

**BIOLOGICAL EFFECTIVENESS MONITORING
NATOMAS BASIN HABITAT CONSERVATION PLAN
REQUEST FOR PROPOSALS (RFP)**

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**REQUEST FOR PROPOSALS
TO CONDUCT
BIOLOGICAL EFFECTIVENESS MONITORING
FOR THE YEARS 2016, 2017 AND 2018
REQUIRED UNDER THE
NATOMAS BASIN HABITAT CONSERVATION PLAN
AND THE
METRO AIR PARK HABITAT CONSERVATION PLAN
FOR
THE NATOMAS BASIN CONSERVANCY**

INTRODUCTION

The Natomas Basin Conservancy (the “**Conservancy**”), the plan operator of the Natomas Basin Habitat Conservation Plan (**NBHCP**) and the Metro Air Park Habitat Conservation Plan (**MAPHCP**) collectively referred to as (the “**Plans**”), 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 Plans 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 the Conservancy that will satisfy the relevant monitoring requirements in the Plans.

The successful proposal will be determined by the Board of Directors of the Conservancy. The Conservancy requires that the project commence January 1, 2016. A three-year engagement for the completion of this work is proposed with possibility of two one-year extensions.

1. BACKGROUND

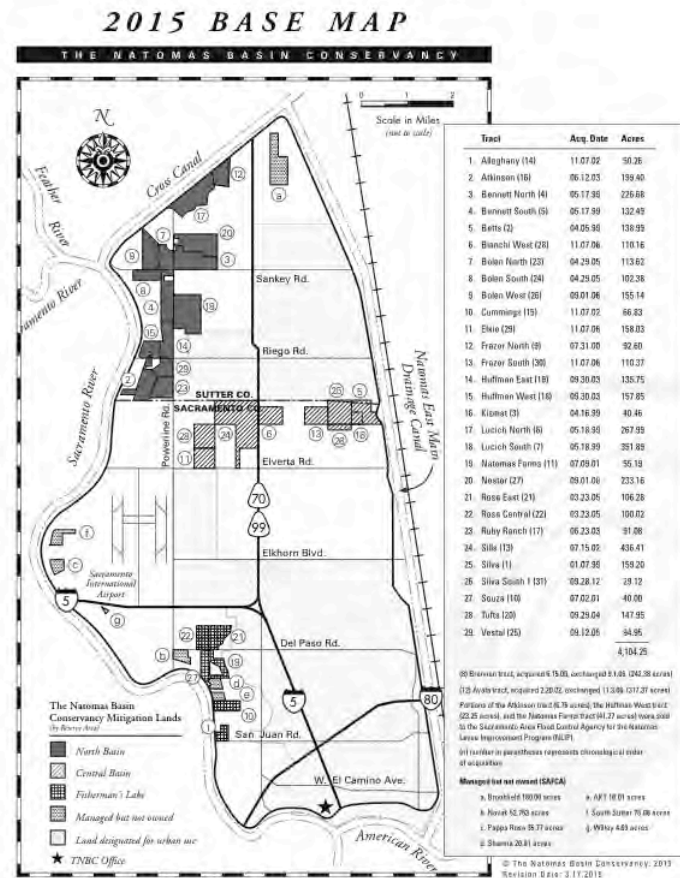
a. Natomas Basin Habitat Conservation Plan. The NBHCP is the conservation plan required under the federal Endangered Species Act (the “**Act**”) designed to support applications for federal permits under Section 10(a)(1)(B) of the Act for activities covered (the “**Covered Activities**”) under the NBHCP 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 Wildlife 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 Conservancy’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 (**USFWS**) and California Department of Fish and Wildlife (**CDFW**), respectively. As a result of litigation, the NBHCP was revised and new permits were issued in July 2003. The Conservancy 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. The Conservancy is a nonprofit entity serving as “plan operator” for the NBHCP and the MAPHCP. The Conservancy is governed by a Board of Directors made up of representatives appointed by the City of Sacramento and the County of Sutter. The Conservancy 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 The Conservancy. Currently, The Conservancy 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 Plans. Monitoring efforts for these species are extensive and include efforts on The Conservancy preserves and throughout the Natomas Basin. Requirements for Biological Effectiveness Monitoring are outlined in the NBHCP (pages VI-14 to VI-26), which the successful respondent must adhere to. The protocols have been developed to comply with these requirements are described in detail in the NBHCP Biological Effectiveness Monitoring Program document, which is hereby incorporated by reference (copies are available from The Conservancy upon request)



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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 The Conservancy's required Implementation Annual Report, which must be presented to CDFW and USFWS each year by The Conservancy.

