



**BIOLOGICAL EFFECTIVENESS MONITORING  
NATOMAS BASIN HABITAT CONSERVATION PLAN  
REQUEST FOR PROPOSALS (RFP)  
SEPTEMBER 3, 2010**

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**REQUEST FOR PROPOSALS  
TO CONDUCT  
BIOLOGICAL EFFECTIVENESS MONITORING  
FOR THE YEARS 2011, 2012 AND 2013  
REQUIRED UNDER THE  
NATOMAS BASIN HABITAT CONSERVATION PLAN  
AND THE  
METRO AIR PARK HABITAT CONSERVATION PLAN  
FOR  
THE NATOMAS BASIN CONSERVANCY**

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## INTRODUCTION

The Natomas Basin Conservancy (TNBC), the plan operator of the Natomas Basin Habitat Conservation Plan (NBHCP), is seeking proposals from qualified consultants to perform annual biological effectiveness monitoring in the Natomas Basin, located in Sacramento County and Sutter County, California.

This request for proposals (RFP) includes all biological effectiveness monitoring tasks required under the 2003 NBHCP except those specifically excepted below.

Respondents must be fully qualified to conduct all necessary biological surveying and monitoring tasks, hold all pertinent state and federal permits necessary to conduct such activities, demonstrate capacity to perform the work within the specific timeframe and deliver a final work product to TNBC that will satisfy the relevant monitoring requirements in the 2003 NBHCP.

The successful proposal will be determined by the Board of Directors of TNBC. TNBC requires that the project commence January 1, 2011. A three-year engagement for the completion of this work is proposed.

## 1. BACKGROUND

a. Natomas Basin Habitat Conservation Plan. The NBHCP is the conservation plan required under the federal Endangered Species Act (the "Act") designed to support applications for federal permits under Section 10(a)(1)(B) of the Act for activities covered (the "Covered Activities") under the NBHCP occurring within the Natomas Basin (the "Permit Area"). It also serves a nearly identical purpose under California state law pursuant to Section 2081(b) of the California Fish and Game Code.

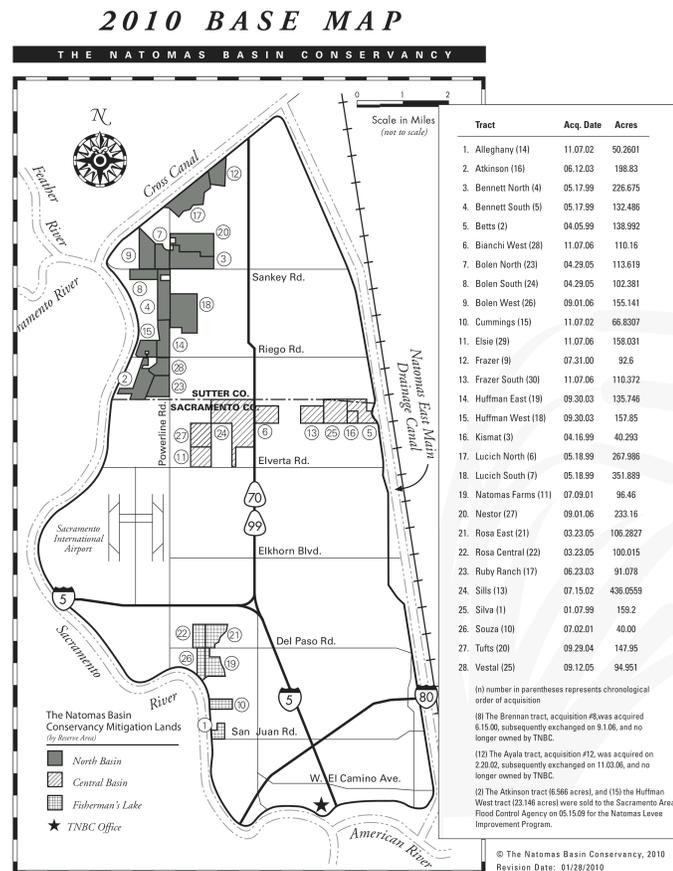
The purpose of the NBHCP is to promote biological conservation in conjunction with economic and urban development within the Permit Area. The NBHCP establishes a multi-species conservation program to minimize and mitigate the expected loss of habitat values and incidental take of species covered by the Act (the "Covered Species") that could result from urban development, operation and maintenance of irrigation and drainage systems, and certain activities associated with the TNBC's management of its system of reserves. The goal of the NBHCP is to provide mitigation for the impacts of Covered Activities on the Covered Species.

