

**Nebraska (Department of Natural Resources)
REQUEST FOR PROPOSAL FOR CONTRACTUAL
SERVICES FORM**

RETURN TO:
Department of Natural Resources
245 Fallbrook, Suite 201
Lincoln, Nebraska 68521
Phone: 402-471-2363
Fax: 402-471-2900

SOLICITATION NUMBER	RELEASE DATE
RFP NDNR25-01	June 18, 2025
OPENING DATE AND TIME	PROCUREMENT CONTACT
July 18, 2025, 1:00 p.m. Central Time	Matt Manning

This form is part of the specification package and must be signed and returned, along with proposal documents, by the opening date and time specified.

PLEASE READ CAREFULLY!

SCOPE OF SERVICE

The Nebraska Department of Natural Resources, is issuing this Request for Proposal, RFP Number NDNR25-01 for the purpose of selecting a qualified contractor to provide engineering design services for the Perkins County Canal Project Third-Party Environmental Impact Statement (EIS).

Written questions are due no later than **July 9, 2025**, and should be submitted via e-mail to matt.manning@nebraska.gov.

Bidder should submit one (1) original hard-copy, five (5) additional paper copies, and one electronic copy on a "flash drive" of the entire proposal. In the event of any inconsistencies among the proposals, the language contained in the original proposal shall govern. Proposals must be submitted by the proposal due date and time.

PROPOSALS MUST MEET THE REQUIREMENTS OUTLINED IN THIS REQUEST FOR PROPOSAL TO BE CONSIDERED VALID. PROPOSALS WILL BE REJECTED IF NOT IN COMPLIANCE WITH THESE REQUIREMENTS.

1. Sealed proposals must be received in State Department of Natural Resources by the date and time of proposal opening indicated above. No late proposals will be accepted. No e-mail, fax, voice, or telephone proposals will be accepted.
2. This form "REQUEST FOR PROPOSAL FOR CONTRACTUAL SERVICES" MUST be manually signed, in ink, and returned by the proposal opening date and time along with bidder's proposal and any other requirements as specified in the Request for Proposal to be considered for an award.
3. It is the responsibility of the bidder to check the website for all information relevant to this solicitation to include addenda and/or amendments issued prior to the opening date. Website address is as follows:
<https://dnr.nebraska.gov/perkins-county-canal>
4. It is understood by the parties that in the State of Nebraska's opinion, any limitation on the contractor's liability is unconstitutional under the Nebraska State Constitution, Article XIII, Section 3, and that any limitation of liability shall not be binding on the State of Nebraska despite inclusion of such language in documents supplied with the contractor's bid or in the final contract.

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Attachment A – Schedule of Services

I. SCOPE OF THE REQUEST FOR PROPOSAL

The State of Nebraska, Department of Natural Resources (hereafter known as NeDNR or State), is issuing this Request for Proposal, RFP NDNR25-01 for the purpose of selecting a qualified contractor to prepare an Environmental Impact Statement (EIS) for the Perkins County Canal Project (Project). Prior to construction of the proposed project, NeDNR is seeking federal authorization through Section 404 of the Clean Water Act. The U.S. Army Corps of Engineers, Omaha District (USACE), as the lead federal agency, has determined that an EIS is needed to meet their National Environmental Policy Act (NEPA) compliance requirements. The selected contractor will work directly for the USACE and be compensated by NeDNR. This RFP is not a federal procurement action.

The Project will include (but may not be limited to) the following general elements:

- Preparation of the Draft Environmental Impact Statement
- Project Meetings including scoping, cooperating agency, and public meetings
- Perform environmental evaluations to supplement existing survey information for project area
- Preparation of Final Environmental Impact Statement
- Preparation of Draft Record of Decision

Consultants are to use the information contained in this Request for Proposal when preparing their proposal for the Project. Consultants are strongly encouraged to visit the project area and review materials hosted by NeDNR on their website.

A contract resulting from this Request for Proposal will be issued for a period effective from date of contract award through December 31, 2028, with the option to renew for two (2) additional six (6) month periods as mutually agreed upon by all parties.

A. REJECTION OF PROPOSALS

The State reserves the right to reject any or all proposals, wholly or in part, or to award to multiple bidders in whole or in part. The State reserves the right to waive any deviations or errors that are not material, do not invalidate the legitimacy of the proposal, and do not improve the bidder's competitive position. All awards will be made in a manner deemed in the best interest of the State.

ALL INFORMATION PERTINENT TO THIS REQUEST FOR PROPOSAL CAN BE FOUND ON THE INTERNET AT: <https://dnr.nebraska.gov/perkins-county-canal>

B. SCHEDULE OF EVENTS

The State expects to adhere to the tentative procurement schedule shown below. It should be noted, however, that some dates are approximate and subject to change.

	ACTIVITY	DATE/TIME
1.	Release Request for Proposal	06/18/2025
2.	Last Day to Submit Written Questions	07/09/2025
3.	State responds to written questions through Request for Proposal "Addendum" and/or "Amendment" to be posted to the Internet at: https://dnr.nebraska.gov/perkins-county-canal	07/15/2025
4.	Proposal opening Location (closed): Nebraska Department of Natural Resources 245 Fallbrook Suite 201 Lincoln, NE 68521	07/18/2025
5.	Review for conformance of mandatory requirements	07/23/2025
6.	Evaluation period	08/01/2025
7.	"Oral Interviews/Presentations and/or Demonstrations"	08/07/2025
8.	Post "Letter of Intent to Contract" to Internet at: https://dnr.nebraska.gov/perkins-county-canal	08/13/2025
9.	Contract award	08/18/2025
10.	Contractor start date	09/01/2025

C. GENERAL INFORMATION

The Request for Proposal is designed to solicit proposals from qualified vendors who will be responsible for preparing an EIS, under direction from USACE, for the Perkins County Canal Project (Project). Proposals that do not conform to the mandatory items as indicated in the Request for Proposal will not be considered. Proposals shall conform to all instructions, conditions, and requirements included in the Request for Proposal. Prospective bidders are expected to carefully examine all documentation, schedules and requirements stipulated in this Request for Proposal and respond to each requirement in the format prescribed. In addition to the provisions of this Request for Proposal and the awarded proposal, which shall be incorporated by reference in the contract, any additional clauses or provisions required by the terms and conditions will be included as an amendment to the contract.

D. COMMUNICATION WITH STATE or USACE STAFF

From the date the Request for Proposal is issued, until a determination is announced regarding the selection of the contractor, contact regarding this project between potential contractors and individuals employed by the State or USACE is restricted to only written communication with the staff designated above as the point of contact for this Request for Proposal. Once a contractor is preliminarily selected, as documented in the intent to contract, that contractor is restricted from communicating with State or USACE staff until a contract is signed. Violation of this condition may be considered sufficient cause to reject a contractor's proposal and/or selection irrespective of any other condition.

The following exceptions to these restrictions are permitted:

1. Written communication with the person(s) designated as the point(s) of contact for this Request for Proposal or procurement,
2. Contacts made pursuant to any pre-existing contracts or obligations, and
3. State-requested presentations, key personnel interviews, clarification sessions or discussions to finalize a contract.

