

REQUEST FOR PROPOSALS
Biological Monitoring for the
Proctor Valley ORV Site B Vernal Pool Habitat Restoration Project
October 1, 2018

DEADLINE FOR PROPOSALS: October 26, 2018, 5pm

Maximum bid: \$50,000.00

Optional Site Meeting: October 18 or 19, 2018 (To be determined)

The Chaparral Lands Conservancy (TCLC) is requesting proposals from qualified professional contractors for biological monitoring services to track the results of TCLC's Proctor Valley ORV Site B Vernal Pool Habitat Restoration Project over two - three years.

Background

TCLC is a non-profit organization with a mission to protect shrubland ecosystems as an integral and beautiful feature of California's natural landscape through land preservation and stewardship. TCLC was founded in 2009 to advance the conservation of shrublands, related ecosystems, dependent plants and animals and especially endangered species through acquisition of land and/or management rights, habitat restoration and enhancement, stewardship, research, and education (www.chaparralconservancy.org).

TCLC has received grants to conduct the Proctor Valley ORV Site B Vernal Pool Habitat Restoration Project to enhance and restore thirteen acres of vernal pools and associated uplands in southern San Diego County, California. The Project is located in Proctor Valley on the Otay Lakes Cornerstone Lands, a preserve owned by the City of San Diego Public Utilities Department (City) and is managed by TCLC as the ORV Site B. (Please see figures 1 and 2 in Attachment 1, *Restoration, Enhancement, and Monitoring Plan Proctor Valley ORV Site B Vernal Pool Habitat Restoration Project I*; "Restoration Plan"). The site has been damaged by past off-road vehicle activity yet still provides a great opportunity for enhancement and restoration of vernal pool habitat and nearby uplands vegetation. Overall intact natural terrain and soils are ideal for enhancement and restoration of vernal pools and endangered and sensitive vernal pool animals and plants and uplands coastal sage scrub and native grassland vegetation.



TCLC has completed all planning and permitting and has received an entry permit from the City to proceed with implementation of the habitat restoration project. Restoration activities to dethatch weed cover and install and maintain container plantings have been underway since 2015 and grading to enhance and restore vernal pools and conduct other habitat and species restoration activities will be conducted from autumn 2018 through summer 2021. From 2010 through 2017, TCLC and contractors have conducted periodic monitoring of baseline conditions for vernal pools, vernal pool species, and uplands vegetation.

Scope of Services

TCLC is seeking a qualified professional contractor to conduct biological monitoring of vernal pools, vernal pool species, and upland habitats on the Proctor Valley ORV Site B Vernal Pool Habitat Restoration Project to inform adaptive management decisions and to track implementation of project goals (Monitoring Project). Field work for the Monitoring Project will be conducted during wet and growing seasons between the months of November and June and annual and final reports will be prepared between July and September. The entire Monitoring Project will be conducted for two or three years from November 2018 through September 2020 or 2021 with the final year depending on environmental conditions, available funding, and costs. This RFP anticipates the Monitoring Project will be conducted in accordance with monitoring activities described in section 2.8 of the Restoration Plan (Attachment 1) and include:

- Vernal pool hydrology monitoring
- Fairy shrimp monitoring (including annual reports to USFWS)
- Vernal pool fauna monitoring
- Vernal pool flora monitoring
- Uplands flora monitoring
- Photograph monitoring
- Qualitative monitoring
- Annual & final reports

Terms & Conditions

- The selected contractor shall implement the Monitoring Project as described in section 2.8 of the Restoration Plan (Attachment 1) between November 5, 2018 and September 30, 2020 or 2021 with the final year depending on environmental conditions, available funding, and cost.