The final deliverable--the Annual Biological Monitoring Report--must satisfy CDFW and USFWS with respect to fulfilling all biological monitoring tasks specified in the Plans. An electronic version of the Annual Biological Monitoring Report, delivered on a DVD, and formatted in Adobe Acrobat PDF, 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 will be a "public version" and the second will be an "agency version." The difference will be that all specific species site-specific information will be excluded from the public version. One hard copy and one electronic copy of each version are required. The Conservancy 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 The Conservancy once received and accepted. The Conservancy 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 Plans, 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 The Conservancy 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 The Conservancy'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 The Conservancy 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 The Conservancy'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 Plans 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 The Conservancy 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 The Conservancy land is covered by this contract at all times. **Identifying ways to reduce costs of compliance is a priority for The Conservancy** in this three-year contract. However, full compliance with the monitoring requirements of the Plans 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. Especially important will be permits necessary to work with The Plan's primary covered species, including the Giant garter snake (*Thamnophis gigas*) and the Swainson's hawk (*Buteo swainsoni*).

d. Selection criteria. The Conservancy 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. The Conservancy 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 Plans 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 Plans.

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 The Conservancy 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 The Conservancy's Board of Directors at an officially called Board meeting. The Conservancy 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 The Conservancy in order to finalize a formal agreement so that work may begin on January 1, 2016.

In the event than an agreement cannot be reached with the selected applicant, at The Conservancy's sole discretion, The Conservancy 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, The Conservancy's Executive Director and The Conservancy's legal counsel will finalize necessary contractual arrangements to engage the services of the selected respondent.

COVERED SPECIES INCLUDED IN THE PLANS

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 tulle 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 cunicularia</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 The Conservancy a conflict of interest disclosure statement. The NBHCP requires The Conservancy 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. The Conservancy's staff and Board make such filings, which are available for review by interested parties. The Conservancy 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 The Conservancy for the services required and described in this RFP.

5. TIMELINE AND PROCESS

Written hard-copy proposals must be submitted to The Conservancy no later than July 15, 2015 by 5:00 p.m. to:

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

A total of one bound hard copy and one electronic copy (formatted in PDF) of the proposal should be submitted to The Conservancy for review and evaluation. The Conservancy staff will distribute copies to each member of the Board of Directors for review. The Conservancy may engage disinterested members of the NBHCP TAC, The Conservancy 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

<u>Event</u>	<u>Date</u>
The Conservancy Board approved RFP for release	June 3, 2015
Release and distribution of RFP	June 15, 2015
Preview tour (9am-noon)	June 16, 2015
Responses due by 5:00 p.m.	July 15, 2015
The Conservancy Board reviews proposals; selects	August 5, 2015
Agreements signed by both parties	September 15, 2015

The Conservancy's Board of Directors will consider all submitted proposals that meet the standards set forth in this RFP. The Board agenda for the August 5, 2015 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 The Conservancy and the Plans are available on The Conservancy's web site, 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 The Conservancy. The biological monitoring contractor must work closely and cooperatively with The Conservancy's design, construction and land management consultant. The Conservancy and its design, construction and land management consultant work within the parameters of the Plans. 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 Plans. 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 The Conservancy is required to adhere to the Plans.

If the biological monitoring consultant determines the Plans could restrict achievement of its proposed recommendations, the biological monitoring consultant must confer with The Conservancy staff, and if advised to do so by The Conservancy staff, also confer with The Conservancy'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 Plans. Where there are perceived impediments to implementation due to the parameters in the Plans, the biological monitoring consultant will work with The Conservancy to propose either adaptive management recommendations or a minor amendment proposal to the Plans.

b. Cancellation. The Conservancy 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 CDFW or USFWS of the results of biological monitoring as being inadequate to comply with The Plan's reporting requirements, or a reasonable determination by The Conservancy's staff, in consultation with the TAC, that a draft report is likely to be rejected by CDFW 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 The Conservancy achieves compliance. This document is available from The Conservancy upon request.

Notwithstanding this Program document, The Conservancy 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 The Conservancy's design, construction and land management consultants. These relate to the site-specific management plans prepared for The Conservancy 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. The Conservancy has acquired 28 parcels of land totaling approximately 4,200 acres in its 16 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 The Conservancy to establish a three-year relationship with the possibility of a total of five years 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 The Conservancy's responsibilities as the NBHCP's plan operator.

In order to adequately provide this function for The Conservancy, the consultant will need to cooperatively work with The Conservancy staff, other consultants retained by The Conservancy, as well as relevant staff with the CDFW and the USFWS. Frequent interaction with The Conservancy staff, and occasional appearances at The Conservancy 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 The Conservancy will be a critical part of the successful performance on this project.