Violations of these conditions may be considered sufficient cause to reject a bidder's proposal and/or selection irrespective of any other condition. No individual member of the State or USACE, employee of the State or USACE, or member of the Evaluation Committee is empowered to make binding statements regarding this Request for Proposal. The State will issue any clarifications or opinions regarding this Request for Proposal in writing.

E. WRITTEN QUESTIONS AND ANSWERS

Any explanation desired by a bidder regarding the meaning or interpretation of any Request for Proposal provision must be submitted in writing to the Department of Natural Resources and clearly marked "**RFP NDNR25-01; Perkins County Canal Third-Party EIS Questions.**" It is preferred that questions be sent via e-mail to matt.manning@nebraska.gov.

Written answers will be provided through an addendum to be posted on the Internet at <https://dnr.nebraska.gov/perkins-county-canal> on or before the date shown in the Schedule of Events.

F. ORAL INTERVIEWS/PRESENTATIONS AND/OR DEMONSTRATIONS

Oral interviews/presentations may be required to determine the successful bidder. All bidders may not have an opportunity to interview/present; the State and USACE reserves the right to select only the top scoring bidders to present/give oral interviews in its sole discretion. The scores from the oral interviews/presentations and/or demonstrations will be added to the scores from the Technical Proposals. The presentation process will allow the bidders to demonstrate their proposal offering, while explaining and/or clarifying any unusual or significant elements related to their proposals. Bidders' key personnel may be requested to participate in a structured interview to determine their understanding of the requirements of this proposal, their authority and reporting relationships within their firm, and their management style and philosophy. Bidders shall not be allowed to alter or amend their proposals after the stated time for bids being closed. Only representatives of the State, USACE, and the presenting bidders will be permitted to attend the oral interviews/presentations and/or demonstrations.

Once the oral interviews/presentations and/or demonstrations have been completed, if required, the State reserves the right to make a contract award without any further discussion with the bidders regarding the proposals received.

Detailed notes of oral interviews/presentations and/or demonstrations may be recorded and supplemental information (such as briefing charts, et cetera) may be accepted; however, such supplemental information shall not be considered an amendment to a bidders' proposal. Additional written information gathered in this manner shall not constitute replacement of proposal contents.

Any costs incidental to the oral interviews/presentations and/or demonstrations shall be borne entirely by the bidder and will not be compensated by the State.

G. SUBMISSION OF PROPOSALS

The following describes the requirements related to proposal submission and proposal handling by the State.

To facilitate the proposal evaluation process, one (1) original hard-copy, clearly identified as such, five (5) additional paper copies, and one (1) electronic copy on a “flash drive” of the entire proposal should be submitted. The copy marked “original” shall take precedence over any other copies, should there be a discrepancy. Proposals must be submitted by the proposal due date and time. A separate sheet must be provided that clearly states which sections have been submitted as proprietary or have copyrighted materials. All proprietary information the bidder wishes the State to withhold must be clearly identified in the proposal. Proposal responses should include the completed Form A, Bidder Contact Sheet. Proposals must reference the request for proposal number and be sent to the specified address. Container(s) utilized for original documents should be clearly marked “ORIGINAL DOCUMENTS”. If a recipient phone number is required for delivery purposes, 402-471-2363 should be used. The request for proposal number must be included in all correspondence. Emphasis should be concentrated on conformance to the Request for Proposal, responsiveness to requirements, completeness, and clarity of content. If the bidder’s proposal is presented in such a fashion that makes evaluation difficult or overly time consuming, it is likely that points will be lost in the evaluation process. Elaborate and lengthy proposals are neither necessary nor desired. The Technical Proposal should be presented in separate sections on standard 8 ½” x 11” paper, except that charts, diagrams and the like may be on fold-outs which, when folded, fit into the 8 ½” by 11” format. Pages may be consecutively numbered for the entire proposal or may be numbered consecutively within sections. Figures and tables must be numbered consecutively within sections. Figures and tables must be numbered and referenced in the text by that number. They should be placed as close as possible to the referencing text.

A cost proposal **should not** be submitted with the Proposal.

Using the NeDNR’s order of preference as the most qualified, USACE will select the first contractor that is fully acceptable to the USACE. USACE will approve in writing the selected third-party contractor. The selected firm will negotiate with NeDNR to establish a fair and equitable contract. If an agreement cannot be reached, the second most qualified firm that is approved by USACE will be invited to negotiate with NeDNR, and so on, until an agreement is reached.

To avoid any conflict of interest, and before the selected firm can work on the EIS, the selected firm must also execute a disclosure statement, prepared by USACE, specifying that the selected firm has no financial or other interest in the outcome of the project.

H. LATE PROPOSALS

Proposals received after the time and date of the proposal opening will be considered late proposals and rejected. Rejected late proposals will be returned to the bidder unopened, if requested, at bidder's expense. The State is not responsible for proposals that are late or lost due to mail service inadequacies, traffic, or any other reason(s).

I. EVALUATION OF PROPOSALS

All responses to this Request for Proposal which fulfill all mandatory requirements will be evaluated. Each category will have a maximum possible point potential. The State will conduct a fair, impartial and comprehensive evaluation of all proposals in accordance with the criteria set forth below. Areas that will be addressed and scored during the evaluation include:

1. Proposed approach to the scope of work for meeting the needs of the project and deliverable timeframes;
2. Expertise and technical understanding of NEPA and integration of the USACE Section 404(b)(1) Guidelines;
3. Demonstrated understanding of South Platte River Basin and Platte River Basin water uses, return flows, and water supply interconnections;
4. Demonstrated expertise and technical understanding of similar Projects;
5. Project team experience in conducting such evaluations;
6. The ability, capacity, and skill of the bidder to deliver the project that meets the requirements of the Request for Proposal;
7. The character, integrity, reputation, judgment, experience, and efficiency of the bidder, and;
8. The ability of the bidder to perform the contract within the specified time frame.

Evaluation criteria and a list of respondents will be posted to the Department's website at <https://dnr.nebraska.gov/perkins-county-canal>.

J. EVALUATION COMMITTEE

Proposals will be independently evaluated by members of the Evaluation Committee(s). The committee(s) will consist of staff from NeDNR with the appropriate expertise to conduct such proposal evaluations. Names of the members of the Evaluation Committee(s) will not become public information. USACE has the final determination of selection.

Prior to award, bidders are advised that only the point of contact indicated on the front cover of this Request For Proposal For Contractual Services Form can clarify issues or render any opinion regarding this Request for Proposal. No individual member of the State, employee of the State or member of the Evaluation Committee(s) is empowered to make binding statements regarding this Request for Proposal.

K. MANDATORY REQUIREMENTS

The proposals will first be examined to determine if all mandatory requirements listed below have been addressed to warrant further evaluation. Proposals not meeting mandatory requirements will be excluded from further evaluation. The mandatory requirement items are as follows:

1. Signed in ink Request For Proposal For Contractual Services form,
2. Clarity and responsiveness,
3. Completed Executive Summary,
4. Completed Corporate Overview, and
5. Completed Technical Approach.