- The selected contractor shall provide the required fairy shrimp 15-day pre-survey notification to U.S. Fish and Wildlife Service and to initiate Project Monitoring no later than November 5, 2018.
- The selected contractor shall deliver services outlined in this RFP and described in section 2.8 of the Restoration Plan (Attachment 1) for time and materials not to exceed \$50,000. All costs associated with Monitoring Project implementation (e.g. labor, materials, meetings, travel, administration, insurance, etc.) shall be included in this amount.
- Proposals shall name and describe the qualifications of a supervising biologist with the authority to direct Monitoring Project work.
- Proposals shall name and describe the qualifications of other participating biologists including a biologist qualified to identify San Diego County vernal pool fauna and a botanist qualified to identify San Diego County vernal and uplands flora. The biologist qualified to identify San Diego County vernal pool fauna may be a subcontractor.
- Fairy shrimp and vernal pool fauna monitoring shall be conducted by a certified biologist holding a valid federal Endangered Species Act Section 10(a) permit for Riverside and San Diego fairy shrimp.
- The selected contractor shall implement the Monitoring Project in accordance with direction by a management team consisting of contractor's supervising biologist and TCLC's project manager.
- The selected contractor shall accept the terms of the attached draft Agreement for Services (Attachment 2).
- The selected contractor shall comply with all permits and grant agreements for the Proctor Valley ORV Site B Vernal Pool Habitat Restoration Project. Permits and grant agreements are available to applicant upon request and will be attached to the Agreement for Services).
- The Project is subject to California Prevailing Wages.
- The selected contractor shall provide proof of required insurance upon execution of the Agreement for Services.
- The selected contractor shall not discriminate against any person on the basis of race, color, ancestry, religious creed, national origin, disability, medical condition, age, marital status, sex, gender identity, or sexual orientation.
- TCLC reserves the right to reject any or all proposals or to accept any proposal.
- Proposals shall remain valid for a minimum of 60 days.
- TCLC shall not reimburse applicants for any expenses incurred in preparation of proposals.



- Proposals are considered public information.

Eligible Applicants

Eligible applicants include any qualified professionals with documented experience in monitoring the results of vernal pool and uplands habitat restoration projects. Eligible applicants shall include a certified biologist holding a valid federal Endangered Species Act Section 10(a) permit for Riverside and San Diego fairy shrimp, a biologist qualified to identify other San Diego County vernal pool fauna, and a botanist qualified to identify San Diego County vernal and uplands flora. The biologist qualified to identify San Diego County vernal pool fauna may be a subcontractor subject to approval by TCLC.

Application Procedures

Complete proposals shall include the following elements:

- One-page cover letter of interest.
- A description of contractor company qualifications and qualifications of contractor team members including qualifications and experience related to the Monitoring Project, eligibility requirements, and describing similar projects performed.
- An itemized budget identifying the costs of labor, equipment and materials, travel, and any other projected costs. (Please see Attachment 2 Detailed Budget Format.) The budget should identify each expense item, unit of measurement (e.g. "hour" for labor or "mile" for travel), the number of units, and total cost for each expense item and Monitoring Project overall. The total Monitoring Project cost shall not exceed \$50,000.
- List of references knowledgeable of contractor's work, especially clients with similar projects, including current contact information.
- List of assumptions and any excluded tasks, equipment, and materials.
- Any other information demonstrating applicant's interest and qualifications.
- Proposals shall not exceed ten pages (excluding any resumes).

Applicants are invited to attend a site meeting for the Monitoring Project. Potential applicants should notify TCLC of their intent to attend the meeting no later than Wednesday October 10, 2018. TCLC will then conduct a poll on availability and select either Thursday or Friday October 18 or 19 depending on the day and time that works for the greatest number of participants.

Applicants are encouraged to share their expertise by including a section "Recommended Project Modifications" in proposals as deemed necessary or appropriate to improve the Monitoring Project.



Recommended modifications should not include changes to Monitoring Project elements such as “vernal pool fauna monitoring” or agencies’ permit conditions. Rather, recommended modifications may be provided for the details of particular Monitoring Project tasks (e.g. timing or extent of vernal pool fauna monitoring). Any modifications to Project tasks are subject to approval by TCLC and permitting agencies and approved modifications will be included as an attachment to the agreement for services. Otherwise, the selected contractor shall implement the Monitoring Project as described in section 2.8 of Restoration Plan (Attachment 1) as applied over two or three years.

Proposals shall be submitted by email as a single consolidated pdf file to:
director@chaparralconservancy.org.

Selection

TCLC will select the final applicant based on the following criteria: Applicant eligibility & qualifications; experience; references; and cost.

