**Request for Proposals**

**Consulting Services to Study Alternative Uses for West Fork Reservoir and Canal Water Rights**

**San Juan Water Conservancy District**

**46 Eaton Drive Ste. #5**

**Pagosa Springs, CO 81147**

**Release Date: July 30, 2020**

**Proposals Due: Friday, August 28, 2020 at 5:00 p.m.**

**Invitation:**

The San Juan Water Conservancy District (SJWCD or District) requests separate sealed proposals for **Consulting Services to Study Alternative Uses for West Fork Reservoir and Canal Water Rights (Study).** Proposals will be received until **5:00 p.m., local time, Friday, August 28, 2020 .**

**U.S. Mail - addressed to:**

**SJWCD**

**46 Eaton Drive Ste. #5**

**Pagosa Springs, CO 81147**

**Electronic delivery:**

**Al Pfister -** [apfister.sjwcd@gmail.com](mailto:apfister.sjwcd@gmail.com)

**To arrange for hand delivery by 5:00 p.m. MST, Friday, August 28, 2020, please call Al Pfister – 970-985-5764.**

**Project Background:**

The San Juan Water Conservancy District (SJWCD) was formed on October 20, 1987 following a vote of the electors to serve a majority of Archuleta County. It is a political subdivision of the State of Colorado and a duly organized water conservancy district pursuant to the Water Conservancy Act, §37-45-101 *et seq*., C.R.S. The charge of the District is to provide water conservation, water resources planning, stream improvement, water rights protection, and development services within its service area. It is also charged with ensuring the property and residents within the District, the water resources of the San Juan River, and its tributaries will be benefited by these activities. SJWCD has the statutory authority to appropriate water rights, to have and exercise the power of eminent domain and dominant eminent domain, to sponsor water resources projects, to construct water development projects, to develop and operate augmentation plans and to appropriate recreational in-channel diversion water rights, among other powers.

SJWCD owns the conditional water rights tabulated in Table 1, attached hereto. Of particular relevance to this Request For Proposals (RFP) are the West Fork Reservoir and Canal water rights. SJWCD must file for a change in Point of Diversion and storage location for these water rights by June 2021 and develop those rights by the time the Dry Gulch/San Juan River Headwaters Project facilities are constructed. Pursuant to agreements and funding arrangements with the Pagosa Area Water and Sanitation District and Colorado Water Conservation Board, SJWCD must also acquire additional land for developing Dry Gulch/San Juan River Headwaters Project. SJWCD is currently the lead entity for development of the project.

**Project Description:**

SJWCD is requesting Proposals for the following services:

The District is in need of a contractor/consulting firm to develop and analyze a range of alternatives that enable the SJWCD to partially fulfill its charge and meet its court settlement obligations for the West Fork Reservoir and Canal water rights. Following a thorough review and understanding of the District’s water rights and other assets, these alternatives should provide the SJWCD with options for cost-effective development of these valuable water rights; thus, ensuring the District’s taxpayers receive optimal benefit of these assets. The alternatives should be in compliance with Colorado water law, evaluate practices currently being studied under the Colorado Water Plan (e.g. Alternative Transfer Methods, etc.), and consider the relatively limited budget of the District. Partnering with other entities should also be considered in developing proposed alternatives.

**Project Schedule:**

The Study will need to be completed and presented to the SJWCD Board of Directors by February 26, 2021.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

RFP Release Date July 30, 2020

Deadline for RFP Submissions August 28, 2020

Zoom Interview and Selection September 21, 2020

SJWCD Board Selection of Firm October 19, 2020

Completed Study February 26, 2021

**Additional Information:**

Additional information concerning this RFP is available from:

Al Pfister – President/Chairman

SJWCD

46 Eaton Drive Ste. #5

Pagosa Springs, CO 81147

970-985-5764

[apfister.sjwcd@gmail.com](mailto:apfister.sjwcd@gmail.com)

**Inquiries:**

Any questions or inquiries should be directed **in writing via email only** to Al Pfister, SJWCD President/Chairman, by 5:00 p.m. on August 21, 2020. Questions must be emailed to afister.sjwcd@gmail.com. Written responses will be emailed out to all interested parties by 5:00 p.m. on August 24, 2020. Verbal inquiries must be followed by written requests for information or clarification. No verbal answers will be considered applicable, only written ones will apply.

**Scope of Work:**

In general, the scope of work for the Study includes:

* Establish comprehensive understanding of the District’s water rights portfolio.
* Complete water demand analysis for agricultural, municipal, industrial, recreational, and environmental uses of water in the District and connected portions of the San Juan River basin.
* Identify other governmental entities and private water users for potential partnership.
* Identify, compare and contrast, and prioritize possible alternative uses for the West Fork Reservoir and Canal water rights.
* Develop feasibility assessment based on cost, timing, and ultimate benefit to the District of each alternative.
* Provide monthly updates/overview of work to the SJWCD Board of Directors.
* Deliver final Study that compares and contrasts, including prioritization and feasibility assessment, possible alternative uses for the West Fork Reservoir and Canal water rights.

**Study Requirements:**

* Provides comprehensive proposal of alternatives, including prioritization and feasibility assessment, to original intended use of West Fork Reservoir and Canal water rights.
* Demonstrates how the proposed alternatives accomplish the District’s goal of cost-effective development of the West Fork Reservoir and Canal water rights consistent with the District’s purposes and community needs.
* One (1) copy of the Study shall be provided to the District, along with the complete study in a digital form. Anticipate at least one (1) final presentation of the Study to the members of the SJWCD Board of Directors.

