

# **YUROK TRIBE**

## **REQUEST FOR QUALIFICATIONS (RFQ)**

### Lower Klamath Sub-basin Fisheries Restoration Design, Implementation & Heavy Equipment Operator Training Support

Bid Release Date: 11/12/2020  
Bid Closing Date: 12/04/2020

Bid Contact Person: David Hillemeier-Program Director  
Yurok Tribal Fisheries Department  
Email: [dave@yuroktribe.nsn.us](mailto:dave@yuroktribe.nsn.us)

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#### **1.1. Introduction:**

The Yurok Tribe is seeking a specialist to assist with design and implementation of fish restoration in the Lower Klamath River Sub-basin. The duties of the specialist will include working with Yurok Tribal Fisheries Department (YTFD) staff to identify fish restoration projects, develop fish restoration designs, conduct project planning, permitting, and monitoring related tasks, as well as leading on-the-ground restoration projects and providing heavy equipment operating (HEO) training to Yurok Fisheries Restoration staff. Work will include on-going projects in priority Lower Klamath tributaries, development and implementation of new projects, and participation in various technical working groups and professional meetings.

This Request for Qualifications (RFQ) calls for the following services: restoration design support; Operating Engineer and Heavy Equipment Operating (HEO) services, Operating Engineer and Heavy Equipment Operating training services; and hydrologic, geologic, and geomorphic services. Upon request, this contractor shall represent the Yurok Tribe at various venues. The final terms of the contract will be negotiated with the selected consultant.

#### **1.2. Issuing Office**

This RFQ is issued by the Yurok Tribe. The Yurok Tribe is the sole point of contact for the purpose of discussion regarding this RFQ. Questions need to be submitted in email format

by November 23rd, responses will be provided to all interested parties by November 24<sup>th</sup>. Any & all questions pertaining to this RFQ should be directed to:

Diane Bowers: [dbowers@yuroktribe.nsn.us](mailto:dbowers@yuroktribe.nsn.us)

All interested parties are asked to email the above address to submit their contact information including name of contact person and e-mail address, so that they may receive responses to all questions submitted by others.

### **1.3. Response Deadline**

Due to the current Covid-19 health issue, we are requesting email submittals with "Restoration RFQ" written in the subject line, be sent to:

Diane Bowers: [dbowers@yuroktribe.nsn.us](mailto:dbowers@yuroktribe.nsn.us)

If email submittal is not possible, please contact the following as soon as possible:

Diane Bowers: (707) 482-1350, ext. 1307; if no response within 24 hours, contact:

Dave Hillemeier at 707-954-1524

All submittals must be received no later than: 5:00 p.m., December 4, 2020

## **2. Project Scope of Work**

### **2.1. Project Location**

The Lower Klamath River Sub-basin is located on the north coast of California and consists of Klamath River and tributary habitats from river mile ~43 to the Pacific Ocean (all habitats located downstream of the Trinity River). YTFD and the Yurok Tribe Watershed Restoration Department have been implementing upslope (i.e. road decommissioning), riparian (i.e. planting native trees, bioengineering), and instream restoration (i.e. installing constructed wood jams, reconnecting floodplain habitats) in the sub-basin since the late 1990s. Objectives for YTFD's Lower Klamath restoration include implementing process-based activities aimed at maximizing salmonid spawning and rearing habitat, increasing riparian forest resiliency and health, improving habitat conditions for all native wildlife, and providing quality restoration training and employment opportunities for Yurok staff. Although the Lower Klamath will be the primary work area, the project may also include restoration support in the Trinity River and Upper Klamath River.

### **2.2. Project Description**

The consultant shall work directly with YTFD staff during all aspects of this project. The consultant will be expected to conduct the following services for the Yurok Tribe:

- Provide planning, analysis, design, and permitting support for fish habitat restoration projects in the Lower Klamath Sub-Basin, Trinity River, and Upper Klamath as requested by YTFD. This includes all aspects of project development such as assessment, identification, and characterization of a) limiting factors, b) project constraints, and c) potential resource benefits associated with proposed restoration designs.
- Provide lead technical support during restoration implementation operations. This includes providing journey level engineering operator services, directing YTFD or other HEOs, coordinating project tasks and communicating/coordinating with various entities, and helping to ensure all safety procedures and permit requirements are met.
- Provide training for YTFD staff or other HEOs in the implementation of instream and uplope restoration activities, including operation of heavy equipment.
- Upon request, provide geologic expertise to the Yurok Tribe for various Tribal projects.
- On behalf of the Yurok Tribe, provide technical analysis (geologic, geomorphic, and hydrologic) and review of projects proposed by entities other than the Yurok Tribe.
- Represent the Yurok Tribe, as requested by YTFD Director, at technical meetings regarding fish habitat restoration, geologic, hydrologic, and geomorphic issues including engaging with various restoration partners and technical advisory and/or design teams.