Timeline

- Release Request for Proposals: October 1, 2018.
- Deadline to notify TCLC of intent to attend optional site meeting: October 10, 2018.
- Schedule poll and notification of selected date and time for optional site meeting: October 11 – 15, 2018.
- Optional site meeting: October 18 or 19, 2018, with date and time to be determined from attendees’ schedule poll.
- **DEADLINE FOR PROPOSALS:** October 26, 2018, 5:00pm.
- Evaluation of proposals & notification of selected contractor: November 2, 2018.
- Fairy shrimp 15-day pre-survey notification to U.S. Fish and Wildlife Service: November 5, 2018.
- Initiation of Project Monitoring after first 1.3 cm (0.5 in) rainfall: November 5, 2018.
- Preparation and execution of final contract: November 16, 2018.
- Preparation of annual and final reports: July – September 2019, 2020, and 2021.

Please contact TCLC Director David Hogan with any questions at 760 809-9244 or
director@chaparralconservancy.org.



Attachments

Attachment 1 – *Restoration, Enhancement, & Monitoring Plan – Proctor Valley Vernal Pool Habitat Restoration Project I* (provided separately)

Attachment 2 – Draft Agreement for Services

Attachment 3 – Detailed Budget Format



ATTACHMENT 1

***Restoration, Enhancement, & Monitoring Plan – Proctor Valley ORV Site B Vernal Pool Habitat
Restoration Project I
(Provided Separately)***



ATTACHMENT 2

Draft Agreement for Services

**Agreement for Services Between The Chaparral Lands Conservancy &
[CONTRACTOR] for the
Proctor Valley ORV SITE B Vernal Pool & Uplands Monitoring Project**

This Agreement for Services (hereinafter “Agreement”) is made and entered into by and between The Chaparral Lands Conservancy (hereinafter “TCLC”) and [CONTRACTOR] (hereinafter “[CONTRACTOR]”).

RECITALS

WHEREAS TCLC has received grant funding to conduct the Proctor Valley ORV SITE B Vernal Pool and Uplands Monitoring Project (hereinafter “Monitoring Project”);

WHEREAS [CONTRACTOR] has available and offers to provide experienced personnel and equipment necessary to accomplish the Monitoring Project;

WHEREAS permitting agencies have approved the *Restoration, Enhancement, & Monitoring Plan – Proctor Valley Vernal Pool and Uplands Habitat Restoration Project I (August 2017)* (hereinafter “Restoration Plan”; Exhibit A) and implementation of the Monitoring Project requires compliance with terms and conditions of agency permits; and

WHEREAS use of grant funds obtained by TCLC for the Monitoring Project requires compliance with terms, conditions, and budgets of grant agreements;

NOW, THEREFORE, TCLC and [CONTRACTOR] agree as follows:

- I. SCOPE OF SERVICES. [CONTRACTOR] shall perform the following services in accordance with section 2.8 of the Restoration Plan and in consultation with TCLC. Unless modified in an amended agreement for services, duties of [CONTRACTOR] shall not be construed to reduce or exceed these services.
 - a. Vernal pool hydrology monitoring
 - b. Fairy shrimp monitoring
 - c. Vernal pool fauna monitoring
 - d. Vernal pool flora monitoring
 - e. Uplands flora monitoring
 - f. Photograph monitoring
 - g. Qualitative monitoring