The Permit Area is defined as the 53,537-acre area interior to the toe of levees surrounding the Natomas Basin, located in the northern portion of Sacramento County and the southern portion of Sutter County. The Basin contains incorporated and unincorporated areas within the jurisdictions of the City of Sacramento, Sacramento County, and Sutter County. The southern portion of the Natomas Basin is mostly urbanized, but most of the remainder of the Basin currently remains in agriculture.

The NBHCP has been in operation since December 1997, when the original 10(a)(1)(B) and Section 2081(b) permits were issued by the U.S. Fish and Wildlife Service and California Department of Fish and Game, respectively.

As a result of litigation, the NBHCP was revised and new permits were issued in July 2003. TNBC holds federal incidental take permit #TE073667-0, issued June 27, 2003. The City of Sacramento and Sutter County also hold permits issued under the same HCP process.

b. The Natomas Basin Conservancy. TNBC is a nonprofit entity serving as "plan operator" for the NBHCP. TNBC is governed by a Board of Directors made up of



representatives appointed by the City of Sacramento and the County of Sutter. TNBC acquires and manages habitat reserve lands and develops and implements Site-Specific Management Plans (SSMP) for each preserve within the Natomas Basin. A Technical Advisory Committee (TAC) provides technical assistance to TNBC. Currently, the TNBC owns and operates 28 properties in the Basin for a total of approximately 4,200 acres (see Exhibit 1, Preserve Map).

## 2. BIOLOGICAL EFFECTIVENESS MONITORING TASKS

For purposes of this RFP, Biological Effectiveness Monitoring tasks are divided into the following primary monitoring tasks:

- giant garter snake monitoring
- Swainson's hawk monitoring, and
- other Covered Species and habitat monitoring.

Giant garter snake (GGS) and Swainson's hawk are the two focus species in the NBHCP. Monitoring efforts for these species are extensive and include efforts on TNBC preserves and throughout the Natomas Basin. Monitoring protocols have been developed that the successful respondent must adhere to (consult the "NBHCP Biological Effectiveness Monitoring Program" document).



## 3. SCHEDULE AND REPORTING

The successful respondent will be expected to submit an administrative draft of the comprehensive, Annual Biological Monitoring Report by February 15, a review draft by March 15, and a final report by April 1 of each year of the anticipated three-year contract. The Annual Biological Monitoring Report will be used as an integral component of TNBC's required Implementation

Annual Report, which must be presented to CDFG and USFWS each year by TNBC.

The final deliverable--the Annual Biological Monitoring Report--must satisfy CDFG and USFWS with respect to fulfilling all biological monitoring tasks specified in the 2003 NBHCP. An electronic version of the Annual Biological Monitoring Report,