## **2.3. Project Duration**

Mid-January 2021 to December 31, 2024.

## **3.1. Submittal Requirements**

- Letter of interest
- Short description of three (3) recently completed fish habitat restoration designs. Descriptions should include: a) project name, b) project participants, c) location, d) brief description of design features and anticipated outcomes (i.e. habitat benefits).
- Short description of three (3) recently completed fish habitat restoration projects. Descriptions should include: a) project name, b) project participants, c) location, d) a list of the roles and responsibilities conducted by your company, and e) brief description of restoration activities and anticipated outcomes (i.e. habitat benefits).
- Provide a schedule of rates for the principal firm and any proposed sub-consultants. The schedule of rates shall consist of a list of staff that will be assigned to the project

and will include their title and hourly billing rates. It shall also indicate: a) whether support services are billed as direct costs or are included in overhead; and b) if handling charges or profit are added to other direct costs (e.g. reimbursable, sub-contractor's costs, etc...). This is not a fee proposal.

- List of a minimum of three (3) professional references. Include the name of the person or company providing the reference and their contact information.
- Resumes for all key project staff.
- A written statement of the firm's qualifications that is responsive to the minimum requirements/qualifications (Section 3.1) & selection criteria (Section 3.2). Firms shall describe how they believe their experience fulfills the requirements of these criteria.

### **3.2. Minimum Requirements/Qualifications**

- Compliance with the Yurok Tribe's Tribal Employment Rights Ordinance (Section 3.4)
- General Liability insurance of one million dollars (\$1,000,000.00) combined single limit Bodily Injury and Property Damage each occurrence.
- Automobile liability insurance with minimum limits of \$1,000,000 (one million dollars) per occurrence combined single limit of Bodily Injury and Property Damage coverage.
- Ability to work on Green Diamond Resource Company's (GDRC) property and comply with GDRC's California Timberlands Master Land Use Permit between GDRC and the Yurok Tribe and GDRC's Aquatic Habitat Conservation Plan.
- Bachelor of Science Degree in the physical sciences related to watershed management/restoration, preferably in Geology or Geomorphology.
- Must be a Licensed California Geologist or Civil Engineer with extensive watershed and fisheries habitat restoration background.
- Ability to operate various heavy equipment (e.g. backhoes, excavators, dump trucks, loaders, graders, dozers) at journey level with a minimum of 10 years of HEO experience in sensitive environments (e.g. forest lands, streams, wetlands).
- A minimum of 5 seasons of experience operating heavy equipment to install constructed wood jams or other wood-based fish habitat structures.
- Rural/timberland road removal, relocation, and construction experience.
- Ability to provide Licensed Timber Operator services.

### **3.3. Selection Criteria**

Rates for services will be considered in selection of the successful contractor, in addition to qualifications that will be ranked per the criteria listed below.

#### Technical Expertise (40% - 40 Points Possible):

- Education of key personnel to be assigned.
- Demonstrated expertise in design of fish restoration projects in small (2<sup>nd</sup> & 3<sup>rd</sup> order) to large (4<sup>th</sup> order or higher) river systems and wetlands.

- Demonstrated expertise in applied hydrology, geomorphology, and hydrogeology for the purpose of ecosystem assessment, characterization and restoration planning and design.
- Demonstrated expertise in design, permitting, and construction of wood structures and off-channel habitats (e.g. alcoves, side channels).
- Ability to work with existing datasets, model platforms, and GIS software (including but not limited to ArcGIS shapefiles/surfaces, HEC-RAS, Office 2010).
- Knowledge of applicable standards, regulations, and technology associated with the services required.

Experience (50% - 50 Points Possible):

- Professional experience of the prime consultant in performing services of similar nature and scope; including stream channel restoration, design of constructed wood jams and fish habitat restoration in small to large river systems.
- Heavy equipment operating engineer experience and experience providing HEO training.
- Experience working with diverse entities in the planning, design, permitting, and implementation of watershed restoration projects, especially in Northern California.
- Experience conducting and/or overseeing contracts to harvest timber to acquire wood for instream restoration projects.
- Experience working for Native American Tribes.

Responsiveness and Capacity Building (10% - 10 Points Possible):

- Ability to have key personnel available for consultation and/or on the project site to rapidly respond to changing field and project conditions.
- Ability to provide training and employment opportunities for Yurok staff.

Native American Firm/Indian Preference

- Preference will be given to qualified firms that substantiate Indian preference.

These factors shall be weighed and scored according to the nature of the proposed project, complexity and special requirements of the specific services and the needs of the YTFD.