- h. Annual & final reports
- II. PERIOD & SCHEDULE OF PERFORMANCE. [CONTRACTOR] shall commence and complete activities described in the Scope of Services beginning November 5, 2018 and ending either September 30, 2020 or 2021. [CONTRACTOR] shall perform the activities described in the Scope of Services in accordance with the Agreement Schedule (Exhibit B) and in consultation with TCLC.
- III. COMPENSATION. [CONTRACTOR] shall perform the scope of services for an amount not to exceed \$50,000 as itemized in the Agreement Budget (Exhibit C). [CONTRACTOR] agrees that all costs associated with Monitoring Project implementation shall be included in this amount.
- IV. BILLING AND ACCOUNTING. [CONTRACTOR] shall comply with the following terms:
 - a. [CONTRACTOR] shall conduct and provide detailed itemized accounting for all expenditures and billing for services rendered and materials in accordance with the Agreement Budget (Exhibit C).
 - b. [CONTRACTOR] shall submit detailed itemized invoices once every thirty days.
 - c. [CONTRACTOR] hereby acknowledges that invoices are due within 10 business days after TCLC has received payment from grant funders.
 - d. [CONTRACTOR] shall provide complete its detailed itemized accounting records for the Monitoring Project upon request by grant funder agencies.
- V. COMPLIANCE WITH GRANT AND FUNDING AGREEMENTS. [CONTRACTOR] shall abide by all terms and conditions of all grant and funding agreements applicable to the Monitoring Project, incorporated herein and receipt of which is acknowledged by execution of this agreement. Grant and funding agreements applicable to the Monitoring Project include:
 - a. State of California Natural Resources Agency Grant Agreement No. EO3106-0 Environmental Enhancement and Mitigation Program, Proctor Valley Vernal Pool Restoration (Exhibit D)
 - b. Grant Agreement No. 5004955 Between the San Diego Association of Governments and The Chaparral Lands Conservancy Regarding Proctor Valley Vernal Pools and Uplands (Exhibit E)
- VI. COMPLIANCE WITH PERMITS AND AUTHORIZATIONS. [CONTRACTOR] shall abide by all terms and conditions of all permits and authorizations applicable to the Monitoring

Project, incorporated herein and receipt of which is acknowledged by execution of this agreement. Permits and authorizations applicable to the Monitoring Project include:

- a. City of San Diego Right-of-Entry Permit (Exhibit F)
- b. CEQA Notice of Exemption – Proctor Valley ORV Site B Vernal Pool and Uplands Restoration Project (Exhibit G)
- c. California Department of Fish and Wildlife California Endangered Species Act Scientific, Educational, or Management Permit No. 2081(a)-15-010-RP, Proctor Valley ORV Site B Vernal Pool and Uplands Habitat Restoration Project (Exhibit H)
- d. U.S. Fish and Wildlife Service Biological Opinion Proctor Valley ORV Site B Vernal Pool Habitat Restoration Project (FWS-SDG-16B0328-16F0817-R001) (Exhibit I)

VII. HEALTH AND SAFETY. [CONTRACTOR] shall be fully and sole responsibility for safety of their employees and agents, including providing appropriate safety equipment for field personnel. In performance of the Scope of Work, [CONTRACTOR] agrees to (a) comply with all applicable federal, state and local statutes, regulations and ordinances regarding health and safety, and (b) comply with its own internal health and safety policies.

Fire Prevention

The Monitoring Project site is located on a nature preserve amidst highly flammable natural vegetation where there is a heightened risk of wildfire. [CONTRACTOR] shall abide by the following conditions to reduce the risk of fire:

- a. Smoking is strictly prohibited.
- b. Service vehicles shall maintain an operable fire extinguisher on board.
- c. Service vehicles shall park away from flammable materials (e.g. dry grass or brush).
- e. Any and all fires shall be immediately reported first to emergency agencies by calling 911 and then to TCLC.

Accident Reporting

- f. [CONTRACTOR] shall immediately report to TCLC any accident causing property damage or injury to persons and related to the Monitoring Project in accordance with Section 15 (Accident Reports) in the City of San Diego Right-of-Entry Permit (Exhibit F).

VIII. OTHER RESPONSIBILITIES OF [CONTRACTOR]. [CONTRACTOR] shall perform the scope of services with the standard of care, diligence and skill ordinarily exercised by other firms providing similar services and in accordance with accepted and sound professional practices and procedures.

Insurance

- a. [CONTRACTOR] agrees to provide documentation of all required insurance described in Section 14 (Insurance) of the City of San Diego Right-of-Entry Permit (Exhibit F) as soon as possible after November 5, 2018. Certificates of insurance shall be sent to: director@chaparralconservancy.org and/or The Chaparral Lands Conservancy, P.O. Box 9311, San Diego, CA 92169.
- b. [CONTRACTOR] shall accept fully and sole responsibility for any damages to material property or natural resources occurring during the course of [CONTRACTOR] implementation of the scope of services.
- c. [CONTRACTOR] shall not to deliberately kill any animals encountered during the Monitoring Project.

Non-Discrimination

- a. [CONTRACTOR] shall not to discriminate against any person on the basis of race, color, ancestry, religious creed, national origin, disability, medical condition, age, marital status, sex, gender identity, or sexual orientation.

