

REQUEST FOR PROPOSAL
Engineering and Construction Services

SUBMITTAL DUE DATE

June 20, 2022
5:00 p.m. CST

Central Nebraska Public Power and Irrigation District
415 Lincoln Street
Holdrege, Nebraska 68949
(308) 995-5705



REQUEST FOR PROPOSAL
CNPPID NEW E65 SIPHON TO ELWOOD RESERVOIR

Overview Summary

The Central Nebraska Public Power and Irrigation District (Central) is making available this Request for Proposal (RFP) to interested vendors that can support professional engineering and construction services for a new siphon into Elwood Reservoir. The project includes approximately one mile of excavated canal and one mile of buried pipeline serving as a siphon capable of conveying approximately 450 to 550 cubic feet per second (cfs). The project is located between the supply canal at the Johnson Lake inlet and Elwood Reservoir in central Nebraska.

Schedule of Activity	Date	Time (CST)
RFP published	April 19 th 2022	N/A
Notification of intent to submit	May 4 nd 2022	N/A
Mandatory – ONSITE Pre-Application Meeting	May 10 th 2022	10:00 AM
Prospective Bidders submit formal inquiries to CNPPID. No inquiries accepted after this date	June 3 rd 2022	12:00 PM
Response to written inquiries	June 10 th 2022	N/A
Proposal Submission Deadline	June 20th 2022	5:00 PM

Layout of the RFP Document

Following is a brief overview of the structure and layout of this document:

Section 1: Describes the background and project description.

Section 2: Consultant Qualifications.

Section 3: Scope of Work.

Section 4: Proposal Submittal Requirement.

Section 5: Evaluation and Selection.

Section 6: Administrative and Legal Requirements.

RFP questions should be directed to: Scott Dicke | Irrigation and Water Services Manager | P.O. Box 740, 415 Lincoln Street, Holdrege, NE, 68949-0740 | 308-830-0031 | sdicke@cnppid.com

Section 1: Background and Project Description

The existing E65 siphons are critical infrastructure components for the Central E65 irrigation canal works. The Central E65 canal/siphons provide irrigation water to approximately 42,000 acres and is solely responsible for water stored in the Elwood Reservoir, a 1,100-acre irrigation regulating reservoir that is also known for its trophy fishery. The existing delivery system consist of three siphons which have been operational since 1941, and after 80 years of service, they are in a deteriorating condition. A preliminary engineering feasibility study was completed to determine a new E65 canal and siphon alignment that can address this essential aging infrastructure.

The new E65 canal and siphon is proposed to be approximately two miles in length and consists of approximately one mile of siphon and the other mile being an open canal on both ends of the siphon. It is anticipated that at least five water conveyance structures will be along the alignment including: gate structures at the diversion and outfall, siphon inlet structure with control gates, siphon outlet structure and at least one drain structure for maintenance of the siphon. An HDPE siphon pipe material with a 100-inch diameter was proposed as an option capable of conveying 450 to 550 cfs. Consideration of HDPE material was supported due to its design life that could support long-term sustainability of benefits served by the siphon.

In December 2021, Central was award a grant from the Nebraska Water Sustainability Fund. The grant (https://nrc.nebraska.gov/sites/nrc.nebraska.gov/files/doc/2021_5317.pdf) is available on the Nebraska Natural Resources Commission website. This document provides additional discussions, cost and illustrations for the proposed project. Interested vendors are strongly encouraged to review the application.

Section 2: Consultant Qualifications

Engineering firms or contractors interested in submitting a proposal must have experience designing, modeling, and the installation of large diameter pipe including HDPE. Additionally, consultants must be willing to accept all administrative and legal requirements, procurement timetable, policies and procedures in effect for this RFP procurement process. The responsible engineering firm must be licensed professionally to do work in Nebraska.

