



**REQUEST FOR PROPOSAL  
FOR  
BELEN WATERSHED PLANNING  
DOCUMENTS & EA/EIS**

RFP#G21-001

**PROPOSALS DUE:  
10:00 A.M. APRIL 30, 2021**

**Middle Rio Grande Conservancy District  
1931 Second Street, S.W.  
Post Office Box 581  
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## I. Introduction

This RFP document is intended for use by non-Federal entities (that is, recipients and subrecipients) of Federal Grant funds administered by U.S. Department of Agriculture.

This RFP is based on the Procurement Standards set out at “FAR Part 36 – Construction and Architect -Engineer Contracts”.

Uniform Guidance Requirements, (2 CFR § 200) Application II & III, should be used in conjunction with the acquisition of Services or Construction that conform to the procurement standards and other applicable law. This project is funded through a NRCS Federal Grant to be completed by September 15, 2023.

## A. Purpose of Request for Proposals

The Middle Rio Grande Conservancy District (herein referred to as “MRGCD” or “District”) is soliciting offers from qualified Professional Planning Consultant Service Firm(s) to develop the Belen Watershed Plan in Valencia County, New Mexico and adjacent to the City of Belen. This RFP seeks to identify qualified/ licensed professional firm(s) to provide the services outlined in this document in compliance with the National Watershed Program Manual (NWPM).

MRGCD received grant funding from the Natural Resources Conservation Services (NRCS), under the United States Department of Agriculture (USDA). MRGCD will be responsible for any funds not encumbered under this grant.

## B. Summary of Scope of Work

The overall goal of the Plan is to develop a comprehensive planning document that includes:

1. Planning Services for the Belen Watershed Operation Plan-Environmental NEPA document as described in Attachment 1. This document must be prepared in accordance with the National Environmental Policy Act (NEPA) and related environmental and economic documentation requirements. Planning must follow the policy set forth in Title 390, National Watershed Program Manual (NWPM).
2. Geologic and Geotechnical Investigations as described in Attachment 2, the requirements of the US Department of Agriculture, National Resources Conservation Service and the State of New Mexico.

## C. Plan of Work

This plan of work (POW) including Attachment 1 – “Technical Specifications -Planning Services for Watershed Operation Plan-Environmental Document”, Attachment 2 – “Requirements and Technical Specifications for Geologic and Geotechnical Investigations”, provide the requirements to develop a Watershed Plan and Environmental Assessment” or Environmental Impact Statement document, hereinafter referred to as the Plan-Environmental Document and all the necessary supporting data for the Belen Watershed Project.

Planning must follow the policy set forth in the Title 390, **National Watershed Program Manual (NWPM)**, which is incorporated by reference. The Plan-Environmental Document will describe alternatives and examine all reasonable alternatives in detail and identify the preferred alternative as the most technically, economically, socially and environmentally defensible alternative as determined by NRCS in consultation with the MRGCD. The Plan- Environmental Document must be prepared in accordance with the National Environmental Policy Act (NEPA) and related environmental and economic documentation requirements. A complete analysis of all reasonable alternatives shall be performed that may include structural or non-structural measures for the project. Structural alternatives or their components shall be to be in compliance with NRCS and New Mexico Office of the State Engineer impoundment or dam, safety criteria and performance standards for the appropriate hazard potential. Alternatives requiring analysis include, but are not limited to, the following:

- No Action (PR&G Future Without Federal Investment (FWOFI),

- Structural Alternative #1
- MRGCD's Alternative, and
- National Economic Efficiency (NEE) alternative under Economic and Environmental Principles, Requirements and Guidelines for Water and Related Land Resources Implementation Studies (PR&G).

The Preferred Alternative will be identified from the alternatives studied in detail.

#### Description of the Project Site

Existing in the Belen Watershed currently is a major feature which will need to be analyzed during the execution of this project, referred to as the Belen Highline Canal, an irrigation system of channels located in Valencia County, New Mexico latitude 34.623380, longitude -106.777820. The Belen Highline Canal was constructed over many years with new channels and acquisition or donation of acequias and community ditches in the area.

The Middle Rio Grande Conservancy District (MRGCD) was begun in 1923, for the purpose of providing irrigation water to its agricultural and rural customers. The systems of linear canals and drains provides water delivery, drainage and Rio Grande flood control functions for lands along the Middle Rio Grande valley. In addition, the MRGCD directly supplies surface water for irrigation of over 60,000 acres of farmland within the benefitted area that includes lands of the Pueblos of Cochiti, Santo Domingo, San Felipe, Santa Ana, Sandia and Isleta. Agricultural production in the middle valley is estimated to provide as much as \$150M annually to the regional economy and is culturally significant to the six middle Rio Grande pueblos as well as many communities and land grants that pre-existed the District for 200 years.

The linear nature of the District's facilities requires the crossings of numerous drainages and arroyos emanating from the uplands and escarpments on the east and west sides of the valley with storm runoff flows generally running across, under or into District facilities. Often, storm runoff causes damages that carry silt into canals and drains and has been a continuous maintenance and rehabilitation component of the District's operations for decades. However, with increased development and under regulated zoning in many of the unincorporated areas within the District's boundaries, there are increasing levels of impacts to people and property in specific areas that are prone for significant flooding. Coupled with higher intensity storms occurring more frequently in vulnerable areas, the District has been impacted by post-event temporary loss of water delivery capacity, and short or long term losses of farmland. The District's constituents living in rural flood prone areas are also plagued with recurring property damages and lost productivity and there have been severe impacts resulting from flood events to an area in the southwest portion of Valencia County that parallels I-25 from the southern boundary of the City of Belen to the Valencia/Socorro County line.

#### Description of the Project

This plan would provide the MRGCD and its partners a comprehensive solution to utilize their applicable authorities to capture and convey storm water to achieve three distinct goals:

- 1) to address storm water and sediment that has historically damaged its facilities and to convey that water safely to drains and the Rio Grande to prevent damages and losses to private properties and farms;

2) to optimize its system to capture storm water and sediment and to salvage that water for agricultural purposes to supplement supplies during times of drought as well as optimize operations in order to meet three on-going conditions a) meeting agricultural demands, b) comply with Rio Grande Compact downstream delivery requirements, and c) meet 2016 ESA Biological Opinion in-river flow commitments;

3) To work with the Valencia Soil and Water Conservation District to improve upland watershed conditions through grade control within arroyos to reduce erosion and capture of sediment and with Valencia County to protect infrastructure and property utilizing its floodplain management and eminent domain authorities.

#### Project Purpose

**Flood Prevention** – Although MRGCD does not have control of flooding events and is not responsible for the damage of a natural disasters, the district’s purpose here is to achieve a plan for the Belen Watershed to help mitigate the damage caused by monsoons and floods in this area. Flood prevention or flood damage reduction measures are installed to prevent or reduce damages caused by floodwater. Flood damage reduction is further defined as the control and disposal of surface water caused by abnormally high direct precipitation, stream overflow, or floods aggravated or caused by wind or tidal effects. Flood damage reduction and mitigation measures reduce or prevent floodwater damages by reducing runoff, erosion, and sediment; modifying the susceptibility of improvements in the floodplain to damage; removing damageable property from the floodplain; or reducing the frequency, depth, or velocity of flooding. Measures may also include actions that prevent encroachment into the floodplain. (National Watershed Planning Manual – 390-500.3.B.i).

#### Available Information

Previously there has been a study of the project area, entitled “Stormwater Management Plan for the Belen Highline Canal”, which may contain some useful reference information. Any other existing information or existing materials that may be available from NRCS and deemed as necessary for completing this work must be requested from the NRCS Government Representative (GR) in writing.

#### D. Scope of Work

This work consists of the performance of inventories, surveys, investigations, collection and analysis of information, formulation and evaluation of alternatives preliminary designs, meetings, coordination, and planning services as required to accomplish the development of all phases and preparation of a Plan-Environmental Document accepted by the NRCS.

If during the project planning phase additional analyses, evaluations, environmental compliance activities, and documentation are needed that are beyond the requirement detailed in this POW, MRGCD and NRCS will determine the need and extent of the work. If it is decided the additional work is needed, MRGCD, in consultation with the NRCS, will determine the avenue by which additional work will be completed. Any work completed without consultation with NRCS may or may not be beneficial to the NRCS Watershed Plan-Environmental Document and will be completed 100% at MRGCD own cost.

All engineering work will be performed under direct supervision of a registered Professional Engineer licensed in the state of New Mexico, who will affix his/her Professional Engineering stamp (seal) on all engineering drawings, documents and calculations.

All work performed for this POW will conform to NRCS regulations, policy, conservation practice standards, criteria and technical guidelines, and the **Watershed Protection and Flood Prevention Act of 1954** (Public Law 83-566) as amended by **the Small Watershed Rehabilitation Amendments of 2000** (Section 313 of Public Law 106-472).

The Plan–Environmental Document shall follow the policy outlined in DR 9500-013, **Conducting Analyses Under the Principles, Requirements, and Guidelines for Water and Land Related Resources Implementation Studies and Federal Water Resource Investments**, and other requirements set forth in **the Council on Environmental Quality (CEQ) Principles Requirements and Guidelines for Federal Investments in Water Resources (PR&G), and Interagency Guidelines (IAG)**; and other PR&G guidance as developed through agency training or policy updates. The Plan–Environmental Document will meet all requirements set forth by the **NEPA, Endangered Species Act and the National Historic Preservation Act**.

The Plan–Environmental Document will be presented in a document following the format as described in **NWPM Part 501.31**, Plan Format Outline and address each item in Sections 501.32 through 501.45.

Engineering surveys, engineering hydrologic and hydraulic analyses and geologic activities must be performed in accordance with NRCS and State of New Mexico Office of the State Engineer standards.

A list of NRCS policy and technical documents are located in **Attachment 1** and **Attachment 2**.

#### *Personnel*

All work must be conducted by experienced interdisciplinary (Biologist, Rangeland Management Specialist, Forester, Economist, Agronomist, etc.) staff under the direct supervision of a Professional Engineer currently licensed in the State of New Mexico and recognized as an Engineer of Record by the New Mexico Office of the State Engineer.

#### *Tasks and Deliverables*

The work is divided into four (4) Principal Phases of work described below as Phase I, II, III, and IV. Required items and subsidiary items, details, and deliverables for each Principal Phase are described in the attachments (e.g. **Attachment 1 – “Technical Specifications - Planning Services for Watershed Rehabilitation Plan-Environmental Document”**, **Attachment 2 – “Requirements and Technical specifications for Geologic and Geotechnical Investigations”**, etc.)

The Plan-Environmental Document shall follow the policy outlined in **DR 9500-013, Conducting Analyses Under the Principles, Requirements, and Guidelines for Water and Land Related Resources** Implementation Studies and Federal Water Resource Investments, and other requirements set forth in the Council on Environmental Quality (CEQ) Principles Requirements and Guidelines for Federal



Investments in Water Resources (P&G), and Interagency Guidelines (IAG); and other PR&G guidance as developed through agency training or policy updates.

#### Phase I - Identify Problems and Determine Objectives

This Phase includes determining MRGCD objectives and the purpose and need for the project, performing inspections and topographic surveys as needed to evaluate the irrigation canals and conduct hydrologic and hydraulic (H&H) analysis and determining sediment life; performing H&H analyses to determine flood prevention/protection needs, to evaluate the irrigation canals and to formulate and evaluate alternatives; identifying resource problems and opportunities; identifying social issues; and performing any necessary geological and geotechnical investigations to evaluate alternatives for comparison.

Phase I also includes the scoping, interagency consultation, and the development and implementation of a Public Participation Plan (PPP) in conformance with Title 400 General Manual Part 400 (see Exhibit 3 for example) and implementation of the PPP. Public participation activities will be conducted according to the approved PPP. Public participation work may include, but not limited to the following activities: assistance with any Document, transcription of the meetings, any Government to Government consultations or Environmental Justice public participation activities.

See Attachments 1 and 2 for details of Phase I requirements and deliverables.

#### Phase II—Inventory Resources and Analyze Resource Data

This phase includes inventorying relevant, and as appropriate, watershed resources for environmental, economic and social (e.g. air quality, water quality, threatened and endangered species, wetlands, etc.) resource concerns and conducting environmental evaluations. This information will provide the basis for forecasting project effects.

#### Phase III—Alternative Formulation, Evaluation and Decision

This Phase includes formulation and development of all reasonable alternatives including performing H&H analyses to determine upstream and downstream flood impacts and impacts to currently effective floodplain zoning, evaluation and comparison of the ecological, cultural, economic and social effects of alternatives, cost estimates, and development of a **NEE alternative** (required for water resource projects and must be evaluated according to PR&G (2013) and DM 9500-013 completed in 2017).

The preferred alternative will be identified as the reasonable alternative that maximizes net public benefits to society.

Public participation activities for Phase III will be conducted according to the approved PPP.

See Attachment 1 for details of Phase III requirements and deliverables.