L. REFERENCE CHECKS

The State and USACE reserves the right to check any reference(s), regardless of the source of the reference information, including but not limited to, those that are identified by the company in the proposal, those indicated through the explicitly specified contacts, those that are identified during the review of the proposal, or those that result from communication with other entities involved with similar projects.

Information to be requested and evaluated from references may include, but is not limited to, some or all the following: project description and background, job performed, functional and technical abilities, communication skills and timeliness, cost and schedule estimates and accuracy, problems (poor quality deliverables, contract disputes, work stoppages, et cetera), overall performance, and whether the reference would rehire the firm or individual. Only top scoring bidders may receive reference checks and negative references may eliminate bidders from consideration for award.

M. SECRETARY OF STATE/TAX COMMISSIONER REGISTRATION REQUIREMENTS

All bidders are expected to comply with any statutory registration requirements. It is the responsibility of the bidder who is the recipient of an Intent to Award to comply with any statutory registration requirements pertaining to types of business entities (e.g. a foreign or Nebraska corporation, non-resident contractor, limited partnership, or other type of business entity). The bidder who is the recipient of Intent to Award will be required to certify that it has so complied and produce a true and exact copy of its registration certificate, or, in the case registration is not required, to provide the reason as to why none is required. This must be accomplished prior to the award of contract.

N. VIOLATION OF TERMS AND CONDITIONS

Violation of the terms and conditions contained in this Request for Proposal or any resultant contract, at any time before or after the award, shall be grounds for action by the State which may include, but is not limited to, the following:

1. Rejection of a bidder's proposal, and
2. Suspension of the bidder from further bidding with the State for the period of time relative to the seriousness of the violation, such period to be within the sole discretion of the State.

II. TERMS AND CONDITIONS

By signing the "Request For Proposal For Contractual Services" form, the bidder recognizes the requirements to comply with the provisions stated in this Request for Proposal, agrees to the terms and conditions and certifies bidder maintains a drug free work place environment.

Prior to entering into contract with the State, the award-winning Bidder(s) are expected to closely read the contractual Terms and Conditions and provide a binding signature of intent to comply with the Terms and Conditions; provided, however, a bidder may indicate any exceptions to the Terms and Conditions by (1) clearly identifying the term or condition by subsection, (2) including an explanation for the bidder's inability to comply with such term or condition which includes a statement recommending terms and conditions the bidder would find acceptable.

III. PROJECT DESCRIPTION AND SCOPE OF WORK

A. Project Overview

Project Title: Perkins County Canal Project Third-Party EIS

The Nebraska Department of Natural Resources (NeDNR) is pursuing the construction of a project to secure South Platte River flows to support the State of Nebraska's irrigation needs in the Platte River Basin, pursuant to the South Platte River Compact. Prior to construction of the proposed project, herein referred to as the Perkins County Canal Project, NeDNR is seeking federal authorization, through Section 404 of the Clean Water Act, for the discharge of dredged or fill material into waters of the United States. The U.S. Army Corps of Engineers Omaha District (USACE) has determined, unless revisited as a result of further study, that preparation of an Environmental Impact Statement (EIS) is required in connection with this authorization. The USACE is the lead federal agency. Cooperating and participating agencies are yet to be determined. The third-party contractor (Consultant) will work directly for the USACE, under contract with the NeDNR. The selected Consultant must sign a "Conflict of Interest" statement with the USACE.

B. Project Requirements

Please see Attachment A titled "Schedule of Services, Environmental Impact Statement, Perkins County Canal" for project requirements.

IV. PROPOSAL INSTRUCTIONS

This section documents the mandatory requirements that must be met by bidders in preparing the Technical Proposal. Bidders should identify the subdivisions of "Project Description and Scope of Work" clearly in their proposals; failure to do so may result in disqualification. Failure to respond to a specific requirement may be the basis for elimination from consideration during the State's comparative evaluation.

Proposals are due by the date and time shown in the Schedule of Events.

A. PROPOSAL

The Proposal shall consist of four (4) sections:

1. SIGNED in ink "State of Nebraska Request For Proposal For Contractual Services" form, Bidder Contact Sheet (Form A), and Certificate of Liability Insurance,
2. Executive Summary,
3. Corporate Overview, and
4. Technical Approach.

1. **REQUEST FOR PROPOSAL FORM**

By signing the "Request For Proposal For Contractual Services" form, the bidder guarantees compliance with the provisions stated in this

Request for Proposal, agrees to the Terms and Conditions stated in this Request for Proposal and certifies bidder maintains a drug free work place environment. The Request For Proposal For Contractual Services form must be signed in ink and returned by the stated proposal due date and time as section 1 of the bidders submittal to be considered for an award.

Bidder Contact Sheet (Form A) shall be completed and included in this section. A copy of the bidder's certificate of liability insurance.

2. **EXECUTIVE SUMMARY**

The Executive Summary shall condense and highlight the contents of the solution being proposed by the bidder in such a way as to provide the Evaluation Committee with a broad understanding of the Contractor's Technical Proposal.

Bidders must present their understanding of the problems being addressed by implementing a new system, the objectives and intended results of the project, and the scope of work. Bidders shall summarize how their Technical Proposal meets the requirements of the Request for Proposal, and why they are best qualified to perform the work required herein.

3. **CORPORATE OVERVIEW**

The Corporate Overview section of the Technical Proposal must consist of the following subdivisions:

a. **BIDDER IDENTIFICATION AND INFORMATION**

The bidder must provide the full company or corporate name, address of the company's headquarters, entity organization (corporation, partnership, proprietorship), state in which the bidder is incorporated or otherwise organized to do business, year in which the bidder first organized to do business, whether the name and form of organization has changed since first organized, and Federal Employer Identification Number and/or Social Security Number.

b. **FINANCIAL STATEMENTS**

The bidder must provide financial statements applicable to the firm. If publicly held, the bidder must provide a copy of the corporation's most recent audited financial reports and statements, and the name, address and telephone number of the fiscally responsible representative of the bidder's financial or banking organization.

If the bidder is not a publicly held corporation, either the reports and statements required of a publicly held corporation,

or a description of the organization, including size, longevity, client base, areas of specialization and expertise, and any other pertinent information must be submitted in such a manner that proposal evaluators may reasonably formulate a determination about the stability and financial strength of the organization. Additionally, a non-publicly held firm must provide a banking reference.