Section 3: Scope of Work

Central will engage a consultant to complete the final design of the new E65 canal/siphon. Design will include gathering all items needed for design along the new alignment, such as: a detailed topographic survey, geotechnical investigation and wetland delineation. The proposed alignment will then be finalized based on any new discoveries from these field investigations. A final design plan set and specifications will be completed by no later than May 1, 2023. The design team will develop and deliver a comprehensive design and set of construction documents. The design team will need to provide construction oversight through the completion of the project. Tasks 1 through 5 describe the proposed scope:

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Task 1: Due Diligence

Gather input and necessary data. Determine additional design considerations requirements and obtain necessary data for design. This may include field evaluations to support permitting and regulatory requirements.

Task 2: Modeling

Comprehensive hydraulic model from the supply canal at the Johnson lake inlet to Elwood Reservoir and the outlet facility at Elwood Reservoir. Consultant will utilize the field data to layout the proposed system. An accurate and comprehensive hydraulic model will be developed and supported with the completion of a detailed modeling report for submittal to Central that ensures the proper functioning of the system.

Task 3: Permitting

Consultants will be responsible for environmental compliance requirements and obtaining all necessary permits (local, regional, state, and federal) during the design process.

Task 4: Design

Develop bid ready construction documents including engineering plans, specifications, cost opinion, and front-end documents. Plan iterations for review and approval by owner shall be 50%, 90% and 100%.

Task 5: Contracting Documents, Bid letting and Construction Oversight

Develop contracting documents and support bid letting along with onsite construction oversight to ensure all efforts are completed according to engineer design, manufacture specifications, materials testing, health and safety protocols, and all other requirements necessary for completion. Include payment and performance bond management for Central.

Modifications

Potential engineers/firms may, at their discretion, propose modifications to the services to be provided, including modifications to the Scope of Work, Schedule, or other work necessary for a successful project. Proposed modifications should include an explanation of the reason such modifications should be considered, and the cost consequences of such modifications, if any. If potential firms propose a design build option, additional tasks should be detailed and discussed.

Section 4: Proposal Submittal Requirements

The Consultant shall provide a detailed statement of work for the product/services addressing the Scope of Services detailed in this RFP. Proposals should generally follow the outline presented here and respond to each of the items listed.

A. Cover Letter.

Firms submitting should include a cover letter addressing the project, the proposal and the completion of the project. The cover letter must comply with item (6)(I) of this RFP.

B. Consultant name, address, and names of primary contacts.

If multiple firms are teaming or partnering the submittal must identify the lead consultant which a single contract would be engaged.

C. Identify project management team and proposed staff.

List the project management team and lead project manager. Include relevant experience of the project manager and management team. Include similar work completed including references. Additionally, detail the proposed staff along with their qualifications and experience. Outline personnel skills and services that distinguish the Consultant, incorporating appropriate staff profiles and a description of specific staff that will comprise the project team for this assignment. The staff profile should describe the Consultant's experience in providing services for jobs of similar size(s), and provide applicable certifications for staff members involved in the process and address the firm's ability to prepare projects similar to the one describe within this RFP.

1. Staff and Management qualifications should include items such as:

- ✓ Demonstration of project understanding and the goals of the project.
- ✓ Description of organizational capacity (and sub-consulting staff) to complete all necessary planning service.
- ✓ Resumes of key staff members who will be working on this project. Resumes shall list the team member's qualifications and experience anticipated role to be assigned for this project.
- ✓ References, including contact information from previous clients of related work within the past seven years.
- ✓ Evidence of ability to work within tight time constraints and the earliest date available to assume these duties.
- ✓ Experience with payment and performance bonds and associated construction management oversight.

D. Restatement of services required

Attach a restatement of the proposed agreement that outlines its objectives and scope as perceived. Do not repeat the Scope of Services, but elaborate on the tasks, conditions, or other specifics deemed significant and necessary to demonstrate a complete understanding of the technical and substantive issues to be addressed, including the following:

1. A statement of the Consultant's understanding of the project that demonstrates knowledge of the project requirements and past relevant experience.
2. Proposed project approach, including timelines and description of the Consultant's technical approach to the project, including an outline of the sequence of tasks, major benchmarks and milestone dates.