#### Phase IV—Preparation of Watershed Plan-Environmental Document

This Phase includes development of the Preliminary, Draft and Final Plan-Environmental Document for technical review by the legal MRGCD, NRCS – New Mexico, NRCS National Water Management Center (review Preliminary copy only), MRGCD's interested parties, and others directly involved in the planning of the project.

See Attachment 1 for details of Phase IV requirements and deliverables.

### *Quality of Work*

Contractor will provide a Quality Assurance/Quality Control (QA/QC) Plan for the Project. The purpose of QA/QC is to verify that the resulting work products meet acceptable practice standards and that the documents have been properly coordinated to the satisfaction of the NRCS. All work including submittals, memoranda, reports and studies, will undergo quality management reviews in accordance with the QA/QC Plan.

A copy of the QA/QC Plan will be submitted to NRCS at the Project Kick-Off Meeting. An update on all QA/QC activities will be reported in progress reports. Deliverables and submittals will meet the following criteria:

1. All work will be performed in a professional manner in accordance with all policy, rules, laws, technical criteria, and procedures reference in this POW.
2. Text material of reports and design memorandums and computation sheets will be prepared on standard letter size sheets (8-inches by 11-inches). Fonts will be 12-pt Times New Roman and paragraph format will be single space. Reports will be prepared in Microsoft Office for personal computers. Drawings, graphs, photos, etc., for reports and memoranda that are required to be bound will have a binding edge 11 inches in length.
3. All maps that are geo-referenced will use UTM NAD83 Zone <XX add zone> coordinate system. Any maps created in ArcGIS, when submitted to Middle Rio Grande Conservancy District in electronic files, will include all shape files and all associated accessory files such as .dbf, .prj, .shp, and .shx files.
4. All field notes, computations, drawings, maps, sketches, and other data will be complete, recorded neatly, checked by persons as equally qualified as those performing the original computations, and organized in a manner that will allow reproduction of copies and incorporation in reports with a minimum of editing and revision.
5. Drawings, diagrams, graphs, sketches or other pictorial representations will be physically incorporated into the planning file whenever the size and scale are appropriate. Drawings that must be drawn on larger-sized sheets and cannot be folded to computation sheet size will be cited at the appropriate place in the computations by a notation that fully identifies the drawing and its file location.
6. The input files and output files of computer programs used in planning will be provided in hard copy and electronic format. The files will be fully documented and presented to the NRCS at the end of the project.

### *Reviews*

1. NRCS will provide review comments on all deliverables.
2. The Plan-Environmental Documents will be reviewed and verified for accuracy and conformance to NRCS policy in accordance with the QA/QC Plan prior to submittal to NRCS for review.
3. MRGCD shall schedule reviews of the Initial, Preliminary, Draft, and Final Plan-Environmental Document. MRGCD will coordinate reviews with NRCS.
4. NRCS will review and determine if the Plan-Environmental Documents are technically acceptable. NRCS will return comments to the MRGCD within thirty (30) calendar days of the submittal. During the review, the MRGCD will arrange for a response to questions and provide clarification to comments. If

requested by NRCS, the MRGCD will be available at designated times during the review period to respond to questions, either in person, by phone, and/or email.

### *Meetings/Conferences*

Meetings and conferences are as described below. Conferences and Meetings may be in Albuquerque, New Mexico or other locations specified by the MRGCD – in person, teleconferences, or web meetings, based on the health and safety procedures administered by NRCS and MRGCD and the content needed to be shared/discussed. NRCS will be invited to attend all meetings and conferences. Minutes of all meetings and conferences summarizing discussions, decisions reached, and action items determined will be provided to NRCS within seven (7) calendar days of the meeting or conference.

Work that, in the opinion of MRGCD in consultation with NRCS, that does not require meetings or conferences may be reviewed and concurred in writing (email or postal mail).

### *Meetings*

1. There will be a minimum four (4) internal meetings during the course of the work detailed in this POW. Meetings will be in accordance with the specified time frames listed below. The MRGCD shall notify NRCS of the date, time and location of meetings and provide a draft agenda, any draft presentations, and/or other materials.
  - a. Project Kick-Off –The meeting will be used to get acquainted, discuss the details of the contract, review examples and guidance, develop a mutual understanding regarding the scope of work, become familiar with the personnel to be involved, discuss day-to-day working arrangements and discuss any items of concern.
  - b. Phase 1 Completion – The meeting shall be held prior to completion of the Phase 1. The purpose of the meeting is to review project status and discuss any issues, problems and opportunities identified during the inventory and analysis.
  - c. Alternatives – The meeting shall be held prior to completion of Phase II and consist of an update on the project status and a comparison of the effects on the alternatives considered.
  - d. Final Plan-Environmental Document Review – The following information will be presented:
    - i. Final Plan-Environmental Document.
    - ii. Documentation as required by the contract.
2. There will be a minimum of three (3) external meetings during the course of the work detailed in this POW. Issues identified in the first two internal meetings will be considered in the development of the Alternatives in Phase II. All of the meetings will be held at a location in or near Albuquerque, New Mexico, as determined by the MRGCD and/or NRCS. MRGCD will ensure notes are taken and provided to NRCS within 10 calendar days of the meetings. MRGCD will consider the identified public concerns throughout the entire process.

- a. Stakeholders/agency scoping meeting – This meeting will be held early during Phase I. This meeting may be held virtually as well as in person over the course of several days, due to the ongoing public health crisis of COVID-19 and the need to make sure the meeting is available to the stakeholders in a safe manner.
- b. Initial public meeting – This meeting will typically be held early during Phase I as well. This meeting may be held virtually as well as in person over the course of several days, due to the ongoing public health crisis of COVID-19 and the need to make sure the meeting is available to the public in a safe manner.
- c. Near the end of Phase II – The evaluated alternatives will be presented for discussion. The recommended alternative will also be presented.

### Conferences

1. Project Update Conferences – These conferences will be held monthly to keep NRCS informed on the progress of completing project Phases and subsidiary items. Draft agendas, presentations, and materials shall be submitted to NRCS at least seven (7) calendar days prior to conferences.
2. “As-needed” – These conferences will be held whenever requested by the MRGCD or NRCS to discuss issues relating to the project, work previously performed will be reviewed, and decisions made with a view toward expediting the completion of the contract.
3. Stakeholder or MRGCD & NRCS Scoping – These conferences will be held prior to the public scoping process. The purpose of the meeting is to review project status, agree on details of the scoping process, materials and types of information to be shared and acquired.
4. Geologic Investigation – MRGCD will coordinate a conference with NRCS prior to the start of any geological investigation to discuss the geological investigation plan. NRCS will be notified at least 5 workdays prior to any planned field work, so that select NRCS staff may also attend the site visit(s).

### Supporting Data

All notes, computations, design assumptions, drawings, sketches, and other data created in the development of the Plan-Environmental Document shall be recorded neatly and organized in a manner that will allow reproduction of copies and incorporation in reports with a minimum of editing and revision. Data will be sorted by discipline and indexed. All text documents, spreadsheets, etc., shall be developed using Microsoft Office programs including Microsoft Word and Microsoft Excel. All other documents will also be transmitted to the NRCS in a readable and writeable digital format. Documents may subsequently be converted to Adobe Acrobat (PDF), for the purposes of distribution for review by others.

All documents, including resource inventory data; survey data; engineering, hydraulic, hydrologic, and economic model outputs; geology investigation reports; drawings; maps; estimates; and all other data used in the preparation of the Plan- Environmental Document are the property of NRCS and are to be provided to NRCS upon request.

Attachments

Attachment 1: Technical Specifications - Planning Services for Watershed Plan-  
Environmental Document

Attachment 2: Technical Specifications for Geologic and Geotechnical Investigations

## *Attachment 1: Technical Specifications - Planning Services for Watershed Plan-Environmental Document*

### 1. General

This Technical Specification describes the details and requirements of the Phases and subsidiary items described in the plan of work (POW). Requirements for geologic and geotechnical investigations are described in Attachment 2 - Requirements and Technical Specifications for Geologic and Geotechnical Investigations.

Deliverable items for each Phase and subsidiary items are due according to Attachment 4 - Schedule of Work and Timeline.

Engineering surveys, engineering hydrologic and hydraulic analyses, and geologic activities must be performed in accordance with NRCS – New Mexico, New Mexico Office of the State Engineer (NMOSE), New Mexico Department of Environmental Management, New Mexico Department of Health, other state regulatory agencies and OSHA standards. Surveys and analyses must be certified to meet the required criteria.

All activities shall comply with the Watershed Protection and Flood Prevention Act of 1954 (Public Law 83-566) as amended by the Small Watershed Rehabilitation Amendments of 2000 (Section 313 of Public Law 106-472).

All modeling and mapping shall use New Mexico State Plane NAD83 datum US feet horizontal coordinates and NAVD88 US feet vertical datum. All map sheets and tables showing real world elevations shall include the datum and coordinate system used. All models shall make note of the elevation datum used in the model descriptions. All existing elevations used in this analysis having the NGVD29 datum shall be converted to NAVD88. (Note: Most regulatory flood Insurance Rate Maps (FIRMs) now use NAVD88 so unless the currently effective FIRMs are referenced to vertical datum NGVD29 all elevations should be referenced to NAVD88 and elevations from project records and as-built drawings shall be converted to NAVD88.)

The deliverable items for each Phase and subsidiary items may be portions of the Plan-Environmental Document or stand-alone items as part of the Project Folder as described. For Phases II and III deliverables that are portions of the Plan-Environmental Document, draft versions shall be submitted for NRCS – New Mexico for review and comment.

### 2. Reference Materials

The following is a list of potential NRCS policy and technical materials that may be required for prosecution of the work. Most of these reference materials are available on the NRCS Website: <https://directives.sc.egov.usda.gov/>. NRCS will furnish NRCS reference materials not available on the NRCS Website upon request. Non- NRCS documents will be obtained by MRGCD.

NRCS policy documents include:

- Title 180 Part 500 NRCS National Operations and Maintenance Manual (NOMM)
- Title 190, Part 410, General Manual (GM)
- Title 210, Part 500 NRCS National Engineering Manual (NEM)
- Title 190, Part 410, General Manual (GM)
- Title 390, Part 500 NRCS National Watershed Program Manual (NWPM)

- Title 400 General Manual (GM), Part 400 - Public Participation Policy.
- Department Manual 9500-013 for PR&G.
- Economic and Environmental Principles, Requirements and Guidelines for Water and Related Land Resources Implementation Studies (PR&G).

#### NRCS technical documents include:

- Title 200 NRCS National Resource Economics Handbook Parts 610, 611 and 612
- Title 190 Part 610 National Environmental Compliance Handbook (NECH)
- Title 190 Part 601 National Cultural Resources Procedures Handbook (NCRH)
- Title 390, Part 600 NRCS National Watershed Program Handbook (NWPH)
- Title 210 NRCS National Engineering Handbook (NEH), Parts 624, 628, 630, 631, 633, 636, 637, 641, 642, 650, 651, 653 and 654; Sections 3, 5, 6, 8, 11, 14, 15 & 16

#### NRCS Technical Releases (TR):

- TR 5 Structural Design of Underground Conduits
- TR 17 Geologic Investigation for Watershed Planning TR 18 Computation of Joint Extensibility Requirements TR 25 Design of Open Channels
- TR 25A Design of Open Channels, Appendix A, Stream Armor Design Concepts
- TR 29 Hydraulics of Two-Way Covered Risers
- TR 30 Structural Design of Standard Covered Risers
- TR 31 Structural Analysis and Design at Low Stage Inlets
- TR 33 Simplified Method for Determining Floodwater Storage TR 35 Method of Reservoir Flood Routing
- TR 37 Structural Analysis and Design at Base of Riser with Conduit Openings in Both Endwalls
- TR 39 Hydraulics of Broad-Crested Spillways
- TR 47 Classification System for Varied Flow in Prismatic Channels
- TR 48 SITES Water Resource Site Analysis Computer Program User's Guide
- TR 49 Impact Basins Associated with Full Flow in Pipe Conduits TR 50 Design of Rectangular Structural Channels
- TR 54 Structural Design of SAF Stilling Basins
- TR 54-1 Structural Design of SAF Stilling Basins, revised wingwall design, Amendment 1
- TR 55 Urban Hydrology for Small Watersheds
- TR 56 A Guide for Design & Layout of Vegetative Wave Protection for Earth Dam Embankments
- TR 57 Flood Proofing
- TR 59 Hydraulic Design of Riprap Gradient Control Structures TR 59-1 Graphical Solution for the Hydraulic Design of Riprap Gradient Control Structures, Amendment 1
- TR 59-2 Water Surface Profiles and Tractive Stresses for Riprap Grade Control Structures, Supplement 1
- TR 59-3 Water Surface Profiles and Tractive Stresses for Riprap Grade Control Structures, Revised Pages, Supplement 2

- TR 60 Earth Dams and Reservoirs
- TR 62 Engineering Layout, Notes, Staking and Calculations
- TR 63 Structural Design of Monolithic Straight Drop Structures TR 65 Procedures to Establish Priorities in Landscape Architecture
- TR 66 Simplified Dam-Breach Routing Procedure TR 67 Reinforced Concrete Strength Design
- TR 68 Seismic Analysis of Risers
- TR 69 Riprap for Slope Protection Against Wave Action
- TR 70 Hydraulic Proportioning of Two-Way Covered Baffle Inlet Riser
- TR 74 Lateral Earth Pressures
- TR 75 Reservoir Storage Volume Planning
- TR 78 The Characterization of Rock for Hydraulic Erodibility

#### Hydrologic and Hydraulic Computer Models (use most current version):

- Hydrology: NRCS-Win TR20; NRCS-Win TR55; NRCS-SITES; HEC HMS
- Stream Hydraulics; US Army Corps of Engineers-HEC RAS Dam Breach Analysis; US Army Corps of Engineers-HEC1; NRCS TR 60; NRCS TR 66
- NRCS Technical Notes (TN): Design Notes 6, 8, and 24
- NRCS National Bulletin 190-13-11, Release of Revised Form CPA-52, “Environmental Evaluation Worksheet”

### 3. Quality of Work

The Quality Assurance/Quality Control Plan (QA/QC) for the Project will be followed as described in the POW for this project.