IX. OWNERSHIP OF DOCUMENTS. This Agreement and the work performed hereunder shall be confidential. [CONTRACTOR] personnel shall not disclose any information to any party other than TCLC or individuals designated by TCLC concerning the Monitoring Project, including the nature or results of the work performed, and shall direct all comments or inquiries to TCLC.

X. MANAGERS & MANAGEMENT TEAM. [CONTRACTOR] shall name in writing the supervising biologist who will be the lead points of contact and have full decision-making authority for the Monitoring Project. [CONTRACTOR] shall implement the Monitoring Project in accordance with this Agreement and direction by a management team consisting of [CONTRACTOR]' supervising biologist and TCLC's project manager.

XI. SUBCONTRACTORS. [CONTRACTOR] shall state in writing whether subcontractors will be utilized to perform any element the scope of services and name the subcontractors. [CONTRACTOR] hereby accepts responsibility for ensuring compliance with this Agreement by any subcontractors and that any subcontractors shall be subject to approval by TCLC.

IN WITNESS HEREOF, [CONTRACTOR] and TCLC have caused this agreement to be duly executed:

The Chaparral Lands Conservancy

Date

Name:

Title:

[CONTRACTOR]

Date

Name:

Title:

EXHIBIT A

*Restoration, Enhancement, & Monitoring Plan for the Proctor Valley Vernal Pool
and Uplands Habitat Restoration Project I*

(Provided Separately as Electronic File

Restoration & Enhancement Plan_Proctor Valley ORV Site B Project I.pdf)

EXHIBIT B

Agreement Schedule
(Provided Separately as Electronic File
Agreement Schedule & Budget_10-1-18.xlsx)

EXHIBIT C

Agreement Budget
(Provided Separately as Electronic File
Agreement Schedule & Budget_10-1-18.xlsx)

EXHIBIT D

State of California Natural Resources Agency Grant Agreement No. EO3106-0
Environmental Enhancement and Mitigation Program, Proctor Valley Vernal Pool
Restoration

EXHIBIT E

Grant Agreement No. 5004955 Between the San Diego Association of
Governments and The Chaparral Lands Conservancy Regarding Proctor Valley
Vernal Pools and Uplands

EXHIBIT F

City of San Diego Right-of-Entry Permit

EXHIBIT G

CEQA Notice of Exemption – Proctor Valley ORV Site B Vernal Pool and
Uplands Restoration Project

EXHIBIT H

California Department of Fish and Wildlife California Endangered Species Act
Scientific, Educational, or Management Permit No. 2081(a)-15-010-RP, Proctor
Valley ORV Site B Vernal Pool and Uplands Habitat Restoration Project

EXHIBIT I

U.S. Fish and Wildlife Service Biological Opinion Proctor Valley ORV Site B
Vernal Pool Habitat Restoration project (FWS-SDG-16B0328-16F0817-R001)



ATTACHMENT 3

Detailed Budget Format

(Also Available in Excel – See Draft Agreement for Services Exhibit C)

| PROCTOR VALLEY ORV SITE B BIOLOGICAL MONITORING SERVICES | | | | | |
|--|---------------------|---------------------------------------|-----------------|---------------|-------|
| TASK, LABOR, MATERIALS, & EQUIPMENT | UNIT OF MEASUREMENT | COST PER UNIT (WITH PREVAILING WAGES) | NUMBER OF UNITS | COST | NOTES |
| [Sample budget lines] | | | | | |
| [Insert contractor position] | Hours | | | \$0.00 | |
| [Insert contractor position] | Hours | | | \$0.00 | |
| [Insert contractor position] | Hours | | | \$0.00 | |
| [Insert contractor materials] | 1 [Material] | | | \$0.00 | |
| [Insert contractor materials] | 1 [Material] | | | \$0.00 | |
| [Insert contractor materials] | 1 [Material] | | | \$0.00 | |
| [Travel] | Mile | | | \$0.00 | |
| [Insurance] | Policy | | | \$0.00 | |
| Subtotal | | | | \$0.00 | |
| Subtotal | | | | \$0.00 | |
| Proctor Valley ORV Site B Biological Monitoring Services (Not to Exceed \$50,000) | | | | \$0.00 | |