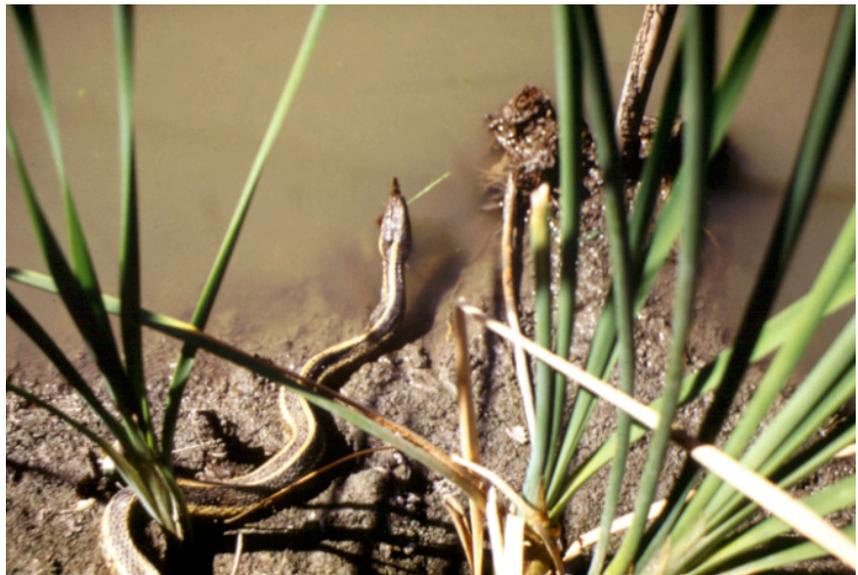
delivered on a DVD, and formatted in Adobe Acrobat PDF as well as Microsoft Word, must be provided. The final report should be bound, include a cover and table of contents, section dividers, maps and other graphics, maps and illustrations as needed.

Two versions of the Annual Biological Monitoring Report should be delivered. The first, in which 30 copies are required, will be a "public version." The second, which includes 20 copies, will be an "agency version." The difference will be that all specific species site-specific information will be excluded from the public version. TNBC will only forward copies of the agency version to state and federal Wildlife Agencies, and otherwise use it for internal reference and research.

Submitted Annual Biological Monitoring Reports will become the property of TNBC once received and accepted. TNBC plans to post the Report, or excerpts of it, on its web site for public access.

#### 4. General Criteria for Selection

a. Consultant "teams" and subcontractors. The successful bidder can include subcontractors or subconsultants provided the primary contractor accepts full responsibility for managing subcontractors and subconsultants, defends their final results and conclusions, and integrates their final reports into a single Annual Biological Monitoring Report, as required in the 2003 NBHCP, and accepts full responsibility for compliance with the provisions of this RFP.



b. Complete response required. Those responding to this RFP must present a comprehensive proposal. No proposal will be considered which leaves out any portion of the requirements. Those proposing to conduct the biological effectiveness monitoring for TNBC should submit a response to this RFP that includes, at a minimum, the following:

*Cover letter.* A cover letter should be addressed to Executive Director, The Natomas Basin Conservancy at TNBC's address (2150 River Plaza Drive, Suite 460, Sacramento, California 95833) and should be signed by a senior representative of the respondent's company. The cover letter should be one to two pages in length.

*Respondent's understanding of project.* The cover letter should be followed with a discussion of the respondent's understanding of the project and what is expected of the selected consultant. This should not exceed one to three pages in length.

*Method of Approach.* This section should articulate respondent's method of approach that would be employed if it were selected to conduct the work required by this RFP. This should not exceed 10 pages.

*Statement of qualifications.* This statement should explain the qualifications the respondent has that apply to this RFP. This should include mention of any related projects or assignments the respondent has completed, and not exceed five to seven pages. (Resumes of individuals can be supplementary to this page limit.) This should include the name, address and telephone number of the primary or lead organization that will be conducting the work proposed in this RFP. This section should also include the identification of the legal entity with whom TNBC would be contracting with, along with an indication whether this is a corporation, partnership, individual, joint venture or other. The principal investigator, or the senior-most individual responsible for the respondent, must also be named. The amount of time this senior most individual will be assigned to TNBC's project should be clearly presented.