### 4. Reviews and Approvals

Review and approval of submittals will be as described in the POW for this project.

### 5. Description of Work

For the purpose of contract administration and payments, the work is divided into the following four (4) Phases and related subsidiary items:

- I. Phase I – Identify Problems and Determine Objectives
  - A. This phase will include but is not limited to determining MRGCD’S objectives and assisting the NRCS staff to determine, in consultation with the MRGCD, the local jurisdictions, and affected land users, the purpose and need for action. This phase will provide data showing the current and forecasted magnitude, extent, frequency and duration of flooding problems and associated natural resource concerns that are within the project scope such as flood damages to crops, homes, businesses, roads, bridges and other land and water quality issues. This phase will result in the preparation of a clear and concise purpose and need statement and supporting narrative that provides sufficient information to adequately demonstrate the underlying need and purpose for the proposed action. Although the specific needs and purpose may change during the planning process, it is anticipated that the primary categories of need for this project are as follows: flood protection and continued agricultural water management.
    1. A need to relieve safety concerns resulting from the irrigation canals, originally constructed without any flood protection or water storage



incorporated, not meeting NRCS and State safety standards for its current classification.

2. A need to continue the approximately 6,000 acre-feet of irrigation (agricultural water management).
3. A need to create flood prevention and continue irrigation water delivery, currently provided by the canal system in place, to a level to be determined in this phase of the work, but not less than the 25 year storm event.

B. Subsidiary Items:

1. Evaluate Existing Site Conditions Including:
  - a. Perform a record search of files of the NRCS, MRGCD, New Mexico Office of the State Engineer, Department of Transportation, local floodplain administrator, FEMA, and others as required for information relevant to planning to include:
    1. best available base map/LiDAR data,
    2. hydrologic and hydraulic files, design files, geology and geotechnical files,
    3. irrigation canal system operation and maintenance plan, inspection reports, and reports of remedial actions
    4. irrigation canal system operational permit issued by the State
    5. copies of deeds and easements,
    6. project records and hydraulic models for potentially impacted bridges and culverts
    7. Flood Insurance Rate Maps (FIRMs), Letters of Map Revision (LOMRs), Conditional Letters of Map Revision (CLOMRs), Letters of Map Amendment (LOMAs) shall be obtained from FEMA's Map Service Center for upstream and downstream areas anticipated to be impacted by the project.
    8. Flood Insurance Studies (FISs) and the hydraulic models used in the FISs shall be obtained from FEMA if available for those same areas.
  - b. Perform a visual inspection of the watershed site (including the irrigation canals) in accordance with NRCS – New Mexico dam inspection procedures including all areas of embankment and non-earthen components including the culverts/conduits, gates, trash racks, and outlet/transfer structures.
  - c. Perform and record a closed caption television (CCTV) inspection of any conduits crossing state and/or county roads, railroads or interstate highways and a narrative report with photographs.
  - d. Locate and determine elevations of established benchmarks on or near the canals and perform a topographic survey of the prominent watershed features from which profiles and cross sections of the impoundments, conveyance, overflows, and culverts can be derived as well as key elevations of potential flood water storage areas for evaluation of flood water storage, sediment settlement or other adverse movements and for hydraulic and other engineering analyses work. Also obtain typical canal/channel cross sections and configuration data

at bridges and culverts needed for developing hydraulic models where as-built data is not available. Additional geologic survey requirements are included in Attachment 2 and are part of that phase of work. For all surveys horizontal coordinates will reference the State Plane US Feet NAD83 datum with a current reference frame. Corrections shall be made using either post processing of the base points in OPUS or by surveying NGS or New Mexico GS benchmarks. Note that New Mexico GS horizontal control in COR96 will need to be updated to a more modern reference frame. The reference frame and geoid used, and correction method shall be documented in the project folder. All elevation data shall be reported using the NAVD 88 US Feet and Geoid 2012A or newer datum. Elevations reported from project records shall be converted to the NAVD 88 datum. Any omission, discrepancies or inadequacies in data furnished as a basis for surveys shall be reported promptly. Should the need for supplementary data become apparent during the development of the surveys, MRGCD shall promptly report such needs to NRCS. Such reports shall contain suggestions for corrective actions required to secure adequate data.

- e. Obtain elevations of the lowest adjacent grade of homes, roads, water sources, utilities, burial sites, and historical sites downstream of the irrigation canals that would be expected to be inundated by a probable maximum precipitation (PMP) event. Obtain elevations of the lowest adjacent grade, first point of entry, and lowest floor of habitable buildings and buildings containing valuable property located downstream of the irrigation canals that may be in the areas where it is anticipated the water surface profile for the irrigation canals and flood water storage structures in-place condition is higher than for the irrigation canals non-existent condition.
- f. Conduct a sediment survey of the reservoir including submerged and aerated sediment and compute the current submerged sediment capacity, aerated sediment capacity, floodwater-retarding capacity, and floodwater retarding pool. Using this sediment survey and as-built topographic information compute the historic sediment deposition and average annual rate of sediment deposition. Estimate a future sediment rate using NRCS guidance and forecasted land use in the drainage area of the irrigation canals and flood water storage structures. Consultation with the NRCS State Geologist is required throughout this work item.
- g. Prepare a topographic map of the irrigation canals and flood water storage structures site. The reservoir area above the normal water surface and/or above areas of aerated sediment survey may rely on the best available topographic/LiDAR information. Topography shall extend to 10 feet above the existing top-of-canals elevation.
- h. Deliverable items include a narrative report of irrigation canal inspection and CCTV inspection with photographs and plotted cross sections and profiles, a video recording of the specified culverts, a narrative report

describing the methods, assumptions, calculations and results of the sediment survey that may later be used to draft required information for the Affected Environment section and for the Investigation and Analysis Report (Appendix D) of the Plan-EA, and a topographic map of the surveyed project site and irrigation canals including data obtained during the sediment survey, and text files of all surveyed points. The maps shall be delivered as part of the project folder as paper drawings and pdf files at a scale appropriate for 11" x 17" exhibits in the Plan-EA, as well as AutoCAD drawings in dwg format including all points, surfaces and externally referenced files.

2. Perform geologic and geotechnical investigations including:
  - a. Investigations, soils laboratory testing, and furnishing a geologic and geotechnical report for
  - b. areas as defined in Attachment 2.
  - c. In consultation with the NRCS State Geologist determine geologic parameters required by the NRCS
  - d. SITES or comparable computer program (as pre-approved by NRCS) for determination of stability and
  - e. integrity of the auxiliary spillway.
  - f. In consultation with the NRCS State Geologist determine the stability of the canal banks in
  - g. accordance with TR-60 and other applicable NRCS requirements.
  - h. Evaluate the feasibility of using previously identified borrow areas as possible sources of material for structural rehabilitation alternatives using existing geology reports and as-built
  - i. drawings and quantity information.
  - j. Details, specific requirements, and deliverables for this subsidiary item are described in Attachment 2.
3. Perform general data collection for hydrologic analyses including:
  - a. Delineate drainage area of watershed/irrigation canals based on best available mapping/LiDAR data including any necessary field inspections.
  - b. Quantify current and future land uses based on NEH Part 630, chapters 8 and 9 guidance and create maps to be incorporated in the Plan-Environmental Document. Land uses within the watershed's (existing irrigation canals/planned flood water storage structures) drainage area shall be mapped manually based on the most recent aerial photography or other more recent sources. Land for the remaining watershed (downstream of the irrigation canals) may be based upon the most recent land-use / land-cover mapping available from New Mexico or other sources approved by the COR and revised to NRCS land use classes described in NEH Part 630, Chapters 8 and 9. Land uses shall be identified for the fully- developed condition based on current development trends and available forecast information from local government land planning and zoning offices and/or local and regional economic development organizations and based on environmental and

- social limitations through the life of the project (50 to 100 years).  
Provide GIS based maps showing future land use coverage.
- c. Develop NRCS weighted curve numbers with antecedent runoff condition II (ARC II) for existing and future conditions using the most recent NRCS procedures and hydrologic soil groups.
  - d. Identify precipitation depths and distributions using TR-60, NEH Part 630 chapter 21, NOAA Atlas 14, and HMR 51 and 52.
  - e. Compute times of concentration ( $T_c$ ) for existing and future conditions for sub-basins upstream of the irrigation canals and flood water storage structures and for major tributaries downstream of the irrigation canals, as needed to develop tributary hydrographs to account for hydrograph timing effects when routing downstream steady hydraulic models. Note however that steady discharge assumptions, such as base flow, may be made for tributary drainage areas significantly smaller than that of the irrigation canals and flood water storage structures.
  - f. Develop stage-area/storage ratings as necessary based on the survey results using the calculated floodwater-retarding capacity of the irrigation canals and accounting for future end of life (50- to 100- years) aerated sediment. Use the NRCS SITES or Army Corps of Engineers (ACOE) HEC-HMS computer program to determine Stage-discharge ratings for standard covered risers, where applicable, which incorporates the procedures of TR-29, Hydraulics of Standard Covered Risers.
  - g. Deliverable items include the above-mentioned maps and narrative for the appropriate sections of the Plan-Environmental Document.
4. Perform a breach inundation analyses as follows:
- a. The minimum breach discharges will be determined by the criteria in TR-60. Irrigation canals and flood water storage structures failure flood profiles and inundation maps shall be developed in HEC-RAS unsteady 1-d flow or 2-d flow models, or as determined by the NRCS in consultation with the MRGCD. Inundation areas will be mapped downstream to where irrigation canals and flood water storage structures failure profiles converge to within one foot of currently effective regulatory 100-year flood elevations or to within one foot of the 100-year flood elevations determined in Subsidiary Item I.7 "Frequency-based Flood Routings". The points of downstream routing termination must be concurred by NRCS for each inundation area modeled. Documentation shall include location and description of existing and forecasted development in the downstream valley (houses, commercial and farm structures, industrial facilities, utilities, highways, railroads, and also critical structures and facilities such as schools, hospitals, nursing homes, prisons, emergency response stations, hazardous material storage, critical transportation and utility facilities, etc.). Inundation maps showing and labeling the irrigation canals and flood water storage structures location and potential hazard locations shall be prepared using base maps with the latest high-resolution aerial photos

or other high-resolution data. USGS quadrangle maps are not considered an acceptable high-resolution contour map.

- b. Minimum modes of failure for irrigation canals and flood water storage structures failure modeling and inundation mapping shall include:
  1. The hydrologic breach inundation area will be determined by routing a breach hydrograph downstream beginning just downstream of the irrigation canals and flood water storage structures. The constructed breach hydrograph shall use a minimum peak breach discharge computed in accordance with TR-60 assuming the worst-case reservoir water surface elevation at the crest of irrigation canals and flood water storage structures embankment or at the maximum water surface elevation obtained by routing a 6- or 24-hour inflow hydrograph developed using the probable maximum precipitation through the irrigation canals and flood water storage structures. A spreadsheet tool to compute TR-60 minimum peak breach discharges and to construct breach hydrographs is available from the NRCS upon request. Alternately, the process-based model WinDAM may be used.
  2. The static breach inundation area will be determined by routing a breach hydrograph downstream beginning just downstream of the irrigation canals and flood water storage structures. The constructed breach hydrograph shall use a minimum peak breach discharge computed in accordance with TR-60 assuming the reservoir water surface elevation is at the crest of the auxiliary spillway elevation or at the maximum reservoir water surface elevation obtained by routing a 100-yr-generated inflow hydrograph through the irrigation canals and flood water storage structures, whichever is higher.
  3. Seismic breaches will be computed by routing a breach hydrograph downstream beginning just downstream of the irrigation canals and flood water storage structures.
- c. The constructed breach hydrograph shall use a minimum peak breach discharge computed in accordance with TR-60 assuming the reservoir is at the crest of the principal spillway (permanent pool) elevation or in the case of significant base flows at the reservoir water surface elevation obtained by routing the base flow through the irrigation canals and flood water storage structures.
- d. Deliverable items include models and inundation maps and written narratives for the appropriate sections of the Plan- Environmental Document including revisions to the "Evaluation of Potential Rehabilitation Projects" worksheet. Electronic input and output files in their native formats for all models and ESRI Shapefiles of the breach inundation areas shall be delivered as part of the Project Folder Hazard Classification Evaluation.