### **3.4. Contract Administrative Process**

Submittals will be evaluated and scored based upon the above selection criteria for those firms who have complied with the minimum requirements. Reviewed and scored bids will then be ranked in order (i.e. top score first, lowest score last). The Yurok Tribe will attempt to negotiate a satisfactory contract and reasonable fee for the services with the top ranking candidate (e.g. company, individual). In the event a satisfactory agreement cannot be negotiated with the top ranking candidate, the negotiation shall be terminated with that candidate and negotiations will begin with the next highest ranking candidate until a satisfactory agreement between the Yurok Tribe and a qualified candidate can be reached.

### **3.5. TERO**

The Yurok Tribe has adopted a Tribal Employment Rights Ordinance (TERO) and as such any person or firm contracting with the Yurok Tribe is required to follow the terms and conditions identified by the ordinance, including applicable fees, forms, and hiring practices. The resulting contract from this RFQ will be subject to a 1% TERO fee. For your referral, a copy of the Yurok Tribe's TERO ordinance can be found at the following location: <https://www.yuroktribe.org/tero>.

### **3.6. Indian Preference**

Indian preference in employment means that if a qualified Native American (Indian) is available, that person will be given preference over a qualified non-Indian in any phase of employment. Indian preference in Contract Award and equal employment opportunities shall apply. All firms requesting Indian preference shall submit their request for Indian preference along with their bid (Contractor/Business certification - Attachment 1).

# ATTACHMENT 1

## Application for Contractor/Business Certification

## **YUOK TRIBE**

### **TRIBAL EMPLOYMENT RIGHTS OFFICE**

190 Klamath Blvd., P.O. Box 1027 Klamath, California 95548 (707) 482-1350 ext1388 (707) 482-1377 Fax

#### **APPLICATION FOR CONTRACTOR/BUSINESS CERTIFICATION**

A Contractor/Business must pre-register with the Yurok Tribe TERO to be placed on a “bidders” list certified as Indian Preference. A Contractor’s/Business certification must be submitted by each contractor/business interested in bidding on a job within the jurisdiction of the Yurok Tribe. If a Contractor/Business intends to subcontract any portion of the work on which it is bidding, it may only utilize subcontractors that are also registered. Thus, each prospective contractor/business, and all subcontractors it will employ, must complete a separate certification.

This certification is not a public record and is not open to public inspection. All information provided will be kept confidential to the extent permitted by law. The Yurok Tribe reserves the right to reject any and all “certification forms” and to waive any irregularities in the information contained therein. Each certifying contractor/business shall be required to re-submit a new certification annually, although the Yurok Tribe reserves the right to require a contractor to submit a new certification at any time. An individual who has the legal authority to bind the contractor or subcontractor on whose behalf that person is signing must sign each certification under penalty of perjury. If any information provided by a contractor/business or subcontractor becomes inaccurate, the party that provided the information must immediately notify the TERO and provide updated accurate information in writing and under penalty of perjury.

#### **INDIAN PREFERENCE CERTIFICATION**

**This certification is also intended for certification of a majority or wholly-owned Native American business interested in providing their services and/or products via contracting opportunities under the purview of the TERO program as provided for by the Indian Self-Determination and Education Assistance Act, (P.L. 93-638), specifically 7(b), and other applicable federal and tribal laws.**

**Certification of Native American-owned businesses is designed to: 1.) Verify that the applicant is Native American; 2.) That the applicant is majority owner, if not 100% of the business, and; 3.) That the applicant is the primary beneficiary of the business being certified. Documentation and information required is essential to fulfill the criteria. Any deliberate or intentional effort to misrepresent the ownership of the business applying for certification will result in exclusion of contract opportunities by the Yurok Tribe.**



**GENERAL INFORMATION:**

1. **Firm Name and Address:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone Number(s): \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail or Web Site: \_\_\_\_\_

Contractors/Business License # \_\_\_\_\_

**Please Provide Proof of Licensing:**  
**California State Licensing Board (CSLB) Include all licenses**  
**E.g. Electrical, Plumbing, Roofing, etc.**

Has License been revoked at any time in the last five years? Yes ☐ No ☐  
If yes, please use a separate sheet to explain.