*Cost of work.* The respondent should articulate its cost proposals for conducting the biological monitoring work required in the 2003 NBHCP and thus, this RFP. This should be identified in each of the three anticipated years of this effort, and be on a "not to exceed" basis. Since it is possible TNBC will add land to its holding during the anticipated three years of the monitoring contract, the price proposal should include a formula for handling expanded acreages under this agreement, so that all TNBC land is covered by this contract at all times. **Identifying ways to reduce costs of compliance is a priority for TNBC** in this three-year contract. However, full compliance with the monitoring requirements of the 2003 NBHCP must be achieved.

c. Permits. The successful respondent must hold all pertinent state and federal permits necessary to complete the work described in this RFP.

d. Selection criteria. TNBC will select the “best” proposal received based on the respondent’s response to this RFP and the factors identified below. Selection will not necessarily be based on the lowest-cost proposal. TNBC reserves the right to reject all proposals received. It also reserves the right to call in for interviews one or more final candidates if necessary to clarify a matter or for other reasons.

Submissions will be reviewed and considered based on the following criteria:

*Critical factors:*

1. The expectation that the completed work will satisfy requirements of the NBHCP and Implementation Agreement which call for biological effectiveness monitoring.
2. Ability to provide or assemble a multi-disciplinary team to provide comprehensive biological monitoring.
3. Responsiveness to all items called for in this request and notice.
4. Thorough knowledge of the species covered in the 2003 NBHCP.

*Desirable factors:*

1. Evidence the applicant can prepare concise written reports which facilitate understanding and ease of reference.
2. Demonstrated ability to work with allied parties, including other consultants and contractors working on behalf of TNBC and with government organizations.
3. Qualifications and track record of the project manager/coordinator to complete similar or related projects on time and budget.
4. General experience in similar or related projects.
5. Reasonable cost to complete the necessary work.

All submissions will be reviewed and evaluated by TNBC’s Board of Directors at an officially-called Board meeting. TNBC staff will review all submissions prior to presentation to the Board and will provide an evaluation to facilitate Board review. The applicant deemed most qualified by the Board of Directors at the conclusion of the Board review will be invited into negotiations with TNBC in order to finalize a formal agreement so that work may begin on January 1, 2011.

In the event than an agreement cannot be reached with the selected applicant, at TNBC's sole discretion, TNBC shall have the right to negotiate with the next ranking applicant until a final agreement can be reached with a respondent. Once a final agreement is reached, TNBC's Executive Director and TNBC legal counsel will finalize necessary contractual arrangements to engage the services of the selected respondent.

#### COVERED SPECIES INCLUDED IN THE 2003 NBHCP

Aleutian Canada goose <i>Branta canadensis leucopareia</i>	valley elderberry longhorn beetle <i>Desmocerus californicus dimorphus</i>	midvalley fairy shrimp <i>Branchinecta n. sp.</i>
Swainson's Hawk <i>Buteo swainsoni</i>	delta tule pea <i>Lathyrus jepsonii ssp.jepsonii</i>	California tiger salamander <i>Ambystoma californiense</i>
giant garter snake <i>Thamnophis gigas</i>	Sanford's arrowhead <i>Sagittaria sanfordii</i>	western spadefoot toad <i>Scaphiopus hammondii</i>
white-faced ibis <i>Plegadis chihi</i>	loggerhead shrike <i>Lanius ludovicianus</i>	Colusa grass <i>Neostapfia colusana</i>
bank swallow <i>Riparia riparia</i>	burrowing owl <i>Athene cucularia</i>	Boggs Lake hedge-hyssop <i>Gratiaola heterosepala</i>
tricolored blackbird <i>Agelaius tricolor</i>	vernal pool fairy shrimp <i>Branchinecta lynchi</i>	Sacramento Orcutt grass <i>Orcuttia viscida</i>
northwestern pond turtle <i>Clemmys marmorata marmorata</i>	vernal pool tadpole shrimp <i>Lepidurus packardi</i>	slender Orcutt grass <i>Orcuttia tenuis</i>
		legenere <i>Legenere limosa</i>

Source: 2003 Natomas Basin Habitat Conservation Plan, Table I-1, page I-14.

The principals representing the successful respondent may be required to complete and file with TNBC a conflict of interest disclosure statement. The NBHCP requires TNBC comply with the conflict of interest code as defined in the State of California's Fair Political Practices Commission regulations, and certain contractors are required to file a disclosure statement. TNBC's staff and Board make such filings, which are available for review by interested parties. TNBC can make blank conflict of interest forms available to respondents upon request.

e. Proposed billing. Respondents to this RFP should outline the basis for billing TNBC for the services required and described in this RFP.

