to begin June 15, 2024 and continuing until October 15, 2024, but possibly until the end of 2024 depending on construction schedules.

The project is covered by regulatory permits and authorizations which require monitoring and mitigation measures related to water quality. The scope of this RFP relates to those required measures.

Relevant Attachments to Bid Package

- Attachment 1: Notice of Applicability (401 permit) from the Regional Water Quality Control Board for the Basso La Grange Reach Floodplain Restoration And Spawning Habitat Project
- Attachment 2: Basso/La Grange Reach Floodplain and Spawning Habitat Restoration Project Water Quality Monitoring Plan
- Attachment 3: Attachment D - Screening Requirements
- Attachment 4: Basso/La Grange Reach Floodplain And Spawning Habitat Restoration Project Phase 1, 100% Design (Attachment 1)
- Attachment 5: Phase 1 project design elements - shapefile package and .kmz

WORK TO BE COMPLETED

The project site is located in La Grange, California, near the Tuolumne River, and there are project areas to be excavated and sampled. Past land use in the area consisted of mining. Due to this it is anticipated that old dredge tailings consisting of cobbles will be encountered at the surface and be underlain by gravel and sand. Environmental monitoring for the project includes specific sampling and analyses required by the Regional Water Quality Control Board (see Attachment 1) of fine-grained soil (grain size less than 63 microns; silt and/or clay) representative of the entire depth and volume to be excavated. A soil Sampling and Analysis Plan (SAP) will be required to provide the project-specific procedures for collecting samples from the soil, sample chain of custody, and analytical requirements. Additionally, following protocols specified in the Project's Water Quality Management Plan (Attachment 2), Aqueous Total Mercury and Aqueous Methylmercury sampling will be conducted upstream, within, and downstream of the project site once prior to construction, every 6 months during construction and monthly for 1 year after.

Task 1 - Project Management

The Contractor will manage tasks presented in this scope of work including meetings, fieldwork, preparation and submittal of deliverables, and coordination with TRT and project team members, as required.

Contractor shall provide quarterly progress reports and meet with TRT representatives upon reasonable notice to allow TRT 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 or geospatial files as appropriate.

Task 2 – Pre-Field Activities: Site Visit, Prepare HASP, USA North 811, Prepare Sampling and Analysis Plan, Coordinate Consultation with CVWB Staff, and Permits

- Consultation with the Central Valley Water Board (CVWB) staff to discuss specific monitoring locations, and get sites approved by CVWB.
- Preparation of a Site-Specific Health and Safety Plan (HASP) to provide health and safety protocols and procedures related to subsurface exploration activities and environmental sampling.
- Drilling locations communicated with the Underground Service Alert (USA) North 811 to provide underground utility clearance for all explorations.
- Prepare a Sampling and Analysis Plan (SAP) to guide sampling, analyses, and reporting. Plan will be reviewed, possibly modified, and approved by the CVWB.
- Soil boring permits with Stanislaus County Department of Environmental Resources for the explorations proposed for this project.

Task 3 – Sediment Total Mercury Sampling

The Contractor under this project will develop and implement a plan to meet the following task to comply with the *State Water Resources Control Board (State Water Board) Order No. WQ 2022-0048-DWQ, Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide (General Certification Order) (Attachment 1)*: “Prior to construction activities, the Permittee [or the Project’s Contractor on behalf of Permittee] shall submit a mercury sampling plan [provided by Contractor] for Central Valley Water Board staff approval. The plan shall include procedures and descriptions of locations and frequency for sediment total mercury sampling.

Sampling for total mercury in sediment [by Contractor] shall occur prior to construction activities for excavated material that will be placed as fill into waters of the state, and after construction activities are complete in areas that contain fine grained sediments (grain size less than 63 microns) that will be inundated. Samples must be representative of the entire depth and volume to be excavated. Prior to the submittal of the commencement of construction notification, the Permittee [and/or the Project’s Contractor on behalf of Permittee] shall consult with Central Valley Water Board staff to establish the specific total mercury sediment monitoring locations. If the median concentration of total mercury on fine grained sediments (grain size less than 63 microns) is greater than 0.1 mg/kg [dry weight], the Permittee [or the Project’s Contractor on behalf of Permittee] shall submit for approval a mercury-contaminated sediment management plan. The mercury-contaminated sediment management plan shall describe actions the Permittee will implement to isolate, remove, and/or prevent downstream transport of mercury-contaminated sediments once flows are reestablished in the graded areas. The Permittee is required to implement the plan upon approval.

