



1 **PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM**
2 **REQUEST FOR PROPOSALS**

3
4 **SUBJECT:** P17-013: Tract W1606 Slurry Wall Storage Facility
5 Engineering Design and Construction Administration
6 Services
7 **REQUEST DATE:** July 17, 2017
8 **PRE-PROPOSAL MEETING:** August 1, 2017
9 **CLOSING DATE:** August 16, 2017
10 **POINT OF CONTACT:** Kevin Werbylo
11 Headwaters Corporation
12 Office: 720-524-6115 (ext. 105)
13 *werbylok@headwaterscorp.com*
14

15 **I. OVERVIEW**

16 The Platte River Recovery Implementation Program (**Program**) was initiated on January 1, 2007
17 between Nebraska, Wyoming, Colorado, and the Department of the Interior to address
18 endangered species issues in the central and lower Platte River basin. The species considered in
19 the Program, referred to as “target species”, are the whooping crane, piping plover, interior least
20 tern, and pallid sturgeon.
21

22 A Governance Committee (**GC**) reviews, directs, and provides oversight for activities
23 undertaken by the Program. The GC is comprised of one representative from each of the three
24 states, three water user representatives, two representatives from environmental groups, and two
25 members representing federal agencies. The GC has named Dr. Jerry Kenny to serve as the
26 Program Executive Director (**ED**). Dr. Kenny established Headwaters Corporation as the staffing
27 mechanism for the Program, which is referred to as the Executive Director’s Office (**EDO**). EDO
28 staff are located in Nebraska and Colorado and are responsible for carrying out Program-related
29 activities.
30

31 A key milestone for the First Increment of the Program (2007 to 2019) is reducing deficits to
32 United States Fish and Wildlife Service (**USFWS**) target flows by an average of 130,000 –
33 150,000 acre-ft (**AF**) annually. One of the Program’s Water Action Plan (**WAP**) project concepts
34 to achieve the reduction to deficits is retiming of excess flows through surface water storage and
35 flow augmentation. Specifically, in an effort to meet Program milestones and to maximize
36 available resources, the Program has been evaluating existing gravel pits in the central Platte
37 River region of Nebraska for their ability to act as storage facilities. This would be accomplished
38 by equipping the existing (already excavated) pits with a vertical slurry wall barrier along their
39 perimeters to create finite storage domains. Water would then be delivered/released to/from the
40 facilities as needed.
41

42 During the preliminary investigation, an existing gravel pit on the Program’s newly acquired
43 Tract W1606 (near Elm Creek, NE) was selected as a priority location for construction of a
44 slurry wall storage facility (**Attachment A**). As part of the preliminary plan, surface water would



45 be delivered to the facility during times of high flow and released from the facility during times
46 of low flow. Deliveries would likely be made via open channel and/or pipeline, and releases back
47 to the river would be made in the same manner using both gravity and pumps. In general, it is
48 believed that deliveries and releases of 20 to 30 cubic feet per second (**CFS**) could be sustained.
49

50 In addition to constructing the pit on Tract W1606, the Program plans to build two additional
51 storage facilities on Program-owned neighboring lands (Tract W201602 and Tract W1703 in
52 **Attachment A**) to create a complex with three storage facilities spread across the three tracts (all
53 three tracts are collectively referred to as ‘complex’ herein).
54

55 The GC submits this Request for Proposals (**RFP**) to provide engineering design services for the
56 slurry wall storage facility on Tract W1606, as well as the development of a reconnaissance-level
57 design for additional facilities at the complex. Specifically, the Consultant¹ will work with the
58 Executive Director’s Office (**EDO**) to develop a reconnaissance-level design for the construction
59 of three slurry wall storage facilities across the complex (including diversion and conveyance
60 infrastructure), and to develop a final design and bid documents for the slurry wall storage
61 facility on Tract W1606. The Consultant will then manage the bid letting process and will
62 oversee quality control and quality assurance during the construction project.
63