5. Evaluate and recommend hazard classifications for the existing irrigation canals and flood water storage structures and proposed structural rehabilitation alternatives as follows:
  - a. The hazard classification evaluation shall consist of evaluating the existing and future upstream and downstream areas for potential hazards. This shall consist of using the breach mapping outlined above, downstream development, zoning, and identifying potential hazards. The irrigation canals and flood water storage structures shall be classified according to NMOSE definitions and NRCS definitions in the NEM Manual, Part 520, Subpart C – DAMS. In cases where the hazard classification cannot be clearly determined because it is not clear from available mapping whether habitable buildings or buildings containing valuable property are within the worst-case breach inundation zone or where property damage and population at risk cannot be estimated based on available mapping and existing surveys, a field survey of the lowest grade adjacent the structure along with other useful elevations depending on accessibility, such as the first point entry, first floor, and lowest floor (basement), will be made. Unless a structural alternative involves a feature that would increase or decrease the population at risk it will likely not be necessary to perform additional irrigation canals and flood water storage structures failure (breach) routings.
  - b. Deliverable items include the written analyses for the appropriate sections of the Plan-Environmental Document
6. Perform Hydrologic and Hydraulic Evaluation of the Existing Irrigation Canals
  - a. This activity includes performing hydrologic and hydraulic (H&H) analyses to evaluate the sizing and proportioning of the irrigation canals embankments and flood water storage structures with associated spillways and the stability and integrity of the existing irrigation canals for the current hazard classification in accordance with the criteria contained in TR-60 and in accordance with the NMOSE and applicable design code/criteria including special considerations for water systems/rights, if applicable.
  - b. H&H analyses will be conducted using the NRCS SITES or Army Corps of Engineers HEC-HMS/RAS/RAS-2D computer programs, for determining compliance with TR-60 and other NRCS guidance.
  - c. Deliverable items include the written narrative for the appropriate sections of the Plan-Environmental Document. Electronic input and output files in their native formats for all models shall be delivered as part of the Project Folder.
7. Perform Routings of Frequency-based Floods:
  - a. NRCS will need to determine the flood recurrence events to model based on the existing and future land use and other considerations. If the only concern is for agricultural flood damage to crops, routing unsteady 2-, 5-, 10-, 25-, 50-, and 100-year recurrence events is important. If there is concern about potential “urban” flood damages

(buildings and infrastructure) the 100-year and 500-year steady routings and inundation maps are required. If there are critical structures and facilities (schools, hospitals, nursing homes, police and fire stations, prisons, critical transportation and utilities, water and waste-water treatment facilities, hazardous storage facilities, etc.) in the vicinity then the NRCS must identify and consider the need of providing protection for the 500-yr flood for those critical structures and facilities. Also, since MRGCD is required to comply with the National Flood Insurance Program requirements and rehabilitating irrigation canals and creating flood water storage structures can result in a physical hydrologic change (upstream and/or downstream), submittal of new H&H data to FEMA may be required so that risk premium rates and floodplain management requirements can be adjusted. Submittal of new information is done after (no later than 6 months) construction, however the “community” may request FEMA’s comment on whether the proposed project would justify a map revision (a Conditional Letter of Map Revision, CLOMR). Whether before or after construction a technical data submittal to FEMA may be required for the community and the MRGCD to comply with the NFIP. This submittal must use the same recurrences as that used in any existing Flood Insurance Studies (FIS) in the affected reaches (upstream or downstream) such as the 10-, 50-, 100- and 500-year events. Refer to GM 410.25, regulation 7 CFR 650.25, and NFIP regulations 44 CFR 65.

- b. This activity includes routing floods to determine flood impacts upstream and downstream for the purpose of informing the NRCS, MRGCD, local jurisdictions, and affected land users of flooding conditions so that NRCS in consultation with those stakeholders can determine the purpose and needs of the project; and for the purpose of identifying, formulating and evaluating alternatives for Phase III. This activity will include:
  1. a. Routing unsteady 24-hour-duration 2-, 5-, 10-, 25-, 50-, and 100-year recurrence-interval floods downstream of the irrigation canals and flood water storage structures and evaluating agricultural flood damages for the existing-irrigation canals condition, the irrigation canals and flood water storage structures non-existent (decommissioned) condition, and for all alternatives identified in Phase II. The flood routings will be terminated at the furthest point downstream where all alternatives have no more discernible impact than that of the worst-case flood condition, the irrigation canals and flood water storage structures non-existent condition.
  2. b. Routing steady 24-hour-duration 10-, 25-, 50-, 100-, 200- and 500-year recurrence-interval floods downstream of the irrigation canals and flood water storage structures and evaluating urban flood damages for the existing-irrigation canals, the irrigation canals and flood water storage structures non-existent (decommissioned) condition, and for all alternatives identified in Phase II. The flood

routings will be terminated at the furthest point downstream where all alternatives have no more discernible impact than that of the worst-case flood condition, the irrigation canals and flood water storage structures non-existent condition.

3. c. Inflow hydrographs developed for the above hydraulic routings will be based on NOAA Atlas 14 precipitation values and the appropriate storm distributions developed by the NRCS.
  4. d. Inflow hydrographs and hydrologic routings through the existing irrigation canals and rehabilitated irrigation canals and flood water storage structures alternatives will use the NRCS SITES or Army Corps of Engineers HEC-HMS computer program. Downstream hydraulic routings will use the HEC-RAS computer program in steady or unsteady mode, as specified above, and 1-D or 2-D as is most appropriate. HEC-RAS models shall be created based on the best and most current maps and data available from NRCS – New Mexico, FEMA, New Mexico Department of Transportation, Valencia County, City of Belen, and concerned administrators of local communities such as Pueblitos, etc., or be developed from the most recent high-resolution LiDAR data and/or additional field surveys. If a Flood Insurance Study (FIS) exists downstream of the irrigation canals and flood water storage structures, the hydraulic model will be obtained from FEMA and consideration given to using that model for these required routings to comply with NFIP regulation 44 CFR 65.6(8).
  5. e. Flood inundation maps for all recurrences and conditions will be developed in reach lengths that present a useful visual scale for identifying features including buildings, roads and critical facilities to assist the NRCS (in consultation with MRGCD, local jurisdictions, and affected land users) determination of the purpose and need for flood prevention/protection.
  6. f. Deliverable items include flood inundation maps and written narrative for the appropriate sections of the Plan-Environmental Document including the Investigations and Analyses Report in Appendix D of that document. Electronic input and output files for all models and ESRI Shapefiles of the flood inundation areas shall be delivered as part of the Project Folder.
8. Public Participation and Scoping:
- a. Public participation during this subsidiary item will be conducted in accordance with an approved PPP (public participation plan) and will include early opportunities for public and agency input through scoping. Coordination with other Federal, State, or Tribal Governments shall be conducted during development of the plan environmental document. The MRGCD will ensure draft letters of invitation for NRCS signature to agencies that have specific expertise or jurisdiction by law (such as permitting authority) to be cooperating agencies in the planning process and preparation of the NEPA document. Those agencies will likely



include US Fish and Wildlife, the US Army Corps of Engineers (USACE), the Federal Emergency Management Agency, the New Mexico Office of the State Engineer, the State Department of Transportation, and affected local floodplain zoning administrators. Public meetings will be coordinated with the MRGCD and NRCS and will be publicized in accordance with NRCS policy. NRCS must officially be the lead for any public scoping meetings on the Draft and Final Plan-Environmental Document, however, the MRGCD shall organize, manage, and take minutes of such meetings, with assistance from the NRCS. Results of public participation will be used to develop the scope of environmental document. Scoping will be used to identify the significant issues to be analyzed in detail and to eliminate from detailed study the issues that are not significant. In defining the scope of issues to be addressed in the plan-environmental document, detail and attention shall be focused on connected and cumulative actions associated with the proposed action such as regional water resource plans, bridge replacement planning, and active Conditional Letters of Map Revision. Public participation results will be documented and summarized in the “Consultation, Coordination and Public Participation” sections of the Plan-Environmental Document.

- b. A PPP will be developed, including development of a comprehensive mailing list of agencies, groups and individual stakeholders, in consultation with the MRGCD and NRCS. The plan will outline agency, State Historic Preservation Office (SHPO) and Tribal consultations. The MRGCD shall be the official lead for general public participation meetings on the project and responsible for organizing, managing, and taking minutes of such meetings, with assistance from the MRGCD. The NRCS is the official lead for any NEPA scoping meetings on the Draft or Final Plan-Environmental Document; however, the MRGCD will organize, facilitate, and take minutes of such meetings, with assistance from the NRCS.

## II. Phase II – Inventory Resources and Analyze Resource Data

- A. This phase may include, but is not limited to, conducting the resource inventories of the watershed by collecting information on the resources (environmental, economic, and social) that could be impacted by the project. Inventories will be adequate to establish ecological, archeological, and social baseline conditions which are linked to environmental laws, Executive Orders, Codified Federal Rules, scoping issues, and/or NRCS policy. All study/inventory should be commensurate to the level of concern associated with the resource. General descriptions of the various ecological resources will normally suffice. For example, complete inventory of all common species of plants, fish, and or invertebrates present is usually not needed or appropriate. This information will provide the basis for forecasting project effects. Public/agency scoping sessions may result in additional inventories. The types of resources to be considered can be found in the NWPM Part 501.24 B:
- B. Subsidiary Items:

1. Environmental (refer to NRCS CPA-52)
  - a. Identify soils that are pertinent to the rehabilitation alternatives and create a map to be incorporated into the Plan-Environmental Document. This may require on-site sampling of mapped soils for verification.
  - b. Identify wetland types and approximate acres using the Cowardin System for areas upstream and downstream of the irrigation canals and flood water storage structures site that may be impacted by any of the alternatives identified in Phase II.
  - c. Conduct wetland determinations and delineations and develop maps for wetlands that may be present and potentially impacted by the project. This may include upstream and downstream areas, and areas potentially impacted by construction activities (dikes, floodwalls, construction access roads, etc.). Current USACE methodology and/or NMOSE methods and requirements (as applicable) will be utilized. Wetland determinations will need to be flagged or surveyed in the field for the Plan-Environmental Document. To the extent appropriate, off-site wetland determination methodologies based on aerial photography and other sources will be utilized with appropriate field verification.
  - d. Determine historic and current land use. Identify land use classification in acres (see NHCP).
  - e. Establish air quality conditions. (Based on readily available information. Air quality testing should not be required).
  - f. Identify water quality conditions in terms of designated uses. (Based on readily available information. Water quality testing should not be required).
  - g. Identify highly erodible cropland.
  - h. Characterize the floodplain impacted by any alternative upstream and downstream of the project area.
  - i. Characterize fish and wildlife habitat and generally describe species composition (sampling usually not required).
  - j. Identify Threatened and Endangered Species population(s), including State listed species in the project area.
  - k. Conduct Phase 1 cultural resource investigation.
  - l. Characterize federally listed Threatened and Endangered critical habitat as well as that related to State listed species.
  - m. Characterize "Invasive Species" populations.
  - n. Characterize water quantity concerns.
  - o. Determine the topography of the project area.
  - p. Determine the climate of the project area.
  - q. Identify/characterize riparian areas.
  - r. Identify natural areas. (Specially designated areas).
2. Social
  - a. Document historic (at time of irrigation canals and flood water storage structures installation or 20 to 30 years ago) and current watershed demographics (population, income, and poverty) which is to include an