After each sampling event, the Permittee [or the Project's Contractor on behalf of Permittee] shall submit the laboratory results to Central Valley Water Board staff and upload the results to the California Environmental Data Exchange Network's website (<http://www.ceden.org/>). Water Quality Monitoring Templates for data submittal can be found on the same website."

Within the Phase 1 project area the areas to be excavated are in the geospatial area defined as High Floodplain, shown in the Project Design (Attachment 4) and geospatially referenced in the files found in Attachment 5.

Task 4 - Aqueous Total Mercury, Aqueous Methylmercury Sampling

The Contractor under this project will develop and implement a plan to meet the following task for Mercury under the Project's *Water Quality Monitoring Plan* (Attachment 2): "Aqueous Total Mercury and Aqueous Methylmercury sampling will be conducted upstream, within, and downstream of the project site once prior to construction, every 6 months during construction and monthly for 1 year after. Sampling for aqueous total and aqueous methylmercury shall occur at sampling points located upstream outside of the influence of the project, a minimum 300 feet downstream from the project area, and at a minimum of one strategic location within the Project area that has a high potential for mercury methylation.

The mercury sampling locations will be submitted to the RWQCB for approval prior to first sampling.

Aqueous total and aqueous methylmercury sampling will occur at the same locations throughout the sampling period. After each sampling event, TRT [or the Project's Contractor on behalf of Permittee] will submit the laboratory results to Central Valley Water Board staff and upload the results to the California Environmental Data Exchange Network's website (<http://www.ceden.org/>).

BUDGET

While there is no set budget for the project, cost effectiveness will be considered heavily during proposal evaluation.

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 above described tasks.

The Contractor may elect to suggest modifications to the scope or schedule above. Include estimated time 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 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

Itemize cost per task based on time and materials

Background and References

Include experience in mercury sampling in support of construction projects. Provide detail on experience and qualifications conducting the Tasks described in the Scope of Work. List specific projects that demonstrate this experience and include discussion of performance. Include a duty statement and brief resume of each key person to be assigned to the project, by name and title, with experience in pertinent fields. Include necessary working licenses and permits. 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 three similar projects, with name and phone number.

Proposal Evaluation

Proposals that meet the specified Proposal Format will be evaluated for cost effectiveness, experience, completeness of proposal, and quality of proposal.

Proposal Scoring Criteria for Evaluation of Bids

1. Completeness of Proposal

Scoring Method: Pass / Fail

Weight (Points): 5 (5.3% of Total)

2. Qualifications

Scoring Method: 0-5 Points

Weight (Points): 35 (26.3% of Total)

3. Service Delivery/Methodology/Approach

Scoring Method: 0-5 Points

Weight (Points): 30 (31.6% of Total)

4. Reasonable Cost of Service

Scoring Method: 0-5 Points

Weight (Points): 25 (36.8% of Total)

CONTRACT TERMS AND AGREEMENT

Once a Contractor is selected, TRT 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

Tuolumne River Trust shall submit invoices to the Department of Water Resources by the 30th of each month for release of funds. Contractor agrees to receive payment from Tuolumne River Trust after Tuolumne River Trust receives funds from DWR. Tuolumne River Trust agrees to pay the Contractor

within 14 days of receipt of said funds. The obligation of TRT to pay its Contractors shall be subject to and conditioned upon its receipt of payment from the funder.

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 TRT Project Manager. This will be monitored and enforced by TRT.

Termination for Convenience

TRT may, at its option, terminate the contract at any time upon thirty (30)-day written notice to the Contractor. Contractor may submit a written request to terminate only if TRT 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 TRT, and will not have been billed to other clients previously. Work produced under the contract with TRT will be billed only to the contract with TRT 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.

RESPONDING TO MULTIPLE RFPS

In 2024-2026, TRT 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 Contractor 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.