64 **II. PROJECT DESCRIPTION**

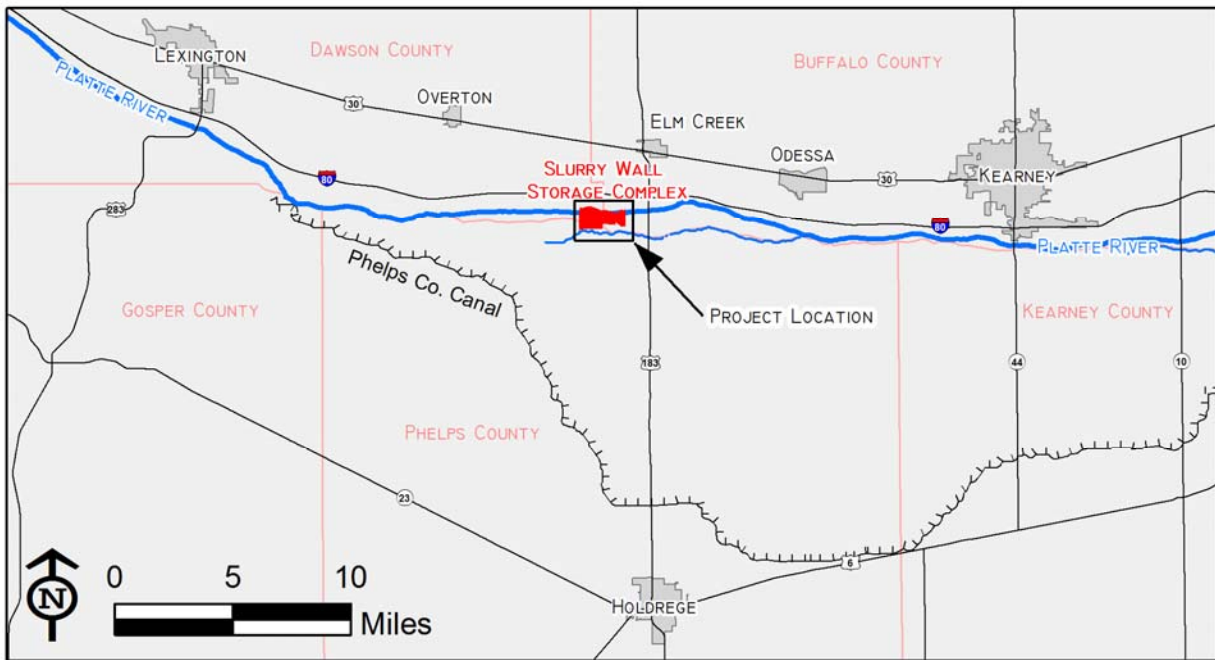
65 The complex of interest is located near the town of Elm Creek, NE, at the intersection of
66 Dawson, Phelps and Buffalo counties (**Figure 1**). The complex is located south of the Platte
67 River and includes lands in all three of the named counties. The EDO, in conjunction with
68 Program advisory committees, has developed an initial concept (**Attachment A**) in which water
69 would be delivered to the slurry wall storage facility on Tract W1606 by way of an existing
70 conveyance ditch or a pipeline from a proposed wellfield. For now, it is assumed that both a
71 wellfield near the Platte River and surface water pumps/gates in the conveyance ditch
72 (**Attachment A**) will be used to deliver 10 to 15 CFS (each) to the facility. Once delivered, the
73 water would be stored in the slurry wall facility. Preliminary analyses suggest that the pit will
74 have about 1,500 acre-feet (**AF**) of available storage once modified and shaped to final form. It is
75 expected that this volume of storage would be achieved, in part, by constructing an earthen berm
76 and extending the slurry wall through the berm to allow for above grade storage. Water will then
77 be released from the pit when flow augmentation is desired by the Program. Given the
78 complexity and scale of the project, it is anticipated that the system will be controlled by a
79 supervisory control and data acquisition (SCADA)-type system.
80

81 The work required by the Consultant will include the development of a reconnaissance-level
82 design for the entire complex and a final design for the slurry wall storage facility on Tract
83 W1606. The two designs will be advanced simultaneously as to ensure the long-term plan for the

¹ In this document, the term Consultant is used to describe both the RFP respondent providing the proposal and the successful respondent who will be performing the work upon award of the project.



84 complex is considered in the final design of the facility on Tract W1606. The reconnaissance-
85 level design for the complex will include general layouts and alignments of diversion,
86 conveyance and storage infrastructure, while the final design for the facility on Tract W1606 will
87 include but not be limited to designing the delivery systems (wellfield, groundwater pumps,
88 surface water pumps, open channels, pipelines, gates, etc.), modifying the geometry of the
89 existing pit to make it an adequate storage facility, designing the slurry wall, and designing the
90 outlet systems. Exploratory geotechnical and surveying will likely be needed. Once the final
91 design of the facility is completed, the Consultant will be responsible for bid letting and
92 providing on-site construction administration for quality control and quality assurance.