- identification of any Environmental Justice Communities and Tribal communities.
    - b. Characterize public health and safety conditions.
    - c. Characterize commercial and residential structures affected and to what extent.
    - d. Characterize transportation networks and conditions.
    - e. Identify social/political factors that may impact land use in for the life of the project.
    - f. Identify any population centers.
  - 3. Economic
    - a. Quantify current on-site and off-site damages/effects (amount, extent, duration).
      - 1. Urban flood damages such as houses, commercial buildings, roads, bridges, rail, and utility damage.
      - 2. Ag flood damages such as crops, farm structures, and other rural infrastructure damage.
      - 3. Water Supply effects and costs for the most likely alternative without PL 83-566 assistance.
      - 4. Recreation analysis to include documenting current primary and secondary contact recreation user days by recreation activity.
    - b. Quantify enterprise input costs.
    - c. Quantify current productivity.
    - d. Quantify operations, maintenance and replacement costs.
  - 4. Deliverable items include the written portions for the appropriate sections of the Plan-Environmental Document and data sources for Appendix D of the plan; maps in paper and PDF versions, as part of the Project Folder; and ESRI shapefiles of resources that were mapped.
- III. Phase III – Alternative Formulation, Evaluation, and Decision
  - A. This Phase will include but is not limited to; formulation of alternatives and evaluation including performing hydrologic and hydraulic analyses to determine upstream and downstream flood impacts to property and currently effective floodplain zoning, evaluation and comparison of the ecological, cultural, economic and social effects of alternatives, public participation called for in the PPP Plan, identification of the NEE Plan, the MRGCD's alternative, and the preferred alternative.
  - B. Subsidiary Items:
    - 1. Public Participation
      - a. Public participation during this subsidiary item will be conducted in accordance with the PPP. Results of public participation will be documented as described in Phase I.
    - 2. Formulate and Evaluate Alternatives
      - a. This activity includes development, evaluation, and comparison of reasonable alternatives. In addition, a no-action alternative describing the most likely action by others without federal assistance must be developed. All federally assisted alternatives are to be developed to address the purpose and need of the project. For structural

rehabilitation alternatives, only those that rehabilitate the irrigation canals and flood water storage structures to NRCS and NMOSE Safety criteria will be considered. Consideration shall be given to decommissioning the irrigation canals and flood water storage structures and to any applicable non-structural alternatives such as floodproofing or relocating upstream and/or downstream structures, floodplain regulation, acquisition of floodplain lands for recreational, fish and wildlife, and other public purposes, conversion of land use to forest, and relocating downstream hazard locations in the breach inundation area and purchasing flowage easements in the breach inundation area to preserve a lower hazard classification. Additionally, in accordance with PRG and/or NRCS regulation and policy, the following alternatives shall be identified:

1. The locally preferred (MRGCD's) alternative
  2. A non-structural alternative (least-cost combination of structural and non-structural features)
  3. Environmentally preferred alternative (for an EIS)
  4. The Net Economic Efficiency (NEE) alternative
- b. The MRGCD will document consideration of completeness, effectiveness, efficiency, and acceptability of the alternatives.
  - c. The MRGCD will perform preliminary analyses and evaluations of alternatives and determine in consultation with the NRCS which alternatives can be eliminated from detailed study and which will be carried forward to detailed study. The No Action or Future without Project alternative will be carried forward to detailed study. An alternative that decommissions the irrigation canals and flood water storage structures and meets the purpose and need will be considered but may be eliminated from detailed study if found to be unreasonable.
  - d. Any alternative, except no-action, that does not meet the stated purpose and need for federal action will not be considered in detail. Alternatives that meet the need for action but do not achieve the purposes may be eliminated from detailed study. Alternatives that may appear reasonable but clearly become unreasonable because of exorbitant cost, logistics, existing technology, or environmental reasons will be eliminated from detailed study. Certain structural (irrigation canals and flood water storage structures) rehabilitation alternatives, may meet the irrigation canals and flood water storage structures safety need but result in increased maximum reservoir water surface elevations or increased downstream peak discharges and water surface elevations negatively impacting upstream and/or downstream floodplains. Those impacts may be determined by evaluation of flood routing results to judge whether an alternative is unreasonable or if it should be carried forward to detailed study. Alternatives eliminated from detailed study will be documented in the Plan-Environmental Document and the reasons for elimination discussed. All considered alternatives will be documented as part of the administrative record.

- e. The following will be performed for alternatives to be studied in detail.
1. Alternatives will be described and compared in substantial and equal detail including the preparation of preliminary drawings showing existing and proposed features of the alternatives including borrow, spoil, and staging areas and including the preparation of refined cost estimates for installation, operation and maintenance, and cost sharing.
  2. Preliminary structural analysis and embankment stability analysis will be performed to verify feasibility.
  3. Economic analysis will be completed according to the requirements of the National Watershed Program Manual, the Principles, Requirements, and Interagency Guidelines for Water Resource Projects (PR&G) and the National Resource Economics Handbook part 611 – Water Resource Handbook for Economics and procedures applicable to monetary economic analysis contained in Chapter 2 of Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies (P&G).
  4. Determine the economic benefits and costs of all reasonable alternatives, including the Future Without Project (PR&G FWOPI). Evaluate costs associated with the irrigation canals and flood water storage structures and benefits retained, lost or added in the alternatives.
  5. Economic evaluations will be conducted using the current Federal Watershed Project Discount Rate. The rate changes in October of each year and can be found at <https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/technical/econ/>.
  6. The project period of analysis (evaluation life plus implementation period) must be for the time over which any alternative has significant beneficial or adverse effects, usually 100 years for a NRCS high hazard potential irrigation canals and flood water storage structures, but not less than 50 years. Since sediment life is usually the limiting factor for evaluated life, an economic evaluation will be performed to determine the longest sediment life that continues to provide net benefits. A sediment rationale will be described for each structural rehabilitation alternative that spans the entire evaluated life.
  7. Formulate project based on the principles outlined in the NRCS NWPM (In particular, Parts 501.11 A (2); 501.12. C; 505.35 B (1) (iii)-(iv); 505.35 E-F).
  8. Determine average annual values for all costs and benefits associated with each evaluated alternative.
  9. Determine net monetary benefits and benefit/cost ratios for all with project alternatives (Future with Federal Investment under PR&G) as compared to the no action (Future Without Federal Investment).

10. Develop an economic section for Appendix D, Investigations and Analyses Report, that details the methods, assumptions, and data to support the economic analyses and results. Further, disclose any monetizable benefits that were not evaluated along with the rationale for not developing the values. As part of this section disclose how not developing these monetized benefits will not affect the identification of the correct NEE plan.
  11. Complete all required economic and structural tables per the NWPM Section 506, subpart B and NWPH Section 606, Subpart B and NWPH, Subpart B.
  12. The upstream and downstream flooding effects, damages, and hazards of all alternatives studied in detail will be determined and described using procedures described in Subsidiary Item 7 in Phase I.
  13. Where applicable and substantially changed from the existing irrigation canals and flood water storage structures condition, a description of the hazard potential of each alternative will be determined and a rationale for the hazard classification documented.
  14. Major resource concern items to be used in the decision making process will be evaluated, compared, and discussed in the Plan-Environmental Document including at a minimum those resource concerns determined to be relevant in the scoping process. The economic, environmental, and social effects will be discussed for each alternative studied in detail along with the significance of the effects and measures to reduce or eliminate adverse impacts.
- f. The preferred alternative will be identified as the reasonable alternative that maximizes net public benefits to society. Identification of the tentative Preferred Alternative and other identifications per PR&G for water resource projects will include:
1. Identify the alternative that meets technical requirements and best addresses the environmental, social, and economic concerns for the rehabilitation of the structure, which is the one that maximizes public benefits relative to cost, as the Preferred Alternative.
  2. Work with MRGCD to determine the Preferred Alternative.
  3. Work with NRCS to identify the Non-Structural alternative, if it exists, that best meets the federal objectives and Guiding Principles of PR&G. The non-structural alternative is to be a reasonable alternative which will contain on structural works and may contain structural works.
  4. Work with NRCS to identify the Environmentally Preferred alternative if the environmental document is an EIS.
  5. Work with NRCS to identify the NEE alternative. Use this alternative as a basis for comparison of other federally assisted alternatives to highlight their environmental and social trade-offs.

6. Develop a Summary and Comparison Table to summarize the trade-offs of monetary and non-monetary benefits and costs of all alternatives. The analysis will include comparison of alternatives relative the PR&G federal objectives, and guiding principles, monetary and nonmonetary effects using an ecosystem services framework, and trade-offs of monetary and non-monetary effects among alternatives.
7. The preferred alternative will be described along with rationale for the preference. Economic and structural tables will be prepared.
- g. Deliverable items include written narratives for all alternatives for the appropriate sections of the plan-environmental document, cost estimates, and preliminary drawings for all alternatives studied in detail, upstream and downstream floodplain inundation maps for the frequency-based floods modeled for each alternative studied in detail, economic and structural tables for the preferred alternative.

#### IV. Phase IV – Preparation of Plan-Environmental Document

- A. This Phase will include but is not limited to: development of the Initial and Preliminary Plan-Environmental Document for technical review by NRCS – New Mexico, the MRGCD, and others directly involved in the planning; review of the document by the NRCS National Water Management Center (NWMC); addressing comments from the NWMC review and preparation of the Draft and Final Plan-Environmental Document based on public and interagency comments. The Plan–Environmental Document will be presented in a document following the format as described in NWPM Part 501.31, Plan Format Outline and address each item as described in Sections 501.32 through 501.45.
- B. Subsidiary Items
  1. Preparation of Initial Version of the Preliminary Plan-Environmental Document Report for NRCS\MRGCD Review
    - a. Prepare initial version of Preliminary Plan-Environmental Document for review by NRCS – New Mexico, the MRGCD, and others directly involved in planning.
    - b. Provide NRCS – New Mexico with 2 hard drives or thumb drives, MRGCD with 2 hard drives or thumb drives for review and concurrence, or other agreed upon digital format.
    - c. Respond to all NRCS – New Mexico and comments in writing.
  2. Preparation of Preliminary Plan-Environmental Document for NRCS NWMC Review
    - a. Prepare Preliminary Plan-Environmental Document, incorporating and addressing comments from NRCS and MRGCD’s review of the initial version of Preliminary Plan-Environmental Document. Provide 2 hard drives or thumb drives to NRCS – New Mexico for review and concurrence.
    - b. Once concurred by NRCS – New Mexico, provide NRCS – New Mexico 2 hard drives or thumb drives and 6 hard (printed) copies. NRCS – New Mexico will forward to the NWMC for an approximate 30 calendar day

- review. Additional supporting documentation may be requested by the NWMC and will be provided to NRCS – New Mexico upon request.
3. Address NWMC Comments and Concerns
    - a. The NWMC will provide draft comments and concerns to NRCS – New Mexico. The MRGCD will have the opportunity to comment on these draft comments before final NWMC Comments and Concerns are provided to the NRCS. A response will be provided in writing, to each of the final comments along with the required changes in the Plan-Environmental Document. The NWMC comments will be reviewed and addressed.
    - b. The deliverables are the written response to the final NWMC comments incorporated into the draft document and also in a separate stand-alone document submitted to NRCS.
  4. Preparation of Draft Plan-Environmental Document
    - a. NRCS and the MRGCD will meet to review responses to the NWMC comments on the Preliminary Plan-Environmental Document. MRGCD will incorporate NRCS's comments in the Draft Plan-Environmental Document.
    - b. The deliverable is a Draft Plan-Environmental Document that incorporates the changes agreed to from the review and discussion of the NWMC comments. MRGCD will submit 2 hard drives or thumb drives to NRCS – New Mexico for review and concurrence.
  5. Public Participation
    - a. Facilitate a public and interagency review of the Draft Plan-Environmental Document as appropriate in accordance with the PPP.
    - b. The deliverables include specific and summary responses to public and interagency comments in Appendix A of the Plan-Environmental Document (see NWPM 501.45A and NWPH 601.45A).
  6. Preparation of Final Plan-Environmental Document
    - a. NRCS and MRGCD meet to review comments from the public meeting and resolve the response to public comments on the Preliminary Plan-Environmental Document.
    - b. The deliverable is a Final Plan-Environmental Document that incorporates the changes agreed to from the review and discussion of the public comments. MRGCD will submit 3 hard drives or thumb drives to NRCS – New Mexico for review and concurrence.
  7. Identify Expected Permits and Mitigation
    - a. MRGCD will identify and list expected permits required for the rehabilitation project.
    - b. MRGCD will identify likely compensatory mitigation based on coordination with federal regulatory agencies such as U.S. Fish and Wildlife Service and U.S. Army Corps of Engineers.
    - c. The deliverable for this item shall be a list of expected permits and mitigation requirement included in the Plan-Environmental Document.



*Attachment 2: Technical Specifications for Geologic and Geotechnical Investigations  
New Mexico*

A. Introduction

1. The work consists of conducting a geologic and geotechnical investigation (GI/SM) for Irrigation canals and flood water storage structures. The irrigation canals were constructed over several years between the late 1800s and 2020, the focus of this project is a watershed area of approximately 9,650 acres primarily serviced by the portion of the canal system referred to as the Belen Highline Canal, which was constructed in the 1930s. The irrigation canals were constructed for irrigation water delivery.
2. The MRGCD shall provide all required geotechnical and geological services, oversight and quality control of drilling services, selection of a qualified and accredited laboratory facility to perform requisite sample analysis, and special geotechnical analysis services as required.

