

Reservoir Committee and Authority Board Meeting

Agenda Item 3.3: Biological Terrestrial Mitigation
Strategy Contractor Procurement Checklist

May 16, 2025



Biological Terrestrial Mitigation Contractor Procurement Reminders

- Largest construction mitigation cost
- Packaged together into a single contract
- Two step contracting process:
 - Request for Qualifications
 - Request for Proposals
- Following precedent and policies/procedures developed as part of Reservoir CMAR
- Expect to issue RFQ in late summer / early fall 2025

Procurement Checklist Background and Purpose

- Items that the Authority will complete prior to issuing the RFQ
 - Focused on RFQ now
 - Second checklist later for RFP
- Provides staff with the policy guidance necessary for efficiently and effectively conducting the procurement

Procurement Checklist

1. Defining mitigation contract terms that properly assign implementation risks and performance guarantees.
 - Policy Question: How to structure the contract to receive the best value for the Authority while:
 - (1) addressing the uncertainty of possible changes;
 - (2) establishing early cost certainty;
 - (3) appropriately assigning implementation risk;
 - (4) proper assignment of performance risk and identification of performance guarantees, bonding and insurance
 - (5) responsibility for obtaining permits and undertaking environmental review for mitigation activities
 - (6) preserving the Authority's ability to provide input on the required mitigation endowments
 - Impacts : Draft Mitigation Contract – general conditions and special conditions. Risk register for mitigation

Procurement Checklist (cont)

2. Ensuring cost effective delivery of mitigation that incorporates the critical stacking assumptions and assignment of long-term permit requirements
 - Policy Question: How will the structure of the mitigation contract ensure the Authority is getting competitive pricing and at what point will payment be made?
 - Impacts: Contractual payment structure and quality assurance approach, permit compliance
3. Application of any locational preferences or other Authority implementation preferences
 - Policy Question: What are implications on land use within Project Area and Local Area from the developed for Sites mitigation?
 - Impacts: Sites effect on local economy, Phase 3/4/5 Authority organization and staffing

Procurement Checklist (cont)

4. RFQ/RFP selection criteria.

- Policy Question: Which technical and managerial considerations should be considered most important to the Authority when establishing evaluation criteria and weights?
- Impacts: RFQ, selection of evaluation committee members, contract negotiation, delegation of authority.

Procurement Checklist (cont)

- What does good look like for the mitigation contract?
- Additional checklist items?
- Recommend the Board delegate oversight of completion of the checklist items to the EPP Work Group

Questions?