93 **Figure 1:** Map showing the location of the slurry wall storage complex, as well as the location of
94 nearby towns, roadways, waterways and county boundaries.
95
96

97 Preliminary project specifications are listed below as an indication of the anticipated scale of the
98 project. Please note: these are preliminary estimates and are subject to change during the design
99 process. The selected Consultant will be responsible for evaluating and refining the information
100 presented below.
101

- 102 • Earthwork will be necessary to shape the existing pit into final form, build berms to
103 provide above grade storage, and/or provide conveyance to and from the site. The
104 quantity of earthwork is highly dependent on the final design but is expected to be
105 100,000 CY or less (not including the trench for the slurry wall).
106
- 107 • Additional construction activities will include but not be limited to: mobilization and
108 demobilization, erosion control, installation of water conveyance, control and
109 measurement structures and installation of SCADA components.



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- The total area of the existing pond is about 60 acres, and the total available storage after modification is expected to be about 1,500 AF.

The Consultant will work with the EDO, Program advisory committees and other stakeholders to develop a preliminary, reconnaissance-level design for the entire complex. The preliminary design will be brought to a level such that it can be evaluated and agreed to by Program decision-makers. At that point, the Consultant will be responsible for advancing the preliminary design at Tract W1606 to a final design and developing an associated bid package that includes but will not be limited to construction documents, stamped engineering plans and technical specifications.

While developing the designs and bid package, the Consultant will also be responsible for working with an on-call Program consultant and the EDO to ensure that all construction and environmental permits are obtained. The on-call Program consultant has been hired to assist in obtaining United States Army Corps of Engineers (USACE) Section 404 permits. In addition to the 404 permit, it is anticipated that at a minimum the Consultant will need to obtain a National Pollutant Discharge Elimination System (NPDES) construction stormwater permit, as well as Nebraska Department of Natural Resources permits necessary to store and release surface water.

III. SCOPE OF WORK

In response to this RFP, the Program seeks proposals from Consultants to perform design, bid package development, bid letting, and construction administration services for the Tract W1606 Slurry Wall Storage Facility, as well as a reconnaissance-level design for the entire complex. A preliminary listing of scope task descriptions, timelines, responsibilities and deliverables are presented below. Please note: these are not final or all-inclusive and are solely intended to provide a general overview of project scope and requirements. The final tasks and deliverables will be developed jointly by the Program’s Executive Director’s Office (EDO) and the Consultant.

TRACT W1606 SLURRY WALL STORAGE FACILITY DESIGN, PERMITTING & CONSTRUCTION ADMINISTRATION

1) Project Kickoff

- Objective** – Transfer all necessary information from the EDO to the Consultant and have all parties agree on a clear path towards successful project completion. Finalize the Consultant’s contract for the project.
- Task Description** – The EDO will prepare a contract that will include the scope of work, fee schedule and budget (all prepared in draft form by the Consultant). The task will also include a full-day meeting between the Consultant and the EDO in Kearney, Nebraska where existing information (including topographic data, aerial photographs, preliminary geotechnical data, and conceptual schematic sheets) will be reviewed and discussed. The meeting will also include a site visit.



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- c) **Task Timeline** – September 2017
- d) **Task Responsibilities**
 - i) *Consultant* – Prepare and provide the EDO with a draft scope of work, fee schedule and budget that will be reviewed and included in the final contract. Prepare for and attend kickoff meeting.
 - ii) *EDO* – Prepare contract documents. Review final scope, fee schedule and project budget. Organize and attend kickoff meeting.
- e) **Deliverables** – Detailed project work plan complete with a finalized scope, schedule and budget, and a final contract.

2) Project Management and Meetings

- a) **Objective** – Ensure that all project meetings and communication between the EDO and the Consultant are successfully coordinated such that the project remains on-schedule.
- b) **Task Description** – Meetings between the EDO and the Consultant will continue for the duration of the project. Likely, brief (roughly 15 to 30 minute) “check-in” meetings will occur via phone or web about once per week for the duration of the project. In addition, longer (roughly 1 to 3 hour) “project update” meetings will occur as needed for the duration of the project. It is expected that a minimum of 3 to 5 “project update” meetings will occur and will be either in the office of the Consultant or the ED Office in Kearney. These meetings will be used to ensure proper coordination of project activities and to keep the EDO and Program stakeholders informed of project progress. In addition, the Consultant (in conjunction with the EDO) will give presentations to Program participants, advisory committees and/or the Governance Committee (GC). It is expected that a minimum of 2 of these presentations will be necessary.
- c) **Task Timeline** – Duration of project.
- d) **Task Responsibilities**
 - i) *Consultant* – Provide the EDO with regular project updates, attend “check-in” and “project update” meetings, present to Program stakeholders, prepare meeting materials (presentations, handouts, meeting minutes, etc.), and keep a project binder with meeting minutes and other important documents.
 - ii) *EDO* – Schedule, coordinate and attend meetings and presentations.
- e) **Deliverables** – Project binder with meeting minutes and other important documents.