The bidder must disclose any and all judgments, pending or expected litigation, or other real or potential financial reversals, which might materially affect the viability or stability of the organization, or state that no such condition is known to exist.

c. **CHANGE OF OWNERSHIP**

If any change in ownership or control of the company is anticipated during the twelve (12) months following the proposal due date, the bidder must describe the circumstances of such change and indicate when the change will likely occur. Any change of ownership to an awarded vendor(s) will require notification to the State.

d. **OFFICE LOCATION**

The bidder's office location responsible for performance pursuant to an award of a contract with the State of Nebraska must be identified.

e. **LICENSURE**

The bidder is required to indicate that the project team has and will maintain all necessary licensures during the term of the project.

f. **RELATIONSHIPS WITH THE STATE**

The bidder shall describe any dealings with the State over the previous five (5) years. If the organization, its predecessor, or any party named in the bidder's proposal response has contracted with the State, the bidder shall identify the contract number(s) and/or any other information available to identify such contract(s). If no such contracts exist, so declare.

g. **BIDDER'S EMPLOYEE RELATIONS TO STATE**

If any party named in the bidder's proposal response is or was an employee of the State within the past twelve (12) months, identify the individual(s) by name,

State agency with whom employed, job title or position held with the State, and separation date. If no such relationship exists or has existed, so declare.

If any employee of any agency of the State of Nebraska is employed by the bidder or is a subcontractor to the bidder, as

of the due date for proposal submission, identify all such persons by name, position held with the bidder, and position held with the State (including job title and agency). Describe the responsibilities of such persons within the proposing organization. If, after review of this information by the State, it is determined that a conflict of interest exists or may exist, the bidder may be disqualified from further consideration in this proposal. If no such relationship exists, so declare.

h. **CONTRACT PERFORMANCE**

If the bidder or any proposed subcontractor has had a contract terminated for default during the past five (5) years, all such instances must be described as required below. Termination for default is defined as a notice to stop performance delivery due to the bidder's non-performance or poor performance, and the issue was either not litigated due to inaction on the part of the bidder or litigated and such litigation determined the bidder to be in default.

It is mandatory that the bidder submit full details of all termination for default experienced during the past five (5) years, including the other party's name, address and telephone number. The response to this section must present the bidder's position on the matter. The State will evaluate the facts and will score the bidder's proposal accordingly. If no such termination for default has been experienced by the bidder in the past five (5) years, so declare.

If at any time during the past five (5) years, the bidder has had a contract terminated for convenience, non-performance, non-allocation of funds, or any other reason, describe fully all circumstances surrounding such termination, including the name and address of the other contracting party.

i. **SUMMARY OF BIDDER'S CORPORATE EXPERIENCE**

The bidder shall provide a summary matrix listing the bidder's previous projects similar to this Request for Proposal in size, scope and complexity. The State will use no more than three (3) narrative project descriptions submitted by the bidder during its evaluation of the proposal.

The bidder must address the following:

- Bidder must provide narrative descriptions to highlight the similarities between their experience and this Request for Proposal. These descriptions must include:
 - a) The time of the project,
 - b) The scheduled and actual completion dates,
 - c) The contractor's responsibilities,

- d) For reference purposes, a customer name (including the name of a contact person, a current telephone number, a facsimile number and e-mail address), and
- e) Each project description shall identify whether the work was performed as the prime contractor or as a subcontractor. If a bidder performed as the prime contractor, the description must provide the originally scheduled completion date and budget, as well as the actual (or currently planned) completion date and actual (or currently planned) budget.

- Contractor and subcontractor(s) experience must be listed separately. Narrative descriptions submitted for subcontractors must be specifically identified as subcontractor projects.
- If the work was performed as a subcontractor, the narrative description shall identify the same information as requested for the contractors above. In addition, subcontractors shall identify what share of contract costs, project responsibilities, and time were performed as a subcontractor.

j. **SUMMARY OF BIDDER'S PROPOSED PERSONNEL/MANAGEMENT APPROACH**

The bidder must present a detailed description of its proposed approach to the management of the project.

The bidder must identify the specific professionals who will work on the State's project if their company is awarded the contract resulting from this Request for Proposal. The names and titles of the team proposed for assignment to the State project shall be identified in full, with a description of the team leadership, interface and support functions, and reporting relationships. The primary work assigned to each person should also be identified.

The bidder shall provide resumes for all personnel proposed by the bidder to work on the project. The State will consider the resumes as a key indicator of the bidder's understanding of the skill mixes required to carry out the requirements of the Request for Proposal in addition to assessing the experience of specific individuals.

Resumes must not be longer than three (3) pages. Resumes shall include, at a minimum, academic background and degrees, professional certifications, understanding of the process, and at least three (3) references (name, address,

and telephone number) who can attest to the competence and skill level of the individual. Any changes in proposed personnel shall only be implemented after written approval from the State.

k. **SUBCONTRACTORS**

If the bidder intends to subcontract any part of its performance hereunder, the bidder must provide:

- Name, address, and telephone number of the subcontractor(s),
- Specific tasks for each subcontractor(s),
- Percentage of performance hours intended for each subcontract, and
- Total percentage of subcontractor(s) performance hours.

4. **TECHNICAL APPROACH**

The Technical Approach must consist of the following subsections:

- Understanding of the project requirements,
- Proposed development approach,
- Technical considerations,
- Detailed project work plan, and
- Deliverables and due dates (proposed project schedule).

Form A

Bidder Contact Sheet**Request for Proposal NeDNR (NDNR25-01)**

Form A should be completed and submitted with each response to this Request for Proposal. This is intended to provide the State with information on the bidder's name and address, and the specific person(s) who are responsible for preparation of the bidder's response.

Preparation of Response Contact Information	
Bidder Name:	
Bidder Address:	
Contact Person & Title:	
E-mail Address:	
Telephone Number (Office):	
Telephone Number (Cellular):	
Fax Number:	

Each bidder shall also designate a specific contact person who will be responsible for responding to the State if any clarifications of the bidder's response should become necessary. This will also be the person who the State contacts to set up a presentation/demonstration, if required.

Communication with the State Contact Information	
Bidder Name:	
Bidder Address:	
Contact Person & Title:	
E-mail Address:	
Telephone Number (Office):	
Telephone Number (Cellular):	
Fax Number:	

REQUEST FOR PROPOSAL FOR CONTRACTUAL SERVICES FORM

BIDDER MUST COMPLETE THE FOLLOWING

By signing this Request for Proposal for Contractual Services form, the bidder guarantees compliance with the procedures stated in this Request for Proposal and agrees to the terms and conditions unless otherwise indicated in writing, certifies that contractor maintains a drug free workplace, and certifies that bidder is not owned by the Chinese Communist Party.

Per Nebraska's Transparency in Government Procurement Act, Neb. Rev Stat § 73-603 DAS is required to collect statistical information regarding the number of contracts awarded to Nebraska Contractors. This information is for statistical purposes only and will not be considered for contract award purposes.

_____ NEBRASKA CONTRACTOR AFFIDAVIT: Bidder hereby attests that bidder is a Nebraska Contractor. "Nebraska Contractor" shall mean any bidder who has maintained a bona fide place of business and at least one employee within this state for at least the six (6) months immediately preceding the posting date of this Solicitation.

_____ I hereby certify that I am a Resident disabled veteran or business located in a designated enterprise zone in accordance with Neb. Rev. Stat. § 73-107 and wish to have preference, if applicable, considered in the award of this contract.

_____ I hereby certify that I am a blind person licensed by the Commission for the Blind & Visually Impaired in accordance with Neb. Rev. Stat. § 71-8611 and wish to have preference considered in the award of this contract.