E. Proposed Methodology to complete the Scope of Work.

Provide a general overview of the firms understanding of the project and approach to the project from beginning to end.

**Describe to Central how this project will be designed, installed and made operational so that Central has the comfort knowing that; design and construction will go well, the pipe will convey properly (not leak or break), and the surety that it can remain functional without interruption.*

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F. Plan Development Milestones, Timeline and Cost.

Central desires final design and construction documents completed by May 1, 2023. The proposal shall contain key milestones within these time constraints.

- Provide the earliest date available to assume these duties.
- Develop a cost for services based on the milestones and associated timeline. Line item cost should be related to the milestones and timeline.
- Summary of potential project risk and mitigating factors to be incorporated into the design and construction process.

G. Description of similar projects designed by the firm. Project summaries should emphasize their relevance to the proposed project. As attachments, you may include samples of related/comparable past projects that would serve as examples of experience and expertise necessary for this work. This does not include generalized promotional material, resumes, statement of experience, qualifications, or capabilities, or other material that is irrelevant to the proposed agreement.

H. References.

Provide three client references including the name of firm, contract administrator, business address and telephone number. References will be asked about the quality of work, ability to meet schedules/deadlines while staying within budget, along with the communication/cooperation with client.

Submittal Process and Details:

All proposals must be submitted as described herein. Exceptions or extensions to established deadlines will not be granted. Below is the schedule of Activity for the RFP.

Schedule of Activity	Date	Time (CST)
RFP published	April 19 th 2022	N/A
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The Schedule of Activity dates are subject to change at the discretion of Central. Selected Consultants submitting proposals may be invited to give an oral presentation explaining their proposal. If necessary, interviews will be conducted for the top two or three Consultants.

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Central is requesting that interested firms provide an email with their intention to make an RFP submittal. Responding firms interested will be notified with onsite mandatory meeting details. This list will be used to notify applicants of changes to the Schedule of Activities associated with this RFP or to provide information assisting a proposal. This might include date changes to a mandatory onsite visit or other unforeseen interruptions related to this procurement process.

Central shall make available to firms providing their notification of intent to submit; any drawings, reports, and other materials in Central's possession, as may be needed to develop a proposal, as requested. Central may utilize 'Dropbox' or other online sharing software for information sharing. Central's contract documents terms and conditions will be provided as part of the information sharing.

Central reserves the right to accept or reject any and all responses, in part or in whole, and to accept responses, which in its sole discretion and opinion appear to be responsive, responsible, and in the best interests of the New E65 Siphon to Elwood Reservoir. Central further reserves the right to waive any formalities or informalities or to amend this RFP as necessary.

All proposals must be received by Central no later than the date and time shown in the Schedule of Activities

Each proposal package shall consist of:

- One (1) original (identified as such) of:
 - Document I – Main Proposal Document with the project scope, and schedule.
 - Document II – Price Proposal with associated project tasks and schedule.

**Note: Document I and Document II packaged in separate envelopes.*
- Five (5) copies of Document I – Main Proposal Document.
- One electronic copy of the original (Document I and Document II).
 - Electronic copy can be provided with a flash drive or sent via email to sdicke@cnppid.com

A complete proposal package including elements of the proposer's response as delineated above MUST be submitted and received by the stated deadline. Proposals received after the date and time stated in the schedule of activities (or modified schedule if necessary) will not be considered.

It is the sole responsibility of the proposer to ensure that its complete proposal package is received prior to the deadline. Proposers mailing their documents should allow ample mail delivery time to ensure timely receipt of their proposals.

Proposals must be received by Central no later than 5:00 PM CDT June 20, 2022, and shall be valid until 90 days after the submittal due date. Notice of intent to submit and any other questions from potential engineers/firms shall be directed to:

Scott Dicke | Irrigation Water Services Manager| sdicke@cnppid.com

and

Tyler Thulin, P.E. | Civil Engineer | tthulin@cnppid.com.