#### 5. TIMELINE AND PROCESS

Written hard-copy proposals must be submitted to TNBC no later than September 29, 2010 by 5:00 p.m. to:

Conservancy RFP

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Executive Director  
The Natomas Basin Conservancy  
2150 River Plaza Drive, Suite 460  
Sacramento, CA 95833

A total of 20 copies of the proposal should be submitted to TNBC for review and evaluation. A PDF (Adobe Acrobat) copy on a CD or DVD should also be submitted along with the 20 bound hard copies. TNBC staff will distribute copies to each member of the Board of Directors for review. TNBC may engage disinterested members of the NBHCP TAC, TNBC legal counsel and others to assist with the evaluation of submitted proposals. Submitted proposals will not be returned to respondents. No faxes or emailed proposals will be accepted.

#### Planned Timetable and Schedule of Events

Event	Date
TNBC Board approves RFP for release	September 1, 2010
Release and distribution of RFP	September 3, 2010
Responses due by 5:00 p.m.	September 29, 2010
TNBC Board reviews proposals; selects	October 6, 2010
Agreements signed by both parties	October 27, 2010

TNBC's Board of Directors will consider all submitted proposals that meet the standards set forth in this RFP. The Board agenda for the October 6, 2010 meeting will include an action item to accept a proposal submitted in response to this RFP. Respondents will be expected to be notified of any action by the Board soon thereafter.

#### 6. ADDITIONAL INFORMATION

Additional information about TNBC and the 2003 NBHCP is available on TNBC's web site, [www.natomasbasin.org](http://www.natomasbasin.org). See also Exhibit 2 below for information on obtaining important documents necessary or helpful in preparing a response to this RFP.

#### 7. OTHER

a. Cooperation with habitat design, construction and land management consultants. Additional contractors provide design, construction and certain land management functions for TNBC. The biological monitoring contractor must work closely and cooperatively with TNBC's design, construction and land management consultant.

TNBC and its design, construction and land management consultant work within the parameters of the NBHCP. Since the biological monitoring consultant will be requested to make certain conclusions and recommendations regarding monitoring results, this portion of the biological monitoring contractor's responsibilities must be made in the context and parameters of the 2003 NBHCP. Biological monitoring findings may indicate changes in the design, construction and land management are advised. If so, any such changes must be made keeping in mind that TNBC is required to adhere to the NBHCP.

If the biological monitoring consultant determines the NBHCP could restrict achievement of its proposed recommendations, the biological monitoring consultant must confer with TNBC staff, and if advised to do so by TNBC staff, also confer with TNBC's design, construction and land management consultant. The biological monitoring consultant will endeavor to use the benefit of these consultations to prepare its final report recommendations in such a manner as to insure that any such recommendations can be implemented within the guidelines of the NBHCP. Where there are perceived impediments to implementation due to the parameters in the NBHCP, the biological monitoring consultant will work with TNBC to propose either adaptive management recommendations or a minor amendment proposal to the 2003 NBHCP.

b. Cancellation. TNBC reserves the right to cancel this contract with 30 days notice for just cause. Otherwise, 24 months' notice must be given by either party to cancel an awarded contract under this project. Just cause can include, without limitation, a rejection by either CDFG or USFWS of the results of biological monitoring as being inadequate to comply with the 2003 NBHCP's reporting requirements, or a reasonable determination by TNBC's staff, in consultation with the TAC, that a draft report is likely to be rejected by CDFG or USFWS.

c. Full Compliance with Biological Monitoring Requirement in the 2003 NBHCP. Included by reference with this RFP is the "2003 NBHCP Biological Effectiveness Management Program" document which sets forth the standards by which TNBC achieves compliance. This document is available from TNBC upon request.