**Submittal Guidelines:**

The proposal response submitted shall contain all information as requested herein and any additional information necessary to summarize the overall benefit of the proposal to SJWCD. Proposing firms should submit one (1) original unbound proposal marked “original”, seven (7) copies, and one (1) electronic version in PDF format of the proposal no later than 5:00 p.m. on Friday, August 28, 2020. Electronic versions of proposals shall be submitted to [apfister.sjwcd@gmail.com](mailto:apfister.sjwcd@gmail.com). Proposal shall not exceed 15 pages, including any resumes, attachments, and appendices. Font size for any narrative portions of the proposal shall not be less than 11. Proposing firms will be expected to allow adequate time for delivery of their proposals either by package carrier, postal service, or other means. “West Fork Reservoir and Canal Study Proposal” should be clearly marked on the outside of the packaging and sealed securely.

Submittals should be directed to SJWCD 46 Eaton Drive Ste. #5, Pagosa Springs, CO 81147 and [apfister.sjwcd@gmail.com](mailto:apfister.sjwcd@gmail.com) respectively. The submittal of a proposal shall be taken as evidence that the proposing individual/firm has full knowledge of the scope, nature, quality, and quantity of the project to be performed and the detailed requirements and conditions under which the project is to be performed.  This solicitation does not commit SJWCD to award a contract, to pay any cost incurred with the preparation of a proposal, or to procure or contract for services or supplies.

SJWCD reserves the right to accept or reject any or all proposals received in response to this request, to negotiate with any qualified source, or cancel in whole or part this proposal process if it is in the best interest of the District to do so. Subsequent to contract negotiations, prospective consultants may be required to submit revisions to their proposals. All proposers should note that any contract pursuant to this solicitation is dependent upon the approval of the SJWCD Board of Directors.

SJWCD reserves the right to waive non-substantial irregularities in any proposal, to request additional information for the purposes of clarification, and to extend the submission due date for: to modify, amend, reissue, or rewrite this document; and to procure any or all services by other means. SJWCD may modify, clarify, or interpret the RFP by sending an addendum to each firm that originally received or requested an RFP. Any such addendum shall become part of the RFP and of any contract awarded. The proposer may make modifications to a proposal already submitted to SJWCD, but must submit a written request to withdraw its proposal in order to make the modifications. It is the responsibility of the proposer to ensure that modified proposals are resubmitted in accordance with the RFP submittal deadline.

A proposer may withdraw its proposal by submitting a written request to withdraw prior to 4:00 p.m. on August 28, 2020, in which event the proposal will be returned to the proposer.

**All proposals should include the following background information:**

A Letter of Submission shall include the name, address, and telephone number of the person(s) who is authorized to legally represent the firm. Any confidential material contained in the proposal shall be clearly indicated and marked as "Confidential."

Firms must provide a brief description of their company history and organization (e.g., date of establishment, form of business, number of employees, office locations, typical annual revenue, pending litigation, etc.), as well as, a background on its experience in water rights and hydrological-related studies/modeling; of particular interest, engagements involving entities that have characteristics similar to SJWCD.

* A narrative that presents services the firm would provide detailing the approach, methodology, deliverables, and client meetings to be provided.
* Identification of the personnel to be assigned to this engagement including a résumé of related experience.  If more than one employee is to be assigned to the project, an organizational chart showing line of authority shall be included.
* A timeline for preparation and implementation of the Study.
* A summary of professional liability, errors and omission insurance coverage the firm  maintains.
* A list of references for projects of a similar nature to this project. A description of past projects to include client, location, contact person, contact information (telephone/e-mail address), and a brief summary description of the project.
* Provide the project cost for services in an itemized work format. The project cost for services shall be a “not-to-exceed cost for services” of $50,000.

**Selection Criteria:**

Selection of the contractor/consulting firm will be based on the following criteria:

* Experience with Colorado water law- experience supporting the preparation and prosecution of water rights applications for agricultural, industrial, environmental, recreational, and/or municipal purposes **- 40%**
* Experience with SW Colorado water issues, especially the Upper San Juan River **- 30%**
* Cost in light of ability to fulfill the Scope of Work and Study Requirements **- 30%**

**General requirements of the selected proposing firm:**

* Enter into a contract with SJWCD. (These documents and proposal submittals become part of the contract).
* Maintain insurance coverage for the duration of the contract period.
* Prohibited from assigning or subcontracting the whole or any part of the contract without the prior written consent of SJWCD.
* Shall not hire, discharge, promote, demote, or otherwise discriminate in matters of compensation, terms, conditions, or privileges of employment against any person otherwise qualified solely because of race, creed, sex, national origin, ancestry, physical or mental disability, color, or age.
* Contractor shall be in compliance with the applicable provisions of the Americans with Disabilities Act of 1990 as enacted and from time to time amended and any other applicable federal, state, or local laws and regulations. A signed, written certificate stating compliance with the Americans with Disabilities Act may be requested at any time during the life of this Agreement or any renewal thereof.
* Operate as an independent contractor and will not be considered employee(s) of SJWCD.

Successful consultant will be paid on actual invoices as work is completed as negotiated.