FORM MUST BE SIGNED MANUALLY IN INK OR BY DOCUSIGN

BIDDER:	
COMPLETE ADDRESS:	
TELEPHONE NUMBER:	
FAX NUMBER:	
DATE:	
SIGNATURE:	
TYPED NAME & TITLE OF SIGNER:	

ATTACHMENT A
SCHEDULE OF SERVICES
ENVIRONMENTAL IMPACT STATEMENT

Perkins County Canal

PROJECT DESCRIPTION:

The Nebraska Department of Natural Resources (NeDNR) is pursuing the construction of a project to secure South Platte River flows at the Colorado/Nebraska state line to support the State of Nebraska's irrigation needs in the Platte River Basin in compliance with the South Platte River Compact. Prior to construction of the proposed project, herein referred to as the Perkins County Canal Project, NeDNR is seeking federal authorization, through Section 404 of the Clean Water Act, for the discharge of dredged or fill material into waters of the United States. The U.S. Army Corps of Engineers Omaha District (USACE) has determined, unless revisited as a result of further study, that preparation of an Environmental Impact Statement (EIS) is required in connection with this authorization. The USACE is the lead federal agency. This Scope of Work is intended to support a request for proposals to provide consulting services via a third-party contractor (Consultant) to work directly for the USACE, under contract with the NeDNR. The selected Consultant must sign a "Conflict of Interest" statement with the USACE.

This Scope of Work is intended to include the anticipated work tasks required to prepare a complete and comprehensive NEPA document.

Task 1. Project Management

The Consultant shall perform the necessary project management responsibilities to communicate project status and schedule to both USACE and the NeDNR. The Consultant shall prepare monthly invoices accompanied by a USACE reviewed and approved status report. The Consultant shall create and utilize a functional data sharing platform for the purposes of transmitting data/documents to the USACE and NeDNR. The data sharing platform shall be maintained by the Consultant for the duration of the project. The Consultant shall notify the USACE of changes to key personnel and their experience and changes will not occur until accepted by the USACE.

Task 2. Kick-Off Meeting/Cooperating Agency Meetings/Scoping Meetings/Project Meetings

The Consultant shall coordinate and attend an initial “kick-off meeting” with USACE and NeDNR. The purpose of the kick-off meeting is to review the proposed NEPA and project completion schedule, familiarize the Consultant with the USACE and NeDNR representatives, and identify and discuss existing information and data as well as reporting, procedures, and information transfer.

The Consultant shall coordinate and attend regular project meetings with USACE and NeDNR. The purpose of the project meetings is to allow the USACE, NeDNR, and the Consultant to coordinate on project status, deliverables, and data gaps. The Consultant shall maintain a tracking system in Microsoft Office format to identify data gaps and

secure responses from NeDNR. The Data Gap sheet shall record data gaps identified through key issues raised during scoping, evaluation of the alternatives identified for evaluation, and other reviews. The Consultant shall review reports and data provided by NeDNR, data available from USACE Omaha District and cooperating agencies and other relevant local, state and federal agencies to assist in determination and completion of data gaps. Outstanding data gaps will be recorded in the Data Gap sheet for NeDNR input. NeDNR will review the Data Gap sheet and provide initial responses within 10 working days of each data gap iteration. USACE Omaha District and the Consultant shall evaluate each data gap response for sufficiency and follow up as appropriate. Project meetings with the USACE, NeDNR and the Consultant would be held monthly and would be coordinated by the Consultant. The Consultant shall hold bi-weekly status meetings with the USACE.

The Consultant shall coordinate and attend meetings with the cooperating and participating agencies, including tribes. The purpose of cooperating and participating agency meetings is to apprise the cooperating and participating agencies, including tribes, of the proposal and anticipated NEPA process/schedule, to identify issues and topics of concern, and to identify and coordinate agency staff assignments to the project. The Consultant shall prepare the materials needed for a general agency scoping meeting and all subsequent cooperative and participating agency meetings. The first cooperating and participating agency meeting will serve as the agency scoping meeting. The Consultant shall, whether identified in the scoping process or later upon the alternatives analysis development, if it is realized that other federal or state

agencies have proposed impacts within the study area that would require a more detailed analysis or documentation in the draft or final EIS, the Consultant shall coordinate with NeDNR and USACE to incorporate the necessary documentation as deemed fit by USACE and the agency's own internal regulations and/or requirements. Also included in this effort, the Consultant would coordinate any necessary meetings and assist with efforts to ensure that this additional documentation is incorporated.

The Consultant shall coordinate and attend separate public scoping meetings, as determined necessary by USACE. The Consultant shall coordinate all aspects of meeting organization including, but not limited to, preparation of necessary meeting materials, maintenance and circulation of meeting minutes, coordination of meeting locations, development of on-line participation tools and other logistics determined necessary by USACE with final review and approval of all materials by USACE. The purpose of the public scoping meeting(s) is to inform the public of the EIS process and to seek input on issues that will help determine the scope of the analysis. The Consultant shall also prepare all public meeting notices and shall keep minutes of all public meetings.

After the public scoping meeting(s), the Consultant shall prepare and/or update a Scoping Summary Document, which summarizes comments received during the public and agency scoping meetings. The Scoping Summary Document shall include a comment matrix spreadsheet that summarizes all comments received on the proposed project. The Consultant shall assist the USACE in evaluating comments and facilitating

documentation of comment responses, including rationale, references, and final response to commenters. The comments obtained during the scoping process shall be compiled by the consultant and reviewed by the USACE to ascertain the scope of the EIS, including alternatives and resource issues. The consultant shall share appropriate comments with cooperating agencies and NeDNR, as directed by the USACE. Once scoping and agency meetings have been completed the overall project scope shall then be reviewed and accepted by the USACE in consultation with NeDNR.

Task 3. Public Involvement and Participation Plan

The Consultant shall develop a tailored public involvement plan with the goal of educating the public and soliciting input regarding the Perkins County Canal project. The Consultant shall coordinate with the USACE to determine the appropriate level of public involvement for the project. The appropriate level of public involvement for USACE public involvement and participation shall be determined by the USACE. Public involvement can include preparing facts sheets, facilitating community meetings and preparing newsletters and preparing presentation materials as appropriate to provide updated information on the proposed project and the regulatory review process. In addition, the Consultant, at the direction of USACE Omaha District, will develop an EIS website either independently or to be hosted on the USACE server, as appropriate. Specific activities associated with the EIS website include development and routine review of website text and development, upload of announcements/notices of availability (NOAs), story maps, and files for download, and ability to submit comments via the website during the specified comment periods. The Consultant will

conduct substantial updates as requested during initial development of the website (pre-scoping), post-scoping, prior to the release of the Public Draft EIS, following the Draft EIS comment period, prior to release of the Final EIS, and prior to release of the ROD. The consultant will also perform up to 5 additional minor revisions to the website (limited to document upload or press release announcements) during the EIS process. At the direction of the USACE, the Consultant may work with NeDNR and their public relations representative to avoid any duplication of effort between the USACE public involvement process and other public involvement and participations being managed by the NeDNR. The USACE shall coordinate with NeDNR regarding the release of public information documents.