Has Contractor filed bankruptcy within the last 10 years? Yes ☐ No ☐

**Federal Identification No:** \_\_\_\_\_

**Please Provide Proof of Certification:**  
**From any state Minority Business Enterprise (MBE), Women Business Enterprises (WBE),**  
**Disadvantaged Business Enterprises (DVBE), or Emerging Small Business (ESB) program.**

**State(s) Certified:** \_\_\_\_\_

Small Business Administration 8(a) Certification No.: \_\_\_\_\_ Expires: \_\_\_\_\_

**Yurok Tribe Incorporation I.D. No.:** \_\_\_\_\_

2. **Type of Business:** \_\_\_\_\_

3. **Organizational Structure:**

\_\_\_\_\_ SOLE PROPRIETOR

\_\_\_\_\_ PARTNERSHIP

\_\_\_\_\_ CORPORATION

\_\_\_\_\_ JOINT VENTURE

\_\_\_\_\_ OTHER

4. Name of Owner/Owners: \_\_\_\_\_

\_\_\_\_\_

5. Tribal Affiliation of Owner Claiming Indian Preference: \_\_\_\_\_

Please Provide Proof of Tribal Enrollment

(Must be supported by documentation from the Bureau of Indian Affairs and/or Tribal Chief or Chairman). Please attach a copy of Indian Preference Verification for each officer, partner, or individual designated as an Indian if filing as a Partnership or Corporation.

If your company is either a Partnership or Corporation, explain in narrative form, the stock ownership, structure, management, control, financing, and salary or profit sharing arrangements of the enterprise. Attach copies of all shareholder agreements, including voting trust, employment contracts, agreements between owners and enterprise. Include information on salaries, fees, profit sharing, material purchases, and equipment lease or purchase agreements. Evidence relating to structure, management, control, and financing should be specifically included. Also, list the specific management responsibilities of each principal, sole proprietor, partner, or party to a joint venture.

6. Ownership Interest: \_\_\_\_\_ PARTIAL (List percentages of Ownership)  
\_\_\_\_\_ 100% OWNERSHIP

7. Provide a listing of individuals and organizational structure of your firm's management staff. Also, provide resumes for Key Personnel. Indicate the core crew employees in your work force, their job titles, and whether they are Indian or Non-Indian. Core crew is defined as an individual who is either a current bonafide employee or who is not a current employee but who is regularly employed in a supervisory or other key skilled position when work is available. \*\*\*Attach a separate list to this questionnaire.

8. Specify, what type of construction/contracting your firm engages in:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

9. Geographical Area of Interest: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

10. Magnitude of Project on which you desire to bid (If Applicable):

Under \$25,000	_____
Up to \$200,000	_____
Up to \$500,000	_____

Up to \$1,000,000 \_\_\_\_\_  
Over \$1,000,000 \_\_\_\_\_

11. Experience:

Please list at least five (5) of your most recent projects. Give name of an Individual for your Reference:

PROJECT	AMOUNT	REFERENCE	PRIME/SUB
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

12. SUBCONTRACTORS:

List six subcontractors with whom your company currently does the most business.

COMPANY	CONTACT PERSON	PHONE #
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

13. SUPPLIERS:

List four or more major suppliers from whom you purchase construction materials. Include names and phone numbers.

SUPPLIER NAME	PHONE NUMBER
_____	_____
_____	_____
_____	_____
_____	_____

## CERTIFICATION

I CERTIFY THAT ALL STATEMENTS MADE BY ME ON THIS CONTRACTOR'S CERTIFICATION ARE TRUE, COMPLETE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I HEREBY GRANT PERMISSION TO THE YUOK TRIBE AND TERO TO CONFIRM BY PERSONAL INQUIRY OR OTHERWISE, THE INFORMATION I HAVE PROVIDED. I UNDERSTAND THAT ANY WILLFUL MISREPRESENTATION OF FACTS GIVEN TO THIS PROCESS IS GROUNDS FOR REJECTION OF THIS QUALIFICATION FOR INDIAN PREFERENCE CONTRACTOR'S CERTIFICATION OR DISMISSAL IF EMPLOYED. I RELEASE ALL PERSONS CONNECTED WITH ANY REQUESTS FOR INFORMATION FROM ALL CLAIMS, LIABILITY, AND DAMAGES FOR WHATEVER REASON ARISING OUT OF FURNISHING THE INFORMATION.

***I hereby acknowledge that I have read and understand the above statement.***

\_\_\_\_\_  
OWNER/CONTRACTOR'S SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PARTNER'S SIGNATURE (IF APPLICABLE)

\_\_\_\_\_  
DATE

IF APPLICANT IS A CORPORATION  
AFFIX CORPORATE SEAL:

\_\_\_\_\_  
CORPORATE SEAL

BY: \_\_\_\_\_  
PRESIDENT'S SIGNATURE

\_\_\_\_\_  
DATE

ATTESTED BY: \_\_\_\_\_  
CORPORATE SECRETARY

\_\_\_\_\_  
DATE

APPROVED FOR INDIAN PREFERENCE BY:

\_\_\_\_\_  
Manuel Sanchez - TERO Compliance Officer  
TRIBAL EMPLOYMENT RIGHTS OFFICE

\_\_\_\_\_  
DATE

**Office Use Only:**

☐ Indian Preference

**Expiration Date:**