3) Engineering Design and Cost Estimating



- 197 a) **Objective** – Develop a preliminary, reconnaissance-level design of slurry wall storage
198 facilities across the complex. In addition, complete a final design for the facility on Tract
199 W1606 that can be immediately implemented.
200
- 201 b) **Task Description** – Review existing data and utilize conceptual schematics, survey data,
202 aerial images, preliminary geotechnical data and other pertinent information to develop a
203 reconnaissance-level design for the entire facility. During this phase of the project, the
204 Consultant will identify needs for supplemental information necessary to complete the
205 reconnaissance-level design for the complex and the final design of the facility for Tract
206 W1606. It is likely that the Consultant will need to oversee supplemental survey and/or
207 geotechnical campaigns to collect additional information. As part of the reconnaissance-
208 level design, the Consultant will be responsible for identifying the slurry wall alignment
209 and mixture, designing infrastructure for diverting and storing water in the reservoir, and
210 designing an outlet system to put augmentation water into the Platte River by gravity
211 and/or pumping. An engineering memo/report will be prepared upon completion of the
212 reconnaissance-level design outlining the design concept, anticipated cost, and permitting
213 considerations. The design will be reviewed by Program stakeholders using the design
214 memo and/or a presentation. The approved design at Tract W1606 will be advanced to
215 the final design stage.
216
- 217 The final design will include plans and details necessary for the construction of the slurry
218 wall, associated infrastructure to divert and deliver water into the completed reservoir
219 (i.e., wellfield near the Platte River or surface water diversion from the conveyance
220 ditch)², associated infrastructure to deliver water to the Platte River, all necessary power
221 infrastructure to operate the project, and identification of all easements and permits to
222 construct and operate the project. The Consultant will develop a final quantity and cost
223 estimate for the project. Finally, the Consultant will provide an operation and
224 maintenance schedule/manual for the Tract W1606 facility.
225
- 226 c) **Task Timeline** – September 2017 to May 2018
227
- 228 d) **Task Responsibilities**
- 229 i) **Consultant** – Development of a reconnaissance-level design for the complex and a
230 final design at Tract W1606. The reconnaissance-level and final designs will be
231 presented in the form of an engineering design report, complete with quantity and
232 cost estimates.
233
- 234 ii) **EDO** – Provide existing information, coordinate, and review designs.
235

² For purposes of this RFP, assume that 50% of deliveries will be from a near-channel wellfield and 50% of the deliveries will be from the conveyance ditch.



- 236 e) **Deliverables** – Technical engineering reports presenting design and quantity/cost
237 estimates.
238
- 239 **4) Permitting**
- 240 a) **Objective** – Obtain all necessary construction permits and clearances for the final
241 alternative at Tract W1606.
242
- 243 b) **Task Description** – Coordinate with EDO staff and the Program’s on-call permitting
244 consultant, as well as all necessary federal, state and local agencies/authorities to ensure
245 that necessary construction permits and clearances are obtained. It is assumed that a
246 minimum of 3 to 5 in-person meetings with regulatory agencies/authorities (each about 1
247 to 2 hours long) will be needed specifically for this purpose.
248
- 249 c) **Task Timeline** – March 2018 to August 2018
250
- 251 d) **Task Responsibilities**
- 252 i) **Consultant** – Coordinate with EDO to ensure that everything needed for permit
253 application is obtained.
254
- 255 ii) **EDO** – Coordinate with the Consultant.
256
- 257 e) **Deliverables** – Completed applications for permits and clearances needed for project
258 construction.
259
- 260 **5) Bid Package Development and Bid Letting**
- 261 a) **Objective** – Develop and let bid package for the final design at Tract W1606.
262
- 263 b) **Task Description** – Development of stamped construction plans and technical
264 specifications that will make up a bid package. The Consultant will lead the bid
265 advertisement effort, assist in pre-qualification of bidders, participate in the pre-bid
266 meeting (on-site for about 1 to 2 hours) and bid opening (in Kearney for about 1 hour),
267 and negotiation of a contract for construction services.
268
- 269 c) **Task Timeline** – September 2018 to October 2018 (or as soon as permitting allows)
270
- 271 d) **Task Responsibilities**
- 272 i) **Consultant** – Prepare bid package, review bidder qualifications, and organize and
273 coordinate the pre-bid meeting and bid opening.
274
- 275 ii) **EDO** – Provide input and assistance to the Consultant. Set up scoring process for
276 selecting Contractor based on bids received, with input from Consultant.
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- 278 e) **Deliverables** – Bid package for construction services and participation in pre-bid meeting
279 and bid opening.