This task includes all necessary notices for the distribution of the Draft Environmental Impact Statement (DEIS) and Final Environmental Impact Statement (FEIS). This task also includes development of notices, meeting materials, and meeting summary of a public meeting during the public review period of the DEIS.

Task 4. Data Collection/Record Maintenance

The Consultant shall collect and/or compile all data needed and necessary to write an accurate and legally defensible USACE EIS, including a complete and comprehensive literature search. The NeDNR shall provide information previously developed. The Consultant shall keep organized project work files documenting the data collected and any analyses completed to develop the EIS.

The Consultant shall maintain a complete and comprehensive Administrative Record, the contents of which shall be developed, agreed upon, and approved by USACE, in accordance with appropriate USACE guidance on document maintenance. The Administrative Record shall be maintained and updated regularly by the Consultant, with regular updates on the status of the Administrative Record made available to the USACE as part of monthly status reports.

A format for the administrative record shall be developed by the Consultant and reviewed and approved by USACE as part of the existing contract. USACE anticipates a process similar to that described in 1 and 2, below.

1) Administrative Record Documents:

- a) One flat Adobe PDF file shall be created for each email including attachments, which shall be named on a separate row on the index (i.e., each attachment must follow its “parent” email as a separate document). This will maintain the parent-child relationship within the PDF file. Since the inception of the project updated guidance no longer accepts PDF portfolio file formatting. Files containing a digital signature will be printed as a Print to PDF. Any password protected files shall be converted to non-protected. Hard copy files shall be scanned to pdf at a resolution of 600 dpi.
- b) Files such as MFRs or reports with attachments must be named in a consistent manner in order to maintain the parent-child relationship when the files are Bates stamped. Bates stamping shall be the responsibility of USACE.
- c) The naming convention for all documents should be similar to “2023-00518_YYYYMMDD_description” (i.e., “2023-

00518_0210322_PCCInternalPDTMeetingAgenda”). All documents inclusive of attachments in one pdf should use the following naming convention: YYYYMMDD 03 REPORT, YYYYMMDD 02 ATTACHMENT 1, YYYYMMDD 01 ATTACHMENT 2.

d) Files shall be organized in reverse chronological order. If the files are divided into different sections within the entire batch of documents, the sub-folders need to be tabbed on the Index. The files within each of the sub-folders need to be organized in reverse chronological order.

e) Files must not be password protected or have digital signatures. Password protected and digitally signed files generate errors when USACE Bates stamps the Administrative Record. Password protected files and files containing digital signatures should be printed as a Microsoft Print to PDF or re-printed as a copy to Adobe PDF. As necessary, files can be converted to TIFF or image files, combined into one file, and converted back to PDF.

f) Files should be OCR'd (Optimal Characterization Recognition) which allows the user to search the content of the file and is required to certify the Record. USACE shall conduct intermediate reviews to maintain document compliance in order for USACE to certify the record on Post Review.

g) Original file documents will be retained in their original format and emails should be retained in their native format, going forward.

not included in this scope of services and would be performed as additional services.

h) USACE shall from time to time, submit to the Consultant electronic files for organizing, renaming if needed, and for upload to the Administrative Record.

2) INDEX:

- a) The index should be created in MS Excel (do not use MS Word or save to pdf).
- b) Files shall be organized in reverse chronological order. If the files are divided into different sections within the entire batch of documents, the sub-folders need to be tabbed on the Index. The files within each of the sub-folders need to be organized in reverse chronological order.
- c) The top row of the Index should contain the caption for the AR.
- d) The next row of the Index should be a header row describing the content of the columns (fields) in the Index. Filters should be added to this row to sort the fields.
- e) The index must be an exact one-for-one match to the documents in the AR, with one row per record (do not merge cells).
- f) Each entry on the Index should have one file associated with it and not associated to a group of files/folders. There must be a record in the Index for every file, including a separate record for each attachment.
- g) If there are duplicate records in the record, there still must be a record in the Index for each duplicate (i.e., one record cannot cross-reference multiple documents.)
- h) Date fields should contain single dates in the naming convention YYYYMMDD, and not contain date ranges. If date ranges are applicable, they should be identified in the description field, and the first date of the range should be in the date field.
- i) Where the files are divided into different sections within the entire batch of documents, the sub-folders need to be tabbed on the Index. The organization on the Index shall reflect the reverse chronological organization of the AR Documents.
- j) Consistent formatting for entering author information needs to be applied throughout (i.e., Last Name, First Name (Org Code)). When there are multiple authors,

use a semicolon to separate the names, i.e., Doe, Jane; Doe, John. Where there are five (5) or more authors, use the first author followed by, et al, i.e., Doe, Jane; et al.

k) “To” Column must be included to indicate who or where the author is sending the document. Where there are multiple recipients in an email, the email list name should be used in place of ‘et al’, i.e., “DLL-CENWO-ALL Employees”. This does not include recipients that are cc’d or bcc’d.

l) When entering an abbreviation, the Consultant must provide the full name of the of the term before using the abbreviation, i.e., U.S. Environmental Protection Agency (EPA).

m) If there are redactions in the record, there must be an entry in the “Brief Description” field identifying the redaction, i.e., Redacted – Personally Identifiable Information. In preparing the Administrative Record, the Consultant is not expected to do the redactions beyond what they are already doing for the EIS. However, when the information is seen please indicate that in the “Brief Description” column on the Index.

n) If the AR contains non-document material (i.e., video, CD, audio tape), include the description information about the material as one entry/row in the Index (include a placeholder in the AR when USACE Bates stamps the record). The non-document material must then be renamed using the Bates number and inserted in the AR.

Task 5. Preparation of the Draft Environmental Impact Statement

The Consultant shall prepare an EIS that fully meets the requirements of the NEPA as well as satisfies the requirements of the USACE’ public interest review requirements and 404(b)(1) guidelines. The EIS shall be completed to the satisfaction of USACE.

Upon completion of each section of the Draft EIS (DEIS), the consultant shall submit the text and graphics to the USACE for review. The USACE shall coordinate the review.

Subtask 5.1. Purpose and Need

The Consultant shall review the draft information prepared by NeDNR. Based upon the information contained therein, and with the assistance from the USACE, other cooperating agencies, and NeDNR, the Consultant shall draft the Purpose and Need Statement section of the EIS for USACE review. Additional information necessary to inform the Purpose and Need statement shall be prepared by the Consultant and reviewed and approved by USACE.

Subtask 5.2. Alternative Analysis

The Consultant shall thoroughly explore alternatives for the Perkins County Canal project, and, in conjunction with the USACE, cooperating agencies, and NeDNR, shall develop a reasonable range of alternatives. NeDNR will also develop and provide a technical memorandum concerning the Alternatives Analysis.

The Consultant shall prepare a report addressing the screening of all alternatives considered and documenting the screening process. Included within the report shall be a matrix table showing how screening of alternatives occurred and documentation of why all alternatives were considered and screened. The table shall, at a minimum, compare factors addressing the project purpose and need, practicability (cost, logistics and technology), impacts to aquatic resources (direct, indirect and cumulative) and other natural ecosystem environmental factors as determined appropriate by the USACE during the alternative screening process.