B. Reference Materials

1. The following is a list of potential NRCS reference materials that are required for prosecution of the work. Most of these reference materials are available on the NRCS Website. The documents can be downloaded from the website <https://directives.sc.egov.usda.gov/>. The GR will furnish the NRCS reference materials not available on the NRCS Website upon request from the MRGCD. Non-NRCS documents will be obtained by the MRGCD.
  - a. Title 210-National Engineering Manual (NEM)
    1. Part 503 - Safety
    2. Part 531 - Geology
    3. Part 533 - Geotechnical Engineering
  - b. Title 210 – National Engineering Handbook (NEH)
    1. Part 624 - Water Table Control
    2. Part 628 - Dams
    3. Part 631 - Geology
    4. Part 633 - Soil Engineering
    5. Part 650 - Engineering Field Handbook
    6. Part 653 - Stream Corridor Restoration: Principle, Processes, and Practices
    7. Part 654 - Stream Restoration Design
  - c. NRCS Technical Releases (TR)
    1. TR-210-17 - Geologic Investigation for Watershed Planning
    2. TR-210-48 - SITES Water Resource Site Analysis Computer Program User's Guide
    3. TR-210-60 - Earth Dams and Reservoirs
  - d. NRCS - Technical Notes (TN) – Title 210 – Engineering
    1. Geology
      - (a) TN 210-GN-04 – Photography of Rock Core Samples
      - (b) TN 210-GN-05 – Soil Sample Size Requirements for Soil Mechanics Laboratory Testing

2. Soil Mechanics Notes (SMN)
  - (a) TN 210-SMN-03 – Soil Mechanics Considerations for Embankment Drains
  - (b) TN 210-SMN-04 – Preparation and Shipment of Undisturbed Core Samples
  - (c) TN 210-SMN-13 – Dispersive Clays
  - (d) Irrigation canals and flood water storage structures/Principal & Auxiliary Spillway Evaluation: NRCS-SITES or ACOE HEC-RAS computer program.

C. Personnel

1. Personnel used for geotechnical investigations shall be as stated in the Statement of Work, Item E, "Personnel" with the following additional requirements.
2. All geologic work must be conducted by a professional geologist, registered as a Professional Geologist by the State Board of Registration in the State of New Mexico, who will affix his/her Professional Geologist stamp (seal) on all geologic drawings and documents. In the absence of State registration requirements or a State definition of geologist for the practice of geology, the geologist must be certified as a professional geologist by the American Institute of Professional Geologists.
3. All aspects of the field investigation shall be overseen by a professional geologist with experience in geotechnical investigations. This person shall not serve as a member of the drill crew.

D. Equipment

1. The MRGCD will provide a list to NRCS of all equipment that will likely be used to complete the field investigation. Site preparation equipment and appropriate field testing equipment shall be included in the list.
2. MRGCD will provide a written description to NRCS of all subsurface sampling requirements.

E. Schedule

1. The timeline to complete the tasks herein must be generated by the MRGCD for approval by the NRCS prior to initiation of work. The timeline to complete the geological investigation will be during Phase I.

F. Pre-Investigation Conference

1. Attend a pre-investigation conference with the NRCS GR, NRCS State Conservation Engineer, NRCS Geologist, and other NRCS staff, as appropriate prior to the start of any work. This may be held via teleconference or web meeting, or site walk-through if requested in advance.

G. Geological Investigations

1. General Drilling Plan Guidance and Requirements
  - a. MRGCD will provide a written description to NRCS of the drilling plan and requirements.
2. Centerline of Irrigation canals and flood water storage structures
  - a. MRGCD will provide a written description to NRCS of geological investigation to be performed along the centerline of the embankments

of the irrigation canals and potential future flood water storage structures locations (i.e. number, location, and depth of borings, number and type of samples to be obtained, lab tests to be performed, etc.

3. Downstream Toe/Foundation
  - a. MRGCD will provide a written description to NRCS of all geological investigation to be performed at the centerline of the downstream toe/foundation (i.e. number, location, and depth of borings, number and type of samples to be obtained, lab tests to be performed, etc.
4. Major Conduits
  - a. MRGCD will provide a written description to NRCS of all geological investigation to be performed at the major culverts (i.e. number, location, and depth of borings, number and type of samples to be obtained, lab tests to be performed, etc.)
5. Borrow Areas
  - a. MRGCD will provide a written description to NRCS of all geological investigation to be performed at the designated borrow areas (i.e. number, location, and depth of borings, number and type of samples to be obtained, lab tests to be performed, etc.)

#### H. Deliverables

1. Deliverables shall be a detailed geologic investigation and a geotechnical report signed and sealed by a professional engineer licensed in the state of New Mexico, but is not limited to:
  - a. Plan view map of the site that illustrates the location of all boreholes and test pits.
  - b. Detailed, type-written, complete borehole and test pit logs.
  - c. Profiles of the proposed auxiliary spillways showing layers, sample locations, “n” values and headcut erodibility values for each layer.
  - d. Profiles of the canal embankments showing layers or zones, sample locations and “n” values.
  - e. Complete rock core samples contained in labeled boxes conforming to NEH Part 631, Chapter 5.
  - f. Photographs of rock core samples conforming to NEH Part 631, Chapter 5.
  - g. Printouts for the computer modeling runs or results for the seepage and slope stability evaluations.
  - h. Complete printouts, forms, and/or calculation sheets of all soil laboratory tests conducted. This shall include all the appropriate input values required for complete calculation sheets from NEH Part 628 Chapter 52 Appendices 52B and 52C, Field Procedures Guide for the Headcut Erodibility Index, for the soil and rock properties in the auxiliary spillway footprint.
  - i. Geologic Investigation and Soil Mechanics Testing are to be in separate report.

## E. Definition of Terminology

This section contains definitions and abbreviations that are used throughout this procurement document.

"Close of Business" (COB) means 4:30 PM Mountain Standard or Mountain Daylight Time, whichever is in effect on the date given.

"Contract" means a written agreement for the procurement of items of tangible personal property or services.

"Contractor" means a successful offeror who enters into a binding contract.

"Determination" means the written documentation of a decision by the Procurement Manager including findings of fact supporting a decision. A determination becomes part of the procurement file.

"Desirable" The terms "may", "can", "should", "preferably", or "prefers" identifies a desirable or discretionary item or factor (as opposed to "mandatory").

"Evaluation Committee" means a body appointed by the Board of Directors of the MRGCD to perform the evaluation of offeror proposals. This Evaluation Committee may consist of the MRGCD Board of Directors as a whole.

"Finalist" is defined as an offeror who meets all the mandatory specifications of this Request for Proposals and whose score on evaluation factors is sufficiently high to merit further consideration by the Evaluation Committee.

"Mandatory" The terms "must", "shall", "will", "is required", or "are required", identify a mandatory item or factor (as opposed to "desirable"). Failure to meet a mandatory item or factor will result in the rejection of the offeror's proposal.

"Offeror" is any person, corporation, or partnership who chooses to submit a proposal.

"Procurement Manager" means the person or designee authorized by the Agency to manage or administer a procurement requiring the evaluation of competitive sealed proposals.

"Responsible Offeror" means an offeror who submits a responsive proposal and who has furnished required information that complies with the proposal.

"Responsive Offer" or "Responsive Proposal" means an offer or proposal which conforms to all the requirements set forth in the request for proposals.

## II. Conditions Governing the Procurement

This section of the RFP contains the schedule for the procurement, describes the major procurement events and the conditions governing the procurement.

### A. Sequence of Events

<b>ACTION</b>	<b>RESPONSIBILITY</b>	<b>DATE</b>
<b>Notice of Intent for RFP</b>	MRGCD	12/2/2020
<b>Issue of RFP</b>	MRGCD	2/26/2021
<b>Acknowledgement of Receipt (Non-Mandatory)</b>	Offeror	3/5/2021
<b>Pre-Proposal Video Conference (Optional)</b>	MRGCD/Offeror	3/11/2021
<b>Pre-Proposal site visit</b>	MRGCD/Offeror	3/19/2021
<b>Deadline to submit Questions</b>	Offeror	4/2/2021
<b>Response to Questions</b>	MRGCD	4/9/2021
<b>Submission of Proposal</b>	Offeror	4/30/2021
<b>Proposal Evaluation</b>	MRGCD	5/21/2021
<b>Notification to Finalists</b>	MRGCD	5/27/2021
<b>Oral Presentations</b>	MRGCD/Offeror	Week of 6/14/2021
<b>Final Rankings</b>	MRGCD	6/22/2021
<b>Price Negotiations</b>	MRGCD/Offeror	Week of 6/28/2021
<b>Recommendation of Approval to MRGCD Board</b>	MRGCD	7/12/2021
<b>Notice of Award</b>	MRGCD	7/13/2021
<b>Protest</b>	Offerors	7/25/2021

### B. Explanation of Events

#### 1. Issue of RFP

This RFP is being issued on behalf of the Middle Rio Grande Conservancy on the date indicated in the Sequence of Events.

#### 2. Acknowledgement of Receipt

Potential Offerors should hand deliver, return by mail, fax or email the "Acknowledgement of Receipt Form" that accompanies this document, to have their organization placed on the procurement distribution list. The form should be signed by an authorized representative of the organization, dated and returned to the Procurement Manager by 4:30pm March 5, 2021.

#### 3. Pre-Proposal Video Conference

MRGCD will hold a Pre-Proposal video conference to discuss the requirements of the RFP and list details of the upcoming site visit.

#### 4. Pre-Proposal Site Visit

MRGCD will host a site visit for potential offers.

## 5. Deadline to Submit Written Questions

Any proposal questions must be submitted in writing by Friday, April 2<sup>nd</sup> 2021 to the Procurement Manager.

## 6. Submission of Proposal

- a. **ALL OFFEROR PROPOSALS MUST BE RECEIVED FOR REVIEW AND EVALUATION BY THE PROCUREMENT OFFICER OR HIS DESIGNEE ON OR BEFORE 10:00 A.M. Friday April 30th, 2021.** Proposals received after this deadline will not be accepted. The date and time will be recorded on each proposal. Proposals must be addressed and delivered to Procurement Manager; **Richard DeLoia, 1931 2<sup>nd</sup> St SW, Albuquerque NM, 87102.** Proposals must be sealed and labeled on the outside of the package to clearly indicate that they are in response to the **“BELEN WATERSHED PLAN.”** Proposals submitted by facsimile will **not** be accepted.
- b. A public log will be kept of the names of all offeror organizations that submitted proposals. Pursuant to Section 13-1-116 NMSA 1978, the contents of any proposal shall not be disclosed to competing offerors prior to contract award.

## 7. Proposal Evaluation

The evaluation of proposals will be performed by the Evaluation Committee. This process will take place starting on May 1<sup>st</sup>, 2021. During this time, the Evaluation Committee may initiate discussions with offerors who submit responsive or potentially responsive proposals for the purpose of clarifying aspects of the proposals, but proposals may be evaluated without such discussion. Discussions SHALL NOT be initiated by the offerors.

## 8. Selection of Finalists

The evaluating committee shall select the Finalists by May 27, 2021, and those Offerors selected will be invited to participate in the subsequent steps of the procurement.

## 9. Oral Presentation by Finalists – TBD - Optional

Finalist offerors may be required to present their proposals to the Evaluation Committee. The Procurement Manager will schedule the time for each offeror presentation. All offeror presentations will be held at the MRGCD office Albuquerque, NM, and oral presentation will be limited to one (1) hour in duration.

## 10. Final Rankings

The evaluation committee will determine the final rankings and send it out to the responsible offerors.

## 11. Price Negotiations

MRGCD will enter price negotiations with 1<sup>st</sup> finalist. That finalist will have 7 days to provide a cost response form to MRGCD Procurement Manager.

## 12. Board Approval

MRGCD Board will take action for approval and award on Monday July, 12<sup>th</sup> 2021. This contract shall be awarded to the offeror whose proposal is most advantageous to the district, taking into consideration the evaluation factors set forth in the RFP. MRGCD

reserves the right to make multiple awards under this procurement and to designate the lead law firm to serve as general counsel.

#### 13. Notice of Award

The Procurement Officer will notify all finalists in writing of the final award on May 27<sup>th</sup>, 2021.

#### 14. Protest Deadline

Any protest by an offeror must be timely and in conformance with Section 13-1-172 NMSA 1978 and applicable procurement regulations. The fifteen (15) day protest period for responsive offerors shall begin on the day following the contract award and will end as of 4:30 p.m. Mountain Time on July 25<sup>th</sup>, 2021. Protests must be written and must contain the name and address of the protestant, the name of this solicitation, and a statement of grounds for protest, including appropriate supporting exhibits. Protests received after the deadline will not be accepted.

The protest must be addressed and delivered to as follows:

**Mr. Richard DeLoia, Chief Procurement Officer**

**Middle Rio Grande Conservancy District**

PO Box 581

Albuquerque, NM 87103-0581

505 247-0235 ext. 1329

[richard@mrgcd.com](mailto:richard@mrgcd.com)

### C. General Requirements & Federal Appendix II to Part 200

This procurement is being conducted in accordance with District, State & Federal Procurement Regulations.

#### 1. Acceptance of Conditions Governing the Procurement:

Offerors must indicate their acceptance of the conditions governing this procurement and all amendments to this RFP (if any) in their letter of transmittal of the proposal

#### 2. Incurring Cost:

Any cost incurred by the offeror in preparation, transmittal, presentation of any proposal or material submitted in response to this RFP shall be borne solely by the offeror. Any cost incurred by the offeror for set up and demonstration of any proposed equipment and/or system if applicable shall be borne solely by the offeror.