Section 5: Evaluation and Selection

Central will review the Proposals and select a consultant/firm(s) to perform the services requested. Selection will be based upon information contained in the Proposal, including qualifications of both the proposed engineer and the firm, project approach, apparent understanding of the services requested, proposed contract terms, and the cost of the services requested. This is not a lowest-cost-bid selection, though cost may be a deciding factor between otherwise comparable Proposals. Central may contact any one or more of the bidding consultant/firm(s) to discuss the Proposal, seek clarification, request information or discuss possible revisions prior to awarding a bid. Central has the right to refuse any and all bids and not select any of the proposed consultant/firm(s). Central may conduct interviews for final selection of a firm.

Work Product and Deliverables

The Consultant will prepare and deliver a professionally designed and sealed set of final design plans, contracting documents along with construction oversight services *as time and expense not to exceed*. Any modifications to the tasks, scope of work, or cost should be discussed with explanation as to how it improves the deliverable and saves overall project costs, including any firm considering a design build option. Any firm proposing design build must provide an *opinion of probable construction cost as time and expense not to exceed*.

Section 6: Administrative and Legal Requirements

A. Insurance

The lead consultant is required to have insurance to protect Consultant, its subcontractors, and Central from claims for damages for personal injury, including accidental death, as well as for claims for property damage, and public liability which might arise from operations under its contract with Central, whether such operations be by Consultant or its subcontractor, or by anyone directly or indirectly employed by either of them. A Certificate of Insurance will be required prior to the start of the project along with other insurance requirements required by Central's contract terms and condition.

All insurance policies shall be issued by responsible companies who are acceptable to Central. The Consultant shall not cause any insurance to be canceled nor permit any insurance to lapse during the life of the contract with Central. Consultant shall indemnify and hold Central harmless from any damages, cost, claims or expenses which may arise as a result of any failure on the part of the Consultant to provide accurate and/or complete data and information to Central as outlined and required by the terms and conditions of its contract with Central. Consultant shall name Central as additional insured on the consultant's commercial general liability insurance, and with a payment and performance bond associated with construction for the final contract amount.

B. Single Contract

Central will enter into a single contract. Any partnerships between firms specializing must be managed in a Prime Contractor / Subcontractor approach. All references to "proposer" or "contractor" or "offeror" throughout this RFP document shall be interpreted to mean the *prime* responding vendor, except where specifically noted otherwise. Any/all forms signed

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and submitted by this so defined prime shall be interpreted as acknowledgement of terms and conditions and assumed responsibilities on behalf of *all* partnered entities (if applicable). The selected contractor will be required to assume responsibility for all goods and services offered in its proposal, and Central will consider the selected contractor to be the sole point of contact with regard to all contractual matters and responsibilities. The selected contractor must gain prior written approval from Central for any changes to subcontractors, subsequent to proposal submission.

C. Parent Company

If a proposer is owned or controlled by a parent company, the name and main office address of the parent company must be provided in the proposal document.

D. Response Material Ownership

All material submitted regarding this RFP becomes the property of Central. Central has the right to retain the original proposal and other RFP response materials for its files. As such, Central may retain or dispose of all copies as is lawfully deemed appropriate. Central has the right to use any or all information/material presented in reply to the RFP, subject to limitations outlined in the clause, Proprietary/Confidential Information. Proposer expressly agrees that Central may use the materials for all lawful State purposes, including the right to reproduce copies of the material submitted for purposes of evaluation, and to make the information available to the public in accordance with the provisions of the Public Records Act.

E. Proprietary/Confidential Information

All material submitted in response to this RFP will become public record and will become subject to inspection following final proposer selection. Any material requested for treatment as proprietary or confidential must be clearly identified and easily separable from the rest of the proposal. Such requests must include justification for each request. It is not acceptable to label the entirety of the proposal as proprietary or confidential.

F. Evaluation Criteria

An evaluation will be made by Central staff tasked with determining the merit of proposals received. Staff's recommendations will be presented to Central's Board of Directors for approval.