In addition to the Proposed Action and the No Action, the Consultant shall assume at least two additional alternatives will advance for detailed analysis in the DEIS. USACE shall approve the final practicable alternatives.

Subtask 5.3. Affected Environment

The Consultant shall develop the affected environment section comprised of at least the following resource topics. This is a preliminary list that will not be finalized until after scoping.

a. Land Features

- General Setting
- Geology and Soils
- Mineral Resources
- Climate
- Topography
- Geology

b. Water Resources

- Surface Hydrology
- Channel geomorphology
- Flood Plains (including modeling, if needed)
- Water Quality
- Existing Water Use
- Groundwater Hydrology
- Water Rights

- c. Air Quality
- d. Noise
- e. Biological Resources
 - Wetlands
 - Vegetation
 - Wildlife
 - Aquatic Resources (including Stream Impacts)
 - Fisheries
 - Species of Special Interest
 - Threatened and Endangered Species
- f. Socioeconomics
 - Population
 - Land Use
 - Industry
 - Employment and Income
 - Housing
 - Community Services
 - Public Facilities
 - Public Finances
 - Public Interest Factors
 - Land Ownership and Use
 - Prime and Unique Farmland
 - Environmental Justice

- g. Cultural and Paleontological Resources
 - Review of Class I and Class III Surveys
 - Mitigation negotiations and plan development
 - Assistance with Native Americans Consultation
- h. Recreational Resources
 - Recreational Surveys
 - Public Access
- i. Visual/Aesthetics
- j. Transportation
- k. Hazardous Materials
- l. Greenhouse Gas Emissions/Climate Change (potentially quantitative analysis)

Subtask 5.4. Environmental Consequences

For each of the practicable alternatives, the Consultant shall identify the direct, indirect, permanent, and temporary effects on the resource topics identified in Subtask 5.3 resulting from project construction and operation, with effect metrics determined by USACE. In addition, unavoidable adverse effects and cumulative impacts shall be assessed. The Consultant shall complete the studies, inventories, and surveys needed to determine the extent of the environmental consequences to the affected environment. The NeDNR shall recommend avoidance, minimization and mitigation strategies and the Consultant will assist the USACE in determining adequacy or feasibility of these strategies.

Subtask 5.5. Mitigation and Monitoring Plan

The NeDNR shall develop a draft mitigation and monitoring plan based upon the proposed impacts and USACE guidance concerning mitigation and monitoring. The Consultant shall assist the USACE review of the mitigation and monitoring plan and document the plan in the draft and final EIS. The NeDNR shall consult with the USACE and other regulatory resource agencies during the development of the plan and document the requirements of all agencies in the mitigation plan. The Consultant may assist in the mitigation and monitoring plan development by NeDNR and the design consultants. The mitigation and monitoring plan shall address impacts to any and all environmental consequences to the affected environment and shall ensure on-going mitigation monitoring.

Task 6. Biological Assessment

The Consultant shall prepare a Biological Assessment (BA) to facilitate USACE ESA consultation with the US Fish and Wildlife Service (USFWS). USACE shall manage the ESA consultation process with the assistance of the Consultant and NeDNR. The BA shall disclose the impacts of the proposed project on endangered species. The BA must address any applicable Endangered Species Act issues that the USACE and cooperating agencies deem appropriate, including depletions. Preliminary information shall be provided on applicable species by NeDNR. The NeDNR shall be responsible for developing an ESA mitigation plan as part of the ESA consultation process. NeDNR will also develop and provide a technical memorandum concerning protected species.

Task 7. National Historic Preservation Act Section 106

The NeDNR shall provide Cultural and Paleontological surveys, including Class I and Class III Surveys to facilitate USACE NHPA Consultation with the Colorado and/or Nebraska State Historic Preservation Offices (SHPOs) and any applicable Tribal Historic Preservation Offices (THPOs). The Consultant shall assist the USACE with determination of eligibility and effects to historic properties, assist the USACE with tribal surveys and evaluation of effects, as appropriate and determined by the USACE in consultation with Tribes, assist with negotiations for appropriate mitigation, assist with the development of mitigation plans, assist with USACE's formal and informal consultation with SHPOs and THPO's and assisting with development of Programmatic Agreement/Memorandums of Understanding necessary to complete the NHPA process.

Task 8. Draft Environmental Impact Statement (DEIS) and Supporting Documents

The Consultant shall provide electronic copies of a preliminary DEIS for review by the USACE. The Consultant shall incorporate comments required by the USACE following USACE review, the cooperating agencies and the NeDNR shall review the preliminary DEIS. Comments from cooperating agencies and NeDNR shall be reviewed by the USACE, and the Consultant and comments addressed as appropriate.

The Consultant shall incorporate, as a part of the overall DEIS, a NEPA document that addresses the requirements of the Clean Water Act, Section 404 (b)(1) guidelines and the USACE Public Interest Review.

The Consultant shall assume that, at a minimum, that appendices to the DEIS shall be required that address the following issues:

- a. Determination of Project Need
- b. Alternative Screening Table/404 (b)(1) Alternatives Assessment and Public Interest Review:

- c. Water Rights (including South Platte River Compact requirements), Water Supply and Demand Assessment, evaluation of direct and indirect hydrologic effects; and familiarity with USACE's Hydrologic Modeling Guidelines for Regulatory Permit Actions Final Technical Report and Checklist (2018), which can be found at the following links, or can be provided upon request:

[https://www.swf.usace.army.mil/Portals/47/Users/053/21/821/Hydrologic%20Modeling%20Guidelines%20Technical%20Report%20\(1-22-18\)r.pdf?ver=2018-07-26-122953-297](https://www.swf.usace.army.mil/Portals/47/Users/053/21/821/Hydrologic%20Modeling%20Guidelines%20Technical%20Report%20(1-22-18)r.pdf?ver=2018-07-26-122953-297)

and

[https://www.swf.usace.army.mil/Portals/47/Users/053/21/821/Hydrologic%20Modeling%20Guidelines%20Checklist%20\(1-22-18\)r.pdf?ver=2018-07-26-122844-173;](https://www.swf.usace.army.mil/Portals/47/Users/053/21/821/Hydrologic%20Modeling%20Guidelines%20Checklist%20(1-22-18)r.pdf?ver=2018-07-26-122844-173)

- d. Habitat Assessments;
- e. Biological Assessments;
- f. Recreation issues, including possible recreation surveys;
- g. U.S. Fish and Wildlife Coordination Act summary;
- h. State Threatened and Endangered species summary;
- i. Aquatic Resources Delineation, Functional Assessments (i.e. NESCAP/SQT) with technical drawings depicting impacts to aquatic resources from each alternative;

- j. Cultural Resources/NHPA Section 106 Review and Consultation
- k. EO 11988 Floodplain Management Compliance Memorandum
- l. Project Scoping Report

Task 9. Printing and Distribution of the DEIS

The DEIS and applicable appendices shall be compliant with Section 508 of the Rehabilitation Act.