Notwithstanding this Program document, TNBC expects the successful respondent and contractor to fulfill all biological monitoring requirements in the 2003 NBHCP so that the final deliverable report (the comprehensive "Annual Biological Monitoring Report") fulfills the monitoring requirements in the 2003 NBHCP.

The monitoring requirements noted in page VI-17 ("VI. Plan Implementation, E. Monitoring of the NBHCP") in §VI.E.2.b of the 2003 NBHCP will be the responsibility of TNBC's design, construction and land management consultants. These relate to the site-specific management plans prepared for TNBC by others. The same is true for the pre-construction surveys noted on page VI-24 ("VI Plan

Implementation, E. Monitoring of the NBHCP,") in §VI.E.3.2 of the 2003 NBHCP. The Mid-Point Review detailed in the 2003 NBHCP §VI.E.4 will also be completed by others.

d. Acquisition-related cost considerations. TNBC has acquired 28 parcels of land totaling approximately 4,200 acres in its nearly eleven years of operation. This rate of acquisition is expected to be very substantially less in the three years of this project. However, land acquisition activity is not entirely predictable, and one large development (for instance, Metro Air Park) could change this expectation.

## CONCLUSION

It is the intention of TNBC to establish a long-term relationship with a reputable, reliable consultant to complete the biological monitoring requirements in the 2003 NBHCP. Compliance with the biological monitoring components of the 2003 NBHCP is a critical aspect of TNBC's responsibilities as the NBHCP's plan operator.

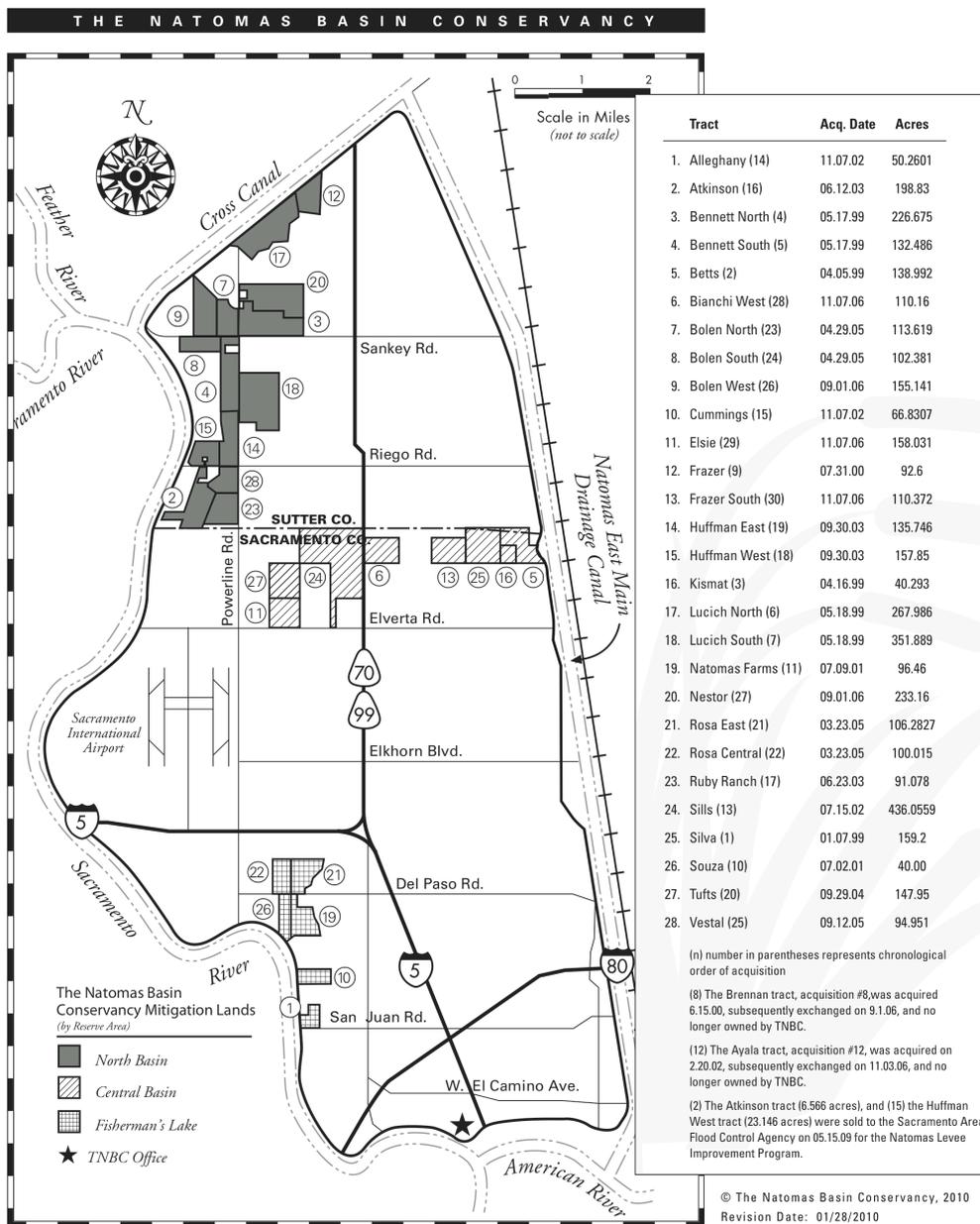
In order to adequately provide this function for TNBC, the consultant will need to cooperatively work with TNBC staff, other consultants retained by TNBC, as well as relevant staff with the CDFG and the USFWS. Frequent interaction with TNBC staff, and occasional appearances at TNBC Board meetings, should be expected. The NBHCP Technical Advisory Committee has meetings as well which will occasionally require the attendance of the biological monitoring consultant. In essence, a high level of communications between the consultant and TNBC will be a critical part of the successful performance on this project.