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6) **Construction Administration**

- a) **Objective** – Ensure that the contractor’s work is consistent with the final design and technical specifications.
- b) **Task Description** – Observe and ensure quality of construction of the project such that the finished project is in substantial compliance with the design sheets and technical specifications developed by the Consultant. In addition, the Consultant will review and coordinate the construction contractor’s monthly requests for payment and make recommendations to the EDO on subsequent payment to the contractor.
- c) **Task Timeline** – November 2017 to December 2018 (or as early as permitting/weather allows)
- d) **Task Responsibilities**
 - i) **Consultant** – Construction observation and quality control on completed work, oversight of payments and coordinating with EDO staff. Completion of required documentation under construction-related permits.
 - ii) **EDO** – Provide input and assistance to the Consultant.
- e) **Deliverables** – Weekly construction log and progress update memos. Construction permit documentation and recording.

7) **Project Monitoring**

- a) **Objective** – Establish a monitoring program to determine the effectiveness of the completed reservoir and the associated infrastructure.
- b) **Task Description** – Design and install flow measurement stations to monitor groundwater seepage into the reservoir, reservoir inflows, precipitation and evaporation. This measurement system may include flumes, piezometers, rain gages, pan evaporation, flow meters, data loggers, etc. All data will be stored and accessible by the EDO on equipment they specify and procure. Design an Xcel spreadsheet accounting form to track the flow measurement data on a daily basis.
- c) **Task Responsibilities**
 - i) **Consultant** – Design, construction oversight and calibration of monitoring program. Spreadsheet accounting form design and QA/QC checks to validate the monitoring data is being downloaded and stored accurately. Provide training to EDO staff on operation of the system.
 - ii) **EDO** – Provide input and assistance to the Consultant. Procure required measurement equipment as specified by Consultant.



324 d) *Deliverables* – Operational project monitoring system, and monitoring reports.

325

326 **IV. PROJECT BUDGET**

327 An estimated project budget should be submitted in the proposal. Proposals will not be evaluated
328 solely on cost, but it will be a consideration in the selection process. Consultants are encouraged
329 to be as detailed as possible when presenting their proposed budget. Please include labor rates
330 and hour estimates as these rates and costs will be the basis for development of the final scope
331 and budget.

332

333 **V. CONTRACT TERMS**

334 The selected consultant will be retained by:

335

336 Nebraska Community Foundation

337 PO Box 83107

338 Lincoln, NE 68501

339

340 Contracted services will be performed on a time and material not to exceed basis. Under the final
341 contract, written Notice to Proceed from the Executive Director will be required before work
342 begins. All work will be contingent on availability of Program funding.

343

344 **VI. SUBMISSION REQUIREMENTS**

345 All interested parties having experience providing the services listed in this RFP are requested to
346 submit a proposal.

347

348 **Instructions for Submitting Proposals**

349 Proposals must be submitted in two forms: electronic and hard copy. Details are below:

350

351 *One electronic copy (in PDF format) and two hard copies of your proposal must be submitted to*
352 *the ED Office in Kearney, Nebraska no later than 5:00 pm Central Time on Wednesday, August*
353 *16, 2017.* Both the electronic and hard copy versions of the proposal must be received by the
354 deadlines for the proposal to be considered. **Late proposals will not be accepted.**

355

356 Submissions should be addressed to:

357 Attn: Kevin Werbylo

358 PRRIP Executive Director’s Office

359 4111 4th Avenue, Suite 6

360 Kearney, NE 68845

361

362 **Note:** The one electronic copy of your proposal can be submitted on a flash drive with the hard
363 copies or it can be submitted in PDF format via email to Kevin Werbylo at
364 *werbylok@headwaterscorp.com*. If emailed, it is the responsibility of the Consultant to ensure
365 that the electronic version is of adequate size to be delivered via email.

366



367 Questions regarding the information contained in this RFP must be submitted to Kevin Werbylo
368 (*werbylok@headwaterscorp.com*) no later than 5:00 pm Central Time on Thursday, August 3,
369 2017. No questions on content can be submitted after this time. Questions must be emailed, they
370 cannot be mailed, called in, or asked using any other means. **Please do not call the ED Office**
371 **with specific questions regarding the proposal.** Questions and answers will be shared with all
372 interested parties through the Program website (www.platterriverprogram.org) in the same
373 location as this RFP solicitation. Questions and answers may be posted intermittently during the
374 proposal period but will be finalized and made available by **10:00 am Central Time on Friday,**
375 **August 4, 2017.**

376

377 **Pre-Proposal Meeting**

378 A pre-proposal meeting of interested parties will be held on **Tuesday, August 1, 2017** at the ED
379 Office (4111 4th Avenue, Ste. 6) in Kearney, Nebraska from **1:00-2:30 p.m. Central Time** to
380 address questions associated with this RFP. **Attendance** at this pre-proposal meeting is
381 **MANDATORY.** If unable to attend in person, interested parties can attend the pre-proposal
382 meeting via conference line. At least one representative from every team must attend either in
383 person or via the conference line.