The Consultant shall mail the DEIS to a distribution list compiled by the USACE and NeDNR. The mailing list shall be updated as appropriate throughout the project and shall be maintained and provided to the USACE and NeDNR.

The Consultant shall assist with development of electronic filing of the DEIS with EPA and development of the Notice of Availability.

Task 10. Review of Comments Received on the DEIS.

The Consultant shall review the comments received on the DEIS and prepare an initial categorization of comments. The USACE, other cooperating agencies and NeDNR, shall review the categorization of the comments for the purpose of preparing responses. Review and processing of comments shall remain consistent with the processes described in Task 2, above.

Task 11. Preparation of Responses to Comments Received on the DEIS

The Consultant shall prepare an initial response to the comments received on the DEIS. The USACE, other cooperating agencies and NeDNR, shall review the responses to the comments received on the DEIS. The USACE shall ask agencies for responses on applicable comments. Review and processing of comments shall remain consistent with the processes described in Task 2, above.

Task 12. Final Environmental Impact Statement (FEIS) and Supporting Documents

The Consultant shall prepare a preliminary FEIS (PFEIS) and supporting documents, and those shall be submitted for review by the USACE, cooperating agencies and NeDNR. The Consultant shall incorporate comments required by the USACE, in consultation with cooperating agencies, and NeDNR. The Consultant shall submit a reproducible original FEIS to the USACE. The FEIS shall include all pertinent information developed during the study and required for inclusion by the USACE, in consultation with cooperating agencies and NeDNR.

Task 13. Printing and Distribution of the FEIS

The Consultant shall print copies of the FEIS and shall mail to a distribution list compiled by the USACE and NeDNR. The mailing list shall be updated as appropriate throughout the project and shall be maintained and provided to the USACE and NeDNR. If additional copies are needed based upon USACEs determination of the

public interest, NeDNR shall authorize the printing of additional copies.

The Consultant shall assist with development of electronic filing the FEIS with EPA and development of the Notice of Availability.

Task 14. Record of Decision

The Consultant shall develop a Draft Record of Decision with formatting and all final content decisions determined by the USACE. The Consultant shall utilize the FEIS to write the Record of Decision (ROD) and to determine compliance with the 404 (b)(1) guidelines. (Attachment 29) (40CFR 1505.2) The ROD and 404 (b)(1) compliance determination cannot be finalized and signed until the FEIS has been published for 30 days.

USACE shall follow the normal process of issuing an initial proffered permit, should the USACE decision be to authorize the project. The applicant can either accept the permit or ask for reconsideration of the permit conditions. After any reconsideration by the DE, a final proffered permit would be offered, should the decision at the time of the ROD be to authorize the project. It may be accepted, or it may be administratively appealed to the NWD RO.

Key Understandings:

The following data collection and associated deliverables shall be provided by NeDNR for use in the development of the EIS. At the direction of USACE, the Consultant shall provide new or supplemental documentation to facilitate USACE consultation

requirements or to ensure appropriate levels of survey to evaluate all alternatives completely:

- Needs Assessment
- Alternatives Analysis Memorandum
- Hydrology Assessment Memorandum
- Wetland Delineation Report (Proposed Action)
- Cultural Resources Report (Proposed Action)
- Federal and State-Listed Species Habitat Surveys (Proposed Action)
- Protected species memorandum
- Compensatory Mitigation Plan

The following provides the anticipated schedule for major project milestones. Note that the actual dates for completion may change after project scoping.

Milestone Item	Date
Consultant Contract Finalization	August 2025
Federal Register Publication of Notice of Intent to prepare an EIS	November 2025
Federal Register Publication of Notice of Availability of Draft EIS	December 2026
Federal Register Publication of Notice of Availability of Final EIS	November 2027
Record of Decision	December 2028

SOLICITATION EVALUATION CRITERIA

SOLICITATION NUMBER: NDNR25-01, (Perkins County Canal Project Third-Party Environmental Impact Statement) Opening Date: Friday, July 18, 2025, 1:00pm

Mandatory Requirements

The solicitation responses will first be examined to determine if all mandatory requirements listed below have been addressed to warrant further evaluation. Responses not meeting mandatory requirements will be excluded from further evaluation. The mandatory requirement items are as follows:

- 1. Sealed proposals must be received in State Department of Natural Resources by the date and time of proposal opening indicated above. No late proposals will be accepted. No e-mail, fax, voice, or telephone proposals will be accepted.
- 2. The form "REQUEST FOR PROPOSAL FOR CONTRACTUAL SERVICES" MUST be manually signed, in ink, and returned by the proposal opening date and time along with bidder's proposal and any other requirements as specified in the Request for Proposal to be considered for an award.
- 3. It is the responsibility of the bidder to check the website for all information relevant to this solicitation to include addenda and/or amendments issued prior to the opening date. Website address is as follows: <https://dnr.nebraska.gov/perkins-county-canal>
- 4. It is understood by the parties that in the State of Nebraska's opinion, any limitation on the contractor's liability is unconstitutional under the Nebraska State Constitution, Article XIII, Section 3, and that any limitation of liability shall not be binding on the State of Nebraska despite inclusion of such language in documents supplied with the contractor's bid or in the final contract.

Evaluation Criteria

All responses to this solicitation, which fulfill all mandatory requirements, will be evaluated. Each category will have a maximum possible point potential. Areas that will be addressed and scored during the evaluation include:

Evaluation Criteria	Possible Points
1. Proposed approach to the scope of work for meeting the needs of the project and deliverable timeframes.	20
2. Expertise and technical understanding of NEPA and integration of the USACE Section 404(b)(1) Guidelines.	20
3. Demonstrated understanding of South Platte River Basin and Platte River Basin water uses, return flows, and water supply interconnections.	10
4. Demonstrated expertise and technical understanding of similar projects.	10

5. Project team experience in conducting such evaluations, including any anticipated sub-consultants.	10
6. The ability, capacity, and skill of the bidder to deliver the project that meets the requirements of the Request for Proposal.	10
7. The character, integrity, reputation, judgment, experience, and efficiency of the bidder.	10
8. The ability of the bidder to perform the contract within the specified time frame.	10
Total Points without Oral Interviews	100
Oral Interviews, (if required)	20
Total Possible Points with Oral Interviews	120

Project Specific Conflict of Interest Form
Nebraska Department of Natural Resources
RFP NDNR25-01

Please Note: As a requirement under the Department of Natural Resource RFP NDNR25-01, no firm will be eligible to contract for these engineering services unless they are licensed to practice engineering in the state of Nebraska and are able to demonstrate that all members of the project team have NO conflicts of interest, including current project affiliations with the state of Colorado or current water projects that affect flows of the South Platte River.

A conflict of interest shall be determined to exist if any member of the project team is conducting related engineering work in the State of Colorado during the performance period of the contract.

I hereby certify that I have read and understand the requirements of RFP NDNR25-01 and that no member of the project team has a conflict of interest.

Name of Firm(s) _____

Printed Name of Project Manager _____

Signature of Project Manager _____

Date _____