#### 3. Amended Proposals:

An offeror may submit an amended proposal before the deadline for receipt of proposals. Such amended proposals must be complete replacements for a previously submitted proposal and must be clearly identified as such in a transmittal letter that accompanies the amended proposal. District personnel will not merge, collate, or assemble proposal materials.

#### 4. Offerors' Rights to Withdraw Proposal:

Offerors will be allowed to withdraw their proposals at any time prior to the deadline for receipt of proposals. The offeror must submit a written withdrawal request signed by the offeror and addressed to the Procurement Manager. The approval or denial of withdrawal requests received after the deadline for receipt of the proposals is at the discretion of Procurement Manager.

#### 5. Proposal Offer Firm:

Responses to this RFP, including cost response, will be considered firm for a minimum of ninety (90) days after the due date for receipt of proposals or sixty (60) days after receipt of a best and final offer if one is submitted.

#### 6. Disclosure of Proposal Contents:

The proposals will be kept confidential until a contract is awarded. At that time, all proposals and documents pertaining to the proposals will be open to the public, except for the material that is proprietary or confidential. The Procurement Officer will not disclose or make public any pages of a proposal on which the offeror has stamped or imprinted "proprietary" or "confidential" subject to the following requirements.

Proprietary or confidential data shall be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal.

Confidential data is normally restricted to confidential financial information concerning the offeror's organization and data that qualifies as a trade secret in accordance with the Uniform Trade Secrets Act, 57-3A-1 to 57-3A-7 NMSA 1978. The price of products offered, or the cost of services proposed shall not be designated as proprietary or confidential information. If a request is received for disclosure of data for which an offeror has made a written request for confidentiality, District shall examine the offeror's request and make a written determination that specifies which portions of the proposal should be disclosed. Unless the offeror takes legal action to prevent the disclosure, the proposal will be so disclosed. The proposal shall be open to public inspection subject to any continuing prohibition on the disclosure of confidential data.

#### 7. No Obligation

This procurement in no manner obligates the District to the use of any proposed professional services until a valid written contract is awarded and approved by the appropriate authorities.

#### 8. RFP Termination

This RFP may be terminated at any time and any and all proposals may be rejected in whole or in part when the District determines such action to be in the best interest of the District.

#### 9. Sufficient Appropriation

Any contract awarded as a result of this RFP process may be terminated if sufficient appropriations or authorizations do not exist. Such termination will be effective by sending written notice to the offeror. The District's decision as to whether sufficient appropriations and authorizations are available will be accepted by the offeror as final.

#### 10. Legal Review

The District requires that all offerors agree to be bound by the General Requirements contained in this RFP. Any offeror's concerns must be promptly brought to the attention of the Procurement Manager.

#### 11. Governing Law

This procurement and any agreement with offerors that may result shall be governed by Far Part 36 and the laws of the State of New Mexico.



## 12. Basis for Proposal

Only information supplied by the Procurement Manager should be used as the basis for the preparation of offeror proposals.

## 13. Terms and Conditions

The contract between District and the offeror will follow the format specified by District and the terms and conditions set forth in the New Mexico State Procurement Code, (Section 13-1-28 through Section 13-1-199 NMSA 1978). However, District reserves the right to negotiate with a successful offeror for provisions in addition to those contained in this RFP. The contents of this RFP, as revised and/or supplemented, and the successful offeror's proposal will be incorporated into and become part of the contract. Should an offeror object to any of the District's terms and conditions, as contained in this Section that offeror must propose specific alternative language. District may or may not accept the alternative language. General references to the offeror's terms and conditions or attempts at complete substitutions are not acceptable to District and will result in disqualification of the offeror's proposal. Offerors must provide a brief discussion of the purpose and impact, if any, of each proposed change followed by the specific proposed alternate wording.

Award of professional services contracts are subject to approval of the District's Board of Directors.

## 14. Offeror's Terms and Condition

Offerors must submit with the proposal a complete set of any additional terms and conditions which they expect to have included in a contract negotiated with District.

## 15. Contract Deviations

Any additional terms and conditions, which may be the subject of negotiation, will be discussed only between District and the selected offeror and shall not be deemed an opportunity to amend the offeror's proposal.

## 16. Offeror Qualifications

District may make such investigations as necessary to determine the ability of the offeror to adhere to the requirements specified within this RFP. District may reject proposal of any offeror who is not a responsible offeror or fails to submit a responsive offer as defined by the conditions of this RFP.

## 17. Right to Waive Minor Irregularities

District reserves the right to waive minor irregularities. District also reserves the right to waive mandatory requirements provided that all of the otherwise responsive proposals failed to meet the mandatory requirements and/or doing so does not otherwise materially affect the procurement. This right will be exercised at the sole discretion of District.

## 18. Notice

The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and misdemeanor criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kickbacks.

## 19. Agency Rights

District reserves the right to accept or reject all or a portion of an offeror's proposal.

## 20. Right to Publish

Throughout the duration of this procurement process and contract term, potential offerors, and actual offerors must secure from District and NRCS a written approval prior to the release of any information that pertains to the potential work or activities covered by this procurement or the subsequent contract.

## 21. Ownership of Proposals

All documents submitted in response to the RFP shall become the property of the District.

## 22. Electronic mail address required

A large part of the communication regarding this procurement will be conducted by electronic mail (e-mail). Offeror must have a valid e-mail address to receive this correspondence.

## 23. Use of Electronic Versions of this RFP:

This RFP is being made available by electronic means. If accepted by such means, the offeror acknowledges and accepts full responsibility to ensure that no changes are made to the RFP. In the event of conflict between a version of the RFP in the offeror's possession and the version maintained by District, the version maintained by District shall govern.

## 24. Records and Audit:

If awarded a contract, Offeror shall maintain detailed time records, which indicate the date, time and nature of services rendered. These records shall be subject to inspection by MRGCD, the Department of Finance and Administration and the State Auditor. The MRGCD shall have the right to audit the billing both before and after payment; payment under this Contract shall not foreclose the right of the MRGCD to recover excessive payment.

## 25. New Mexico Employees Health Coverage

- a. If the Offeror has, or grows to, six (6) or more employees who work, or who are expected to work, an average of at least 20 hours per week over a six (6) month period during the term of the contract, Offeror must agree to have in place, and agree to maintain for the term of the contract, health insurance for those employees if the expected annual value in the aggregate of any and all contracts between Contractor and the State exceed \$250,000 dollars.
- b. Offeror must agree to maintain a record of the number of employees who have (a) accepted health insurance; (b) decline health insurance due to other health insurance coverage already in place; or (c) decline health insurance for other reasons. These records are subject to review and audit by a representative of the State.
- c. Offeror must agree to advise all employees of the availability of State publicly financed health care coverage programs by providing each employee with, as a minimum, the following web site link to additional information:  
<http://www.insurenemexico.state.nm.us/> .

## 26. FEDERAL AWARDING AGENCY CONTACT(S)— REQUIRED

The announcement must give potential applicants a point(s) of contact for answering questions or helping with problems while the funding opportunity is open. The intent of this requirement is to be as helpful as possible to potential applicants, so the Federal awarding agency should consider approaches such as giving:

- i. Points of contact who may be reached in multiple ways (e.g., by telephone, FAX, and/ or email, as well as regular mail).
- ii. A fax or email address that multiple people access, so that someone will respond even if others are unexpectedly absent during critical periods.
- iii. Different contacts for distinct kinds of help (e.g., one for questions of programmatic content and a second for administrative questions).

## 27. OTHER INFORMATION—OPTIONAL

This section may include any additional information that will assist a potential applicant. For example, the section might:

- i. Indicate whether this is a new program or a one-time initiative.
- ii. Mention related programs or other upcoming or ongoing Federal awarding agency funding opportunities for similar activities.

Include current Internet addresses for Federal awarding agency Web sites that may be useful to an applicant in understanding the program. iv. Alert applicants to the need to identify proprietary information and inform them about the way the Federal awarding agency will handle it. v. Include certain routine notices to applicants (e.g., that the Federal government is not obligated to make any Federal award as a result of the announcement or that only grants officers can bind the Federal government to the expenditure of funds).

### III. Response Format and Organization

#### A. Number of Responses

Offerors shall submit only (1) proposal for Belen Watershed Planning Documents.

#### B. Number of Copies

Offerors shall deliver one (1) original and five (5) identical copies of their proposal.

#### C. Proposal Format

Offerors shall organize their proposal as follows:

#### D. Proposal Organization

General Information

Proposed Approach to Providing Cost

Experience in Inter-Governmental Affairs

Professional Qualifications

List firm's qualifications necessary for satisfactory performance of required services.

Specialized Experience and Technical Competence

List firm's experience showing technical competence in the type of work required, including, where appropriate, experience in energy conservation, pollution prevention, waste reduction, and the use of recovered materials.

Capacity and Capability

List firms' capacity and capability to accomplish the work in the required time.

Past Performance

List forms past performance on contracts with Government agencies and private industry in terms of cost control, quality of work, and compliance with performance schedules.

Location and Familiarity with MRGCD

List firm's knowledge of the locality of the project and MRGCD.

#### E. Letter of Transmittal

(limited to two pages)

Include at least the following information:

1. Name, address and telephone number of offeror;
2. Name and telephone number of primary contact;
3. Signature of the offeror or of an officer or employee who certifies that he/she has the authority to bind offeror;
4. Date of the proposal;
5. A statement that offeror, if awarded the contract, will comply with contract terms and conditions set forth in this RFP;
6. A statement that offeror's proposal is valid for Ninety (90) days after the deadline for submission of proposals.

## IV. Evaluation

### A. Evaluation of Proposals

1. MRGCD & NRCS will conduct a comprehensive, fair and impartial evaluation of proposals received in response to this RFP. All proposals shall be reviewed for compliance with the mandatory requirements as stated within the RFP. Proposals deemed non-responsive, missing key elements or received after the deadline shall be eliminated from further consideration and a letter will be generated to the Offeror, stating the reason for elimination.
2. The Chief Procurement Officer may contact the Offeror for clarification of the response, as noted in Section II.
3. The MRGCD & NRCS will be the Evaluation Committee, which shall evaluate each responsive proposal on the basis of its technical merit. MRGCD reserves the right to use technical advisors in this process.
4. The Evaluation Committee may use other sources of information to perform the evaluation.
5. Responsive proposal will be evaluated based on the responses to the Factors set forth in Section IV, Letter B, which have been assigned maximum point values, respectively.
6. Please note that a serious deficiency in the response to any one factor not including required documents in the proposal, may be used for deeming the proposal non-responsive, thereby resulting in its immediate rejection.
7. The responsive Offerors with the highest scores will be selected as finalist Offerors, based upon the proposals submitted.
8. The responsive Offeror whose proposal is most advantageous to MRGCD, taking into consideration the Evaluation Factors in Section IV, will be offered the contract award.

### B. Evaluation Point Summary

The following is a summary of evaluation factors with point value assigned to each. These, along with the general requirements, will be used in the evaluation of Offeror proposals

<b>FACTORS</b>	<b>POINTS</b>
Technical Qualifications	50
Past Experience on projects (References) <i>*Must supply client project manager and contact phone number*</i>	20
Familiarity with project location	10
Quality of proposal	10
Projects Completed	10
<b>TOTAL SCORE</b>	<b>100</b>
Campaign Contribution Disclosure Form, Suspension and Debarment Requirement, New Mexico Employees Health Coverage Form, Conflict of Interest Certification, Bidder Statement of Non-Collusion, Acknowledgement of Receipt Form	<b>MANDATORY</b>

FIRM OR INDIVIDUAL: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

SUBMITTED BY: \_\_\_\_\_  
NAME SIGNATURE

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

## **NOTICE**

### **TO ALL BIDDERS/OFFERORS**

**THIS IS A REMINDER THAT THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT IS NOT RESPONSIBLE FOR RECEIPT OF UNTIMELY BIDS OR PROPOSALS WHETHER THE DELAYS ARE DUE TO UNTIMELY DELIVERY BY PUBLIC OR PRIVATE (POSTAL OR PERSONAL) DELIVERY SERVICE.**

**THEREFORE, WE ASK YOU TO PLEASE MAKE APPROPRIATE ARRANGEMENTS TO HAVE YOUR BIDS OR PROPOSALS IN BY THE DEADLINE DATE AND TIME AS DESIGNATED ON THE BID OR PROPOSAL.**

**MIDDLE RIO GRANDE CONSERVANCY DISTRICT IS AN EQUAL OPPORTUNITY EMPLOYER, PROVIDER, AND LENDER.**



## V. Appendices

### A. Campaign Contribution Disclosure Form

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person seeking to enter into a contract with any state agency or local public body for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a bid or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body shall void an executed contract or cancel a solicitation or proposed award for a proposed contract if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

**“Applicable public official”** means a person elected to an office or a person appointed to complete a term of an elected office, which has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed bid or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive bid.

**“Campaign Contribution”** means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to either statewide or local office.

“Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political

committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

**“Family member”** means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

**“Pendency of the procurement process”** means the time period commencing with the public notice of the request for bids and ending with the award of the contract or the cancellation of the request for bids.