TNBC expects a comprehensive "Annual Biological Monitoring Report" that is of consistent quality. This includes being tightly edited, well organized and easy to use as a reference tool.



# Exhibit 1 Map of TNBC's Land Holdings The Natomas Basin Conservancy

## 2010 BASE MAP



**Exhibit 2**  
**List of available resources for RFP proposers**

<b>Document name</b>	<b>Description</b>	<b>Source</b>	<b>Availability details</b>
Annual reports	An executive summary of each year's Implementation Annual Report (IAR)	www.natomasbasin.org	Downloadable free of charge.
Current preserve map	One-page exhibit showing Conservancy-owned lands.	In this document as Exhibit 1 as well as at: www.natomasbasin.org	Downloadable free of charge.
Biological Effectiveness Monitoring Report – Public Version	Biological monitoring report from 2002 through 2009. Specific nesting and species sighting information is excluded from this version.	www.natomasbasin.org	Downloadable free of charge.
Biological Effectiveness Monitoring Report – Agency Version	Comprehensive biological monitoring report from 2002 through December 31, 2009. Includes sighting- and nest-specific location information.	Available for review at the Conservancy's office during normal business hours.	Reviewable free of charge; no nest- or site-specific species information can be released.
Biological Effectiveness Monitoring Program document	This is an <i>essential document</i> for RFP proposal submission. It details the manner in which biological effectiveness monitoring will be conducted.	Available upon request from the Conservancy.	A hard copy and/or copy on DVD or CD is available to all RFP proposers at no cost.
2003 Natomas Basin Habitat Conservation Plan (NBHCP)	The comprehensive HCP.	www.natomasbasin.org	Downloadable free of charge.
HCP-related documents	Various documents included the U.S. Fish and Wildlife Service's Record of Decision, Set of Findings, Biological Opinion and court documents from the National Wildlife Federation v. Babbitt litigation in federal court, 2003.	www.natomasbasin.org	Downloadable free of charge.
Research and Education Series papers	The purpose of these papers is to promote understanding of the scientific issues associated with implementation of the HCPs. The Series serves as a resource for students, educators, the media and those interested in wildlife in the Natomas Basin.	www.natomasbasin.org	Downloadable free of charge.