384

385 The meeting will include a discussion of the conceptual layout developed by EDO staff, as well
386 as additional details about Program needs, the scope of services, and the timeline. It is the
387 Consultant's responsibility to ask questions necessary to understand the RFP such that the
388 Consultant can submit a proposal that is complete and in line with the RFP requirements. EDO
389 staff will **not** take or distribute meeting minutes (this includes questions from the consultants and
390 answers from EDO staff).

391

392 At the conclusion of the mandatory portion of the pre-proposal meeting, a site visit to the slurry
393 wall storage facility complex will be led by EDO staff. Attendance at the site visit is **NON-**
394 **MANDATORY** and interested parties will be required to provide their own transportation to and
395 from the site. It is anticipated that the site visit will end at about 4:00 pm Central Time. **Do not**
396 **go to the project site on your own as it is private property and an active mine.**

397

398 Parties interested in attending the pre-proposal meeting **are asked** to RSVP by email to Kevin
399 Werbylo (*werbylok@headwaterscorp.com*) by 5:00 pm CT by Monday, July 31, 2017 with the
400 following information: (1) list of expected attendees from your party; (2) whether you plan to
401 attend the pre-proposal meeting in person or by conference line; and (3) whether or not you and
402 the other attendees from your party plan to attend the site visit. If joining the meeting via
403 conference line, the call in information will be provided to you via email prior to the meeting.

404

405 **Proposal Content**

406 Proposals should respond to the following general topics:

407

- 408 1) **Executive summary:** Provide an overview of the project that condenses and highlights the
409 contents of the proposal in such a way as to provide a broad understanding of the
410 Consultant's qualifications and proposal approach.



- 411
412 2) **Project understanding:** Discussion that demonstrates the Consultant’s understanding of the
413 project’s purpose, key design elements and constraints.
414
- 415 3) **Project approach:** Discussion of the Consultant’s approach to providing the engineering
416 design and construction administration services detailed in this RFP. The proposal should
417 include critical issues, tasks, and other key considerations that formulated the approach
418 detailed in the RFP. Please note: the scope provided in this document was done so as general
419 guidance and original thinking and/or discussion of improvements to the approach/scope are
420 welcome.
421
- 422 4) **Qualifications and project experience:** Discussion of the qualifications and project
423 experience of the Consultant. The Consultant should include relevant projects completed by
424 the team, team organization, and resumes/qualifications and responsibilities of the
425 individuals on the team. *A licensed Professional Engineer in Nebraska is a requirement.*
426
- 427 5) **Schedule:** Identify general schedule and critical issues for each of the tasks. As stated, the
428 final scope/schedule will be negotiated following the selection of the winning Consultant.
429
- 430 6) **Budget:** Provide an estimated project budget using the seven major tasks described in the
431 draft scope outlined in this RFP. Include sub tasks and descriptions, complete with labor
432 rates, estimated hours and total costs. Please include assumptions. This budget will be the
433 basis for contract negotiation upon award of the project, once a final scope is agreed to by the
434 Consultant and the EDO.
435
- 436 7) **Conflict of interest statement:** Address whether or not any potential conflict of interest
437 exists between this project and other past or on-going projects, including any projects
438 currently being conducted for the Program.
439
- 440 8) **Description of insurance:** Provide proof of insurance with the proposal as this will be
441 required before a contract is issued to the Consultant. Minimum insurance requirements will
442 include \$1,000,000 general liability per occurrence.
443
- 444 9) **D-U-N-S number:** Provide a statement affirming that the Consultant is NOT on the federal
445 suspended and disbarred list and provide Dun & Bradstreet (D-U-N-S) number.
446

447 **Criteria for Evaluating Proposals**

448 The Governance Committee appointed a Proposal Selection Panel that will evaluate all proposals
449 and select a Consultant based on the following principal considerations:

- 450
- 451 1. The Consultant’s understanding of the project, including: goals, constraints, design elements
452 and general approach.
453



- 454 2. The Consultant’s approach to meeting those objectives as detailed in the proposal. Budget
455 will be a consideration in this item (note: selection will not be made based solely on the
456 Consultant’s budget but it will be a consideration).
457
- 458 3. The Consultant’s qualifications and the relevant experience of the proposed project team
459 members. Specifically, experience designing slurry wall storage facilities, as well as
460 diversion (groundwater and surface water), conveyance and measurement infrastructure.
461
- 462 4. Performance on past Program projects. Past experience is **NOT** a requirement but will be
463 considered, if applicable.
464
- 465 5. Clarity and content of the proposal.
466