**“Person”** means any corporation, partnership, individual, joint venture, association or any other private legal entity.

**“Prospective contractor”** means a person who is subject to the competitive sealed bid process set forth in the Procurement Code or is not required to submit a competitive sealed bid because that person qualifies for a sole source or a small purchase contract.

**“Representative of a prospective contractor”** means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

**DISCLOSURE OF CONTRIBUTIONS:**

Contribution Made By: \_\_\_\_\_

Relation to Prospective Contractor: \_\_\_\_\_

Name of Applicable Public Official: \_\_\_\_\_

Date Contribution(s) Made: \_\_\_\_\_

Amount(s) of Contribution(s): \_\_\_\_\_

Nature of Contribution(s): \_\_\_\_\_

Purpose of Contribution(s): \_\_\_\_\_

(Attach extra pages if necessary)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title (position)

--OR--

**NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE** to an applicable public official by me, a family member or representative.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title (position)

## B. Suspension and Debarment Requirement

### **CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED DEBARMENT AND OTHER RESPONSIBILITY MATTERS**

The entering of a contract between Middle Rio Grande Conservancy District (MRGCD) and the successful Bidder pursuant to this RFB is a “covered transaction,” as defined by 45 C.F.R. Part 76. MRGCD’s contract with the successor Bidder shall contain a provision relating to debarment, suspension, and responsibility substantially in the form contained in Article 39 of Attachment D. All Bidders must provide as a part of their bids a certification to MRGCD in the form provided below. Failure of a Bidder to furnish a certification or provide such additional information as requested by the Procurement Manager for this RFB will render the Bidder non-responsible. Furthermore, the Bidder shall provide immediate written notice to the Procurement Manager for this RFB if, at any time prior to contract award, the Bidder learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

*Although MRGCD may review the veracity of the certification through the use of the federal Excluded Parties Listing System or by other means, the certification provided by the Bidder in paragraph (a), below, is a material representation of fact upon which MRGCD will rely when making a contract award. If it is later determined that the Bidder knowingly rendered an erroneous certification, in addition to other remedies available to MRGCD, MRGCD may terminate the contract resulting from this request for bids for default.*

*The certification provided by the Bidder in paragraph (a), below, will be considered in connection with a determination of the Bidder's responsibility. A certification that any of the items in paragraph (a), below, exists may result in rejection of the Bidder's bid for nonresponsibility and the withholding of an award under this RFB. If the Bidder's certification indicates that that any of the items in paragraph (a), below, exists, the Bidder shall provide with its bid a full written explanation of the specific basis for, and circumstances connected to, the item; the Bidder's failure to provide such explanation will result in rejection of the Bidder's bid. If the Bidder's certification indicates that that any of the items in paragraph (a), below, exists, MRGCD, in its sole discretion, may request, that the U.S. Department of Health and Human Services grant an exception under 45 C.F.R. §§ 76.120 and 76.305 if MRGCD believes that the procurement schedule so permits and an exception is applicable and warranted under the circumstances. In no event will MRGCD award a contract to a Bidder if the requested exception is not granted for the Bidder.*

(a)(1) By signing and submitting a bid in response to this RFB, the Bidder certifies, to the best of its knowledge and belief, that:

(i) The Bidder and/or any of its Principals-

(A) Are  are not  presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal department or agency;

(B) Have  have not , within a three-year period preceding the date of the Bidder's bid, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to

obtain, or performing a public (Federal, state, or local) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property;

(C) Are  are not  presently indicted for, or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with, commission of any of the offenses enumerated in paragraph (a)(1)(i)(B) of this certification;

(D) Have  have not  within a three-year period preceding the date of Bidder's bid, had one or more public agreements or transactions (Federal, State or local) terminated for cause or default; and

(E) Have  have not  been excluded from participation from Medicare, Medicaid or other federal health care programs pursuant to Title XI of the Social Security Act, 42 U.S.C. §1320a-7.

(ii) "Principal," for the purposes of this certification, shall have the meaning set forth in 45 C.F.R. §76.995 and shall include an officer, director; owner, partner, principal investigator, or other person having management or supervisory responsibilities related to a covered transaction. "Principal" also includes a consultant or other person, whether or not employed by the participant or paid with Federal funds, who: is in a position to handle Federal funds; is in a position to influence or control the use of those funds; or occupies a technical or professional position capable of substantially influencing the development or outcome of an activity required to perform the covered transaction.

(iii) For the purposes of this certification, the terms used in the certification, such as covered transaction, debarred, excluded, exclusion, ineligible, ineligibility, participant, and person have the meanings set forth in the definitions and coverage rules of 45 C.F.R. Part 76.

(iv) Nothing contained in the foregoing certification shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of a Bidder is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

BIDDER: \_\_\_\_\_

SIGNED BY: \_\_\_\_\_

TITLE: \_\_\_\_\_ DATE: \_\_\_\_\_

## C. New Mexico Employees Health Coverage Form

### **New Mexico Employees Health Coverage.**

A. If Contractor has, or grows to, six (6) or more employees who work, or who are expected to work, an average of at least 20 hours per week over a six (6) month period during the term of the contract, Contractor certifies, by signing this agreement, to have in place, and agree to maintain for the term of the contract, health insurance for those employees and offer that health insurance to those employees if the expected annual value in the aggregate of any and all contracts between Contractor and the State exceed \$250,000 dollars.

B. Contractor agrees to maintain a record of the number of employees who have (a) accepted health insurance; (b) declined health insurance due to other health insurance coverage already in place; or (c) declined health insurance for other reasons. These records are subject to review and audit by a representative of the state.

C. Contractor agrees to advise all employees of the availability of State publicly financed health care coverage programs by providing each employee with, as a minimum, the following web site link to additional information:  
<http://insurenemexico.state.nm.us/> .

D. For Indefinite Quantity, Indefinite Delivery contracts (price agreements without specific limitations on quantity and providing for an indeterminate number of orders to be placed against it); these requirements shall apply the first day of the second month after the Offeror reports combined sales (from state and, if applicable, from local public bodies if from a state price agreement) of \$250,000, \$500,000 or \$1,000,000.

Signature of Offeror \_\_\_\_\_ Date \_\_\_\_\_

## D. Conflict of Interest Certification

### (a)

(1) The contractor, subcontractor, employee, or consultant, by signing the form in this clause, certifies that, to the best of its knowledge and belief, there are no relevant facts or circumstances that could give rise to an organizational or personal conflict of interest, (see FAR Subpart 9.5 for organizational conflicts of interest) (or apparent conflict of interest), for the organization or any of its staff, and that the contractor, subcontractor, employee, or consultant has disclosed all such relevant information if such a conflict of interest appears to exist to a reasonable person with knowledge of the relevant facts (or if such a person would question the impartiality of the contractor, subcontractor, employee, or consultant). Conflicts may arise in the following situations:

(i) **Unequal access to information.** A potential contractor, subcontractor, employee, or consultant has access to non-public information through its performance on a government contract.

(ii) **Biased ground rules.** A potential contractor, subcontractor, employee, or consultant has worked, in one government contract, or program, on the basic structure or ground rules of another government contract.

(iii) **Impaired objectivity.** A potential contractor, subcontractor, employee, or consultant, or member of their immediate family (spouse, parent, or child) has financial or other interests that would impair, or give the appearance of impairing, impartial judgment in the evaluation of government programs, in offering advice or recommendations to the government, or in providing technical assistance or other services to recipients of Federal funds as part of its contractual responsibility. "Impaired objectivity" includes but is not limited to the following situations that would cause a reasonable person with knowledge of the relevant facts to question a person's objectivity:

(A) Financial interests or reasonably foreseeable financial interests in or in connection with products, property, or services that may be purchased by an educational agency, a person, organization, or institution in the course of implementing any program administered by the Department;

(B) Significant connections to teaching methodologies or approaches that might require or encourage the use of specific products, property, or services; or

(C) Significant identification with pedagogical or philosophical viewpoints that might require or encourage the use of a specific curriculum, specific products, property, or services.

(2) Offerors must provide the disclosure described above on any actual or potential conflict of interest (or apparent conflict of interest) regardless of their opinion that such a conflict or potential conflict (or apparent conflict of interest) would not impair their objectivity.

(3) In a case in which an actual or potential conflict (or apparent conflict of interest) is disclosed, the Department will take appropriate actions to eliminate or address the actual or potential conflict, including but not limited to mitigating or neutralizing the



conflict, when appropriate, through such means as ensuring a balance of views, disclosure with the appropriate disclaimers, or by restricting or modifying the work to be performed to avoid or reduce the conflict. In this clause, the term “potential conflict” means reasonably foreseeable conflict of interest.

**(b)** The contractor, subcontractor, employee, or consultant agrees that if “impaired objectivity”, or an actual or potential conflict of interest (or apparent conflict of interest) is discovered after the award is made, it will make a full disclosure in writing to the contracting officer. This disclosure shall include a description of actions that the contractor has taken or proposes to take to avoid, mitigate, or neutralize the actual or potential conflict (or apparent conflict of interest).

**(c) Remedies.** The Government may terminate this contract for convenience, in whole or in part, if it deems such termination necessary to avoid the appearance of a conflict of interest. If the contractor was aware of a potential conflict of interest prior to award or discovered an actual or potential conflict after award and did not disclose or misrepresented relevant information to the contracting officer, the Government may terminate the contract for default, or pursue such other remedies as may be permitted by law or this contract. These remedies include imprisonment for up to five years for violation of 18 U.S.C. 1001 and fines of up to \$5000 for violation of 31 U.S.C. 3802. Further remedies include suspension or debarment from contracting with the Federal government. The contractor may also be required to reimburse the Department for costs the Department incurs arising from activities related to conflicts of interest. An example of such costs would be those incurred in processing Freedom of Information Act requests related to a conflict of interest.

**(d)** In cases where remedies short of termination have been applied, the contractor, subcontractor, employee, or consultant agrees to eliminate the organizational conflict of interest, or mitigate it to the satisfaction of the contracting officer.

**(e)** The contractor further agrees to insert in any subcontract or consultant agreement hereunder, provisions that conform substantially to the language of this clause, including specific mention of potential remedies and this paragraph (e).

**(f) Conflict of Interest Certification.**

The offeror, [insert name of offeror], hereby certifies that, to the best of its knowledge and belief, there are no present or currently planned interests (financial, contractual, organizational, or otherwise) relating to the work to be performed under the contract or task order resulting from Request for Proposal No. [insert number] that would create any actual or potential conflict of interest (or apparent conflicts of interest) (including conflicts of interest for immediate family members: spouses, parents, children) that would impinge on its ability to render impartial, technically sound, and objective assistance or advice or result in it being given an unfair competitive advantage. In this clause, the term “potential conflict” means reasonably foreseeable conflict of interest. The offeror further certifies that it has and will continue to exercise due diligence in identifying and removing or mitigating, to the Government's satisfaction, such conflict of interest (or apparent conflict of interest).

Offeror's Name \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

E. Bidder Statement of Non-Collusion

**BY SUBMISSION OF THIS RFP, BIDDER AND EACH PERSON SIGNING ON BEHALF OF BIDDER CERTIFIES, AND IN THE CASE OF JOINT BID, EACH PARTY THERETO CERTIFIES AS TO ITS OWN ORGINAZATION, UNDER PENALTY OF PURJURY, THAT TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF:**

1. The prices of this Bid have arrived independently, without collusion, consultation, communication, or agreement with any other Bidder or competitor, for the purposes of restricting competition or as to any matter relating to price.
2. Unless otherwise required by law, the prices quoted in this Bid have not knowingly disclosed by Bidder and will not be disclosed by Bidder directly or indirectly to any other Bidder or competitor before bids are opened.
3. No attempt has been made or will be made by the Bidder to include any other person, partnership or corporation to submit a bid on any portion of the project work.

**IF, FOR ANY REASON, BIDDER CANNOT CERTIFY AS SET FORTH ABOVE, BIDDER SHALL SO STATE AND SET FORTH THE REASONS IN DETAIL BELOW:**

NAME (PRINT) \_\_\_\_\_

NAME (SIGNATURE) \_\_\_\_\_

TITLE \_\_\_\_\_

COMPANY \_\_\_\_\_

F. Acknowledgement of Receipt Form



**I ACKNOWLEDGE RECEIPT OF  
BELEN WATERSHED PROJECT  
REQUEST FOR PROPOSAL**



The undersigned agrees that he/she has received:

1.  Complete RFP
2.  Amendment No. \_\_\_\_\_
3.  Addendum No. \_\_\_\_\_

Please complete the Acknowledgement of Receipt Form and return to the MRGCD by 4:30 pm, March 5<sup>th</sup> 2021. It is ultimately your responsibility to check and acknowledge all amendments and addendums if applicable.

FIRM: \_\_\_\_\_

REPRESENTATIVE: \_\_\_\_\_

TITLE: \_\_\_\_\_ PHONE #: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_ FAX #: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

This name and address will be used for all correspondence related to the Request for Proposal.

**Firm Does / Does Not intend to respond to this Request for Proposal  
(Please Circle One)**