- Failure of the proposer to provide in its proposal any information requested in this RFP may result in disqualification of the proposal and shall be the sole responsibility of the proposing firm.
- During the evaluation process, discussions may be conducted with responding proposer(s) determined reasonably likely of being selected for award. It will be at the sole recommendation of Central staff as to whether discussions for clarification are needed and thereby requested.
- The sole objective of the evaluation will be to recommend the proposer whose proposal is determined most responsive to Central's needs and most advantageous to Central, taking into consideration items such as price, timeline, assurance, experience and all other necessary considerations required for a successful project completion and operation.

G. Proposal Content/Acceptance of RFP Terms

A submission in response to the RFP acknowledges acceptance by the proposer of all

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unaltered terms and conditions, as set forth herein. Any proposed exception taken to Central's Terms and Conditions must be clearly and thoroughly identified and supported and acceptable alternatives must be proposed. Failure to do so shall be deemed a waiver of any rights to subsequently raise exception and/or request modification, except as outlined or specified in this RFP. Submission of exceptions *does not guarantee* their acceptance, however, it will be taken into consideration during proposal review and scoring by the evaluating staff.

H. News Releases

Proposers shall not issue any news releases pertaining to this RFP prior to execution of a contract. At any time after execution, only news releases approved by the Central shall be made.

I. Certification of Independent Price Determination

By submission of its proposal, the proposer certifies and, in the case of a joint proposal, each party thereto certifies as to its own organization, that in connection with this procurement:

- i. The prices in the proposal were arrived independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other proposer or with any other competitor;
- ii. Unless otherwise required by law, the prices which have been quoted in this proposal have not been knowingly disclosed by the proposer and will not knowingly be disclosed by the proposer prior to award either directly or indirectly, to any other proposer or to any other competitor; and No attempt has been made by the proposer to induce any other person or firm to submit, or not to submit, a proposal for the purpose of restricting competition.
- iii. Each person signing the Cover Page of this RFP – certifies that:
 - He/she is the person within the proposer's organization responsible for that organization's decision as to the prices being offered in the proposal and that he/she has not participated, and will not participate, in any action contrary to I (i) through (ii) above OR;
 - He/she is not the person within the proposer's organization responsible for the decision as to the prices being offered in the proposal but that he/she has been authorized in writing to act as agent for the persons responsible for such decision, by certifying that such persons have not participated, and will not participate, in any action contrary to I (i) through (ii) above, and as their agent does hereby so certify; and he/she has not participated, and will not participate, in any action contrary to I (i) through (ii) above.

J. Choice of Law

The laws of the State of Nebraska shall govern in connection with the formation, performance, and the legal enforcement of any resulting contract.

K. Change in the Scope

Centrals objective is evaluation of proposals per the criteria established in this RFP. Those proposer(s) still being considered for the award at the time of any scope changes will be notified in writing of such changes and afforded the opportunity to respond or ask for

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clarification to those changes.

L. Taxes

Central, as purchaser, is exempt from taxes. The proposer is hereby notified that when materials are purchased in certain political subdivisions, the seller/proposer may be required to pay sales tax even though the ultimate product or service is provided to Central. This sales tax will not be reimbursed by the Central

M. Awarding the Bid

It is Central's intent to make a selection within 30 to 60 days of the proposal submission deadline. The evaluation process is dependent upon the length and number of the proposals received and the reviewers' availability, therefore Central is requiring all proposals remain firm and valid for award for at least 90 days following the proposal submittal deadline. Proposals must contain specific language agreeing to the validity of the pricing for 90 days. The awarding of the bid would be subject to final resolution of any issue that may remain between Central and the selected engineer/firm regarding the description of the work to be performed, price, or contracting issues. As such, Central will NOT allow any types of hardship cost increases such as, but not limited to; steel, fuel or any other type of material. If such issues are unable to be resolved and a final contractual agreement cannot be reached, the award of the bid would be void and Central would retain the right to select and begin negotiations with another proposing engineer/firm. One or more potential engineers/firms might be requested to extend the time beyond 90 days but they are not required to do so.