467 **Award Notice**

468 After completing the initial evaluation of each proposal the Selection Panel will select a number
469 of Consultants to short-list and interview. After interviews, the Selection Panel will select a
470 Consultant. The selected Consultant will be given the opportunity to negotiate with the EDO to
471 establish a fair and equitable contract. If an agreement cannot be reached, a second firm will be
472 invited to negotiate and so on. If the Program is unable to negotiate a mutually satisfactory
473 contract with a consultant, it may, at its sole discretion, cancel and reissue a new RFP.
474

475 **Program Perspective**

476 The Governance Committee of the Program has the sole discretion and reserves the right to
477 reject any and all proposals received in response to this RFP and to cancel this solicitation if it is
478 deemed in the best interest of the Program to do so. Issuance of this RFP in no way constitutes a
479 commitment by the Program to award a contract, or to pay Consultant’s costs incurred either in
480 the preparation of a response to his RFP or during negotiations, if any, of a contract for services.
481 The Program also reserves the right to make amendments to this RFP by giving written notice to
482 Consultants, and to request clarification, supplements, and additions to the information provided
483 by a Consultant.
484

485 By submitting a proposal in response to his solicitation, Consultants understand and agree that
486 any selection of a Consultant or any decision to reject any or all responses or to establish no
487 contracts shall be at the sole discretion of the Program. To the extent authorized by law, the
488 Consultant shall indemnify, save, and hold harmless the Nebraska Community Foundation, the
489 states of Colorado, Wyoming, and Nebraska, the Department of the Interior, members of the
490 Governance Committee, and the Executive Director’s Office, their employees, employers, and
491 agents, against any and all claims, damages, liability, and court awards including costs, expenses,
492 and attorney fees incurred as a result of any act or omission by the Consultant or its employees,
493 agents, sub consultants, or assignees pursuant to the terms of this project. Additionally, by
494 submitting a proposal, Consultants agree that they waive any claim for the recovery of any costs
495 or expenses incurred in preparing and submitting a proposal.
496
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498 **VII. AVAILABLE INFORMATION**

499 The following pertinent Program-related documents can be accessed either from the Program
500 web site (www.platteriverprogram.org) or by contacting Kevin Werbylo

501 (werbylok@headwaterscorp.com):

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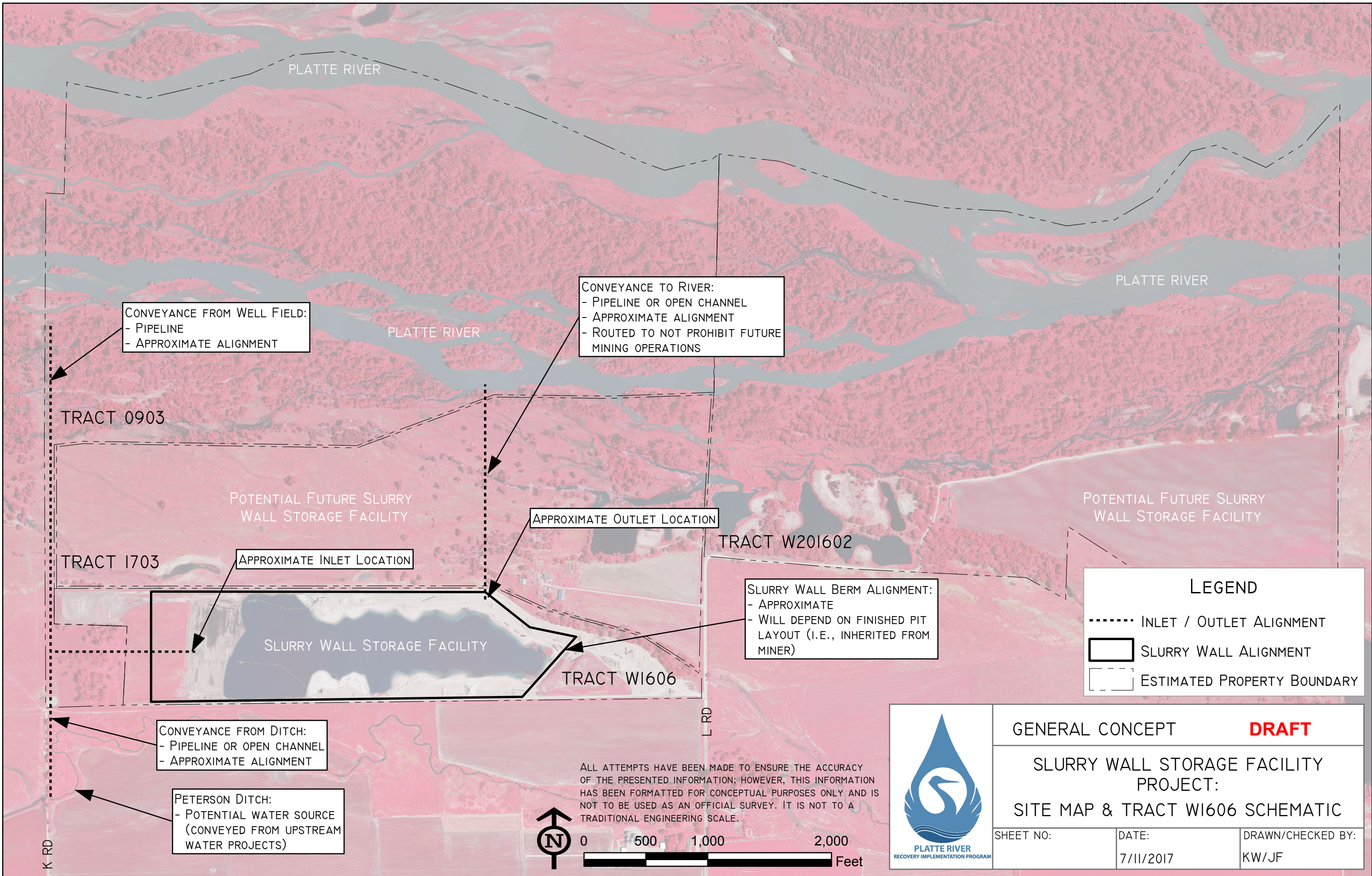
- 503 • Platte River Recovery Implementation Program, Final Program Document. October 24, 2006
- 504 • Platte River Recovery Implementation Program, Attachment 5, Water Plan. October 24, 2006