The Conservancy 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 The Conservancy's Land Holdings The Natomas Basin Conservancy

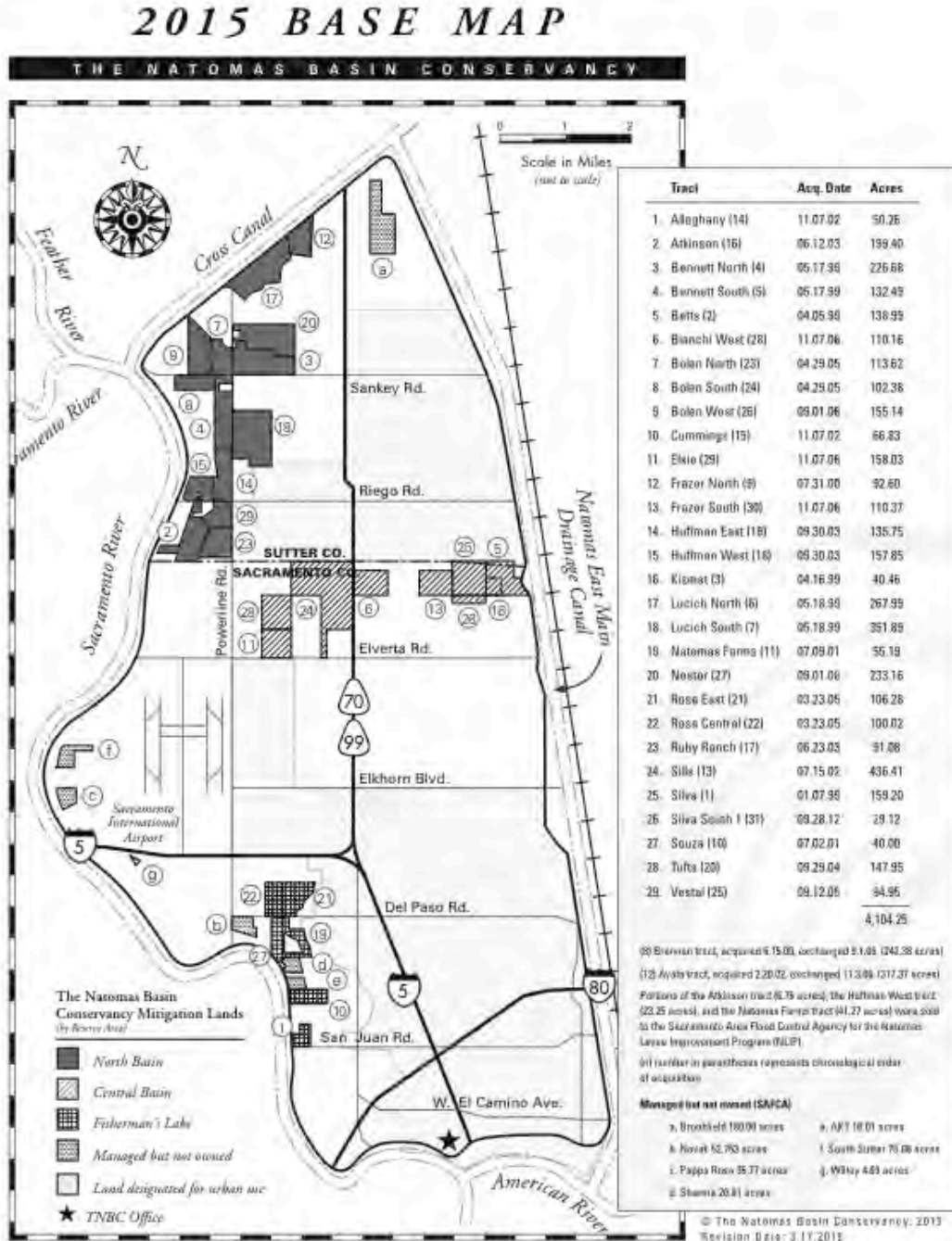


Exhibit 2
List of available resources for RFP proposers

Document name	Description	Source	Availability details
Annual reports	An executive summary of sorts of each year's Implementation Annual Report (IAR)	www.natomasbasin.org	*Downloadable online.
Current preserve map	One-page exhibit showing Conservancy-owned lands.	In this document as Exhibit 1 as well as at: www.natomasbasin.org	*Downloadable online.
Biological Effectiveness Monitoring Report – Public Version	Biological monitoring report from 2002 through December 31, 2009. Specific nesting and species sighting information is excluded from this version.	www.natomasbasin.org	*Downloadable online.
Biological Effectiveness Monitoring Report – Agency Version	Comprehensive biological monitoring report through December 31, 2014. Includes sighting- and nest-specific location information.	Available for review at the Conservancy's office during normal business hours.	*Reviewable onsite: 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.	*An electronic copy is available to all RFP proposers.
2003 Natomas Basin Habitat Conservation Plan (NBHCP)	The comprehensive HCP.	www.natomasbasin.org	*Downloadable online.
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 online.

***AVAILABLE AT NO COST**