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**Attachment A:
Tract W1606 Slurry Wall Storage Facility Concept**



PLATTE RIVER

PLATTE RIVER

PLATTE RIVER

CONVEYANCE FROM WELL FIELD:
- PIPELINE
- APPROXIMATE ALIGNMENT

CONVEYANCE TO RIVER:
- PIPELINE OR OPEN CHANNEL
- APPROXIMATE ALIGNMENT
- ROUTED TO NOT PROHIBIT FUTURE MINING OPERATIONS

TRACT 0903

POTENTIAL FUTURE SLURRY WALL STORAGE FACILITY

POTENTIAL FUTURE SLURRY WALL STORAGE FACILITY

APPROXIMATE OUTLET LOCATION

TRACT W201602

TRACT 1703

APPROXIMATE INLET LOCATION

SLURRY WALL BERM ALIGNMENT:
- APPROXIMATE
- WILL DEPEND ON FINISHED PIT LAYOUT (I.E., INHERITED FROM MINER)

SLURRY WALL STORAGE FACILITY

TRACT W1606

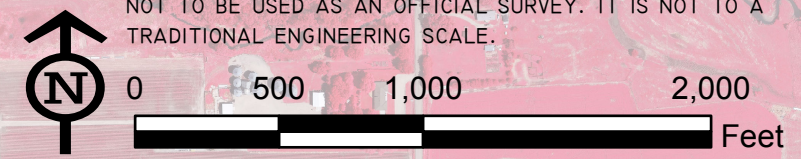
LEGEND

- INLET / OUTLET ALIGNMENT
- ▭ SLURRY WALL ALIGNMENT
- - - ESTIMATED PROPERTY BOUNDARY

CONVEYANCE FROM DITCH:
- PIPELINE OR OPEN CHANNEL
- APPROXIMATE ALIGNMENT

PETERSON DITCH:
- POTENTIAL WATER SOURCE
(CONVEYED FROM UPSTREAM WATER PROJECTS)

ALL ATTEMPTS HAVE BEEN MADE TO ENSURE THE ACCURACY OF THE PRESENTED INFORMATION; HOWEVER, THIS INFORMATION HAS BEEN FORMATTED FOR CONCEPTUAL PURPOSES ONLY AND IS NOT TO BE USED AS AN OFFICIAL SURVEY. IT IS NOT TO A TRADITIONAL ENGINEERING SCALE.



GENERAL CONCEPT		DRAFT
SLURRY WALL STORAGE FACILITY PROJECT: SITE MAP & TRACT W1606 SCHEMATIC		
SHEET NO:	DATE:	DRAWN/CHECKED BY:
	7/11/2017	KW/JF