

**NOTICE OF REQUEST FOR QUALIFICATIONS / PROPOSALS**  
**Little Cedar Creek Fish Passage & Habitat Restoration Project**  
**Engineering Design (Phase I) and Construction Management Services (Phase II)**  
Grant Project Manager: West Michigan Shoreline Regional Development Commission (WMSRDC)

**Issue Date:**                   **October 14, 2020**

**Proposal Due Date:**   **November 5, 1:00 PM at WMSRDC Office**

**Mandatory Pre-Bid Meeting: October 21, 10:00 AM (Zoom invitation shown below). Optional Site Visits to follow at 1:00 PM (See attached location map for directions)**

**Project:**                   **Little Cedar Creek Fish Passage & Habitat Restoration Project.** Funding for engineering and design is from a WMSRDC, NOAA/Great Lakes Regional Partnership Cooperative Agreement. Funding for construction is dependent upon future grant funding.

**Address Proposal to:** **Ms. Erin Kuhn, Executive Director**  
West Michigan Shoreline Regional Development Commission  
316 Morris Avenue, Suite 340  
Muskegon, MI 49440  
Phone: 231-722-7878

**Attention:**               Ms. Kathy Evans, Program Manager  
Phone: 231-903-7442  
E-Mail: kevans@wmsrdc.org

**AWARD OF CONTRACT / REJECTION OF PROPOSALS:**

The Contract will be awarded to the most responsive consultant based on the West Michigan Shoreline Regional Development Commission (**WMSRDC**) review of the Respondents ability to provide the required products/services.

Competitive negotiation proposals are being solicited from an adequate number of qualified sources to permit a reasonable comparison consistent with the nature of competitive negotiation. The Request for Qualifications / Proposals (RFQ/P) identifies all significant evaluation factors to ensure equal information is given to all vendors involved in the bidding process. The award of the bid will be made based on the recommendation of the procuring party with consideration being given to whose proposal will be the most advantageous rather than the lowest cost.

WMSRDC reserves the right to reject any and/or all proposals and to waive any irregularity in proposals received whenever such rejection or waiver is in WMSRDC's best interest. The Respondent to whom the Award is made will be notified at the earliest possible date.

The Contract shall not be considered executed unless signed by Erin Kuhn, Executive Director, West Michigan Shoreline Regional Development Commission, and funds are available from the National Oceanic and Atmospheric Administration (**NOAA**) Great Lakes Habitat Restoration Regional Partnership Program.

**SIGNATURES:**

The Proposal and Award page and any proposal notifications, claims or statements must be signed in ink by an official of the proposing organization authorized to bind the Respondent to the provision of the RFQ/P.

**NOT TO EXCEED OR NON-APPROPRIATION:**

The Respondent hereby recognizes that funding for **Little Cedar Creek Fish Passage Habitat Restoration Project** is being provided by grant funds received by WMSRDC from NOAA. If, for any reason, funding is not available, or discontinued for any reason from NOAA to WMSRDC, WMSRDC may terminate this agreement without incurring any liability. WMSRDC will only be responsible for reimbursing the Respondent for the expenditures that are eligible for reimbursement from NOAA.

**TYPE OF CONTRACT:**

It is proposed that a contract entered into as a result of this RFQ/P will have a fee structure with a specified maximum, not to be exceeded, cost. Negotiations may be undertaken with those Respondents whose proposal as to price and other factors show them to be qualified, responsible and capable of performing the work. The contract that may be entered into will be that which is most advantageous to WMSRDC, price and other factors considered. WMSRDC reserves the right to consider proposal modifications received at any time before the award is made, if such action is deemed to be in the best interest of WMSRDC.

**CONTRACT EXTENSIONS:**

This contract will be for a period from approximately **November 19, 2020 through May 28, 2021**. A contract extension is not expected under this funding source. However, if WMSRDC receives additional funding for project continuation or if the grant agreement contract sunset dates are extended, the contract may be extended mutually by WMSRDC and the Respondent but is limited to the terms and conditions of this request and any resulting contract.

**INCURRING COSTS:**

WMSRDC shall not be liable for any costs, including any travel, incurred by the Respondent prior to award of the contract(s). Total liability of WMSRDC is limited to the terms and conditions of this request and any resulting contract.

**NO THIRD PARTY RIGHTS:**

It is agreed and understood that the contract is made solely for the benefit of WMSRDC and the Provider of Services, not made for the benefit of any third party, and that no action or defense may be founded upon this contract except by the parties signatory hereto.

**ORAL PRESENTATION:**

Respondents who submit a proposal may be required to make an oral presentation of their proposal to WMSRDC. These presentations will provide an opportunity for the respondent to clarify its proposal to ensure mutual understanding of its contents.

**ACCEPTANCE OF PROPOSAL CONTENT:**

The contents of the proposal of the successful Respondent will become contractual obligations, if a contract is issued. Failure of the successful bidder to accept these obligations will result in cancellation of the award.

**REQUEST FOR QUALIFICATIONS / COMPETITIVE NEGOTIATION PROPOSAL**

**Little Cedar Creek Fish Passage Habitat Restoration Engineering & Design Project**

**BACKGROUND:** The West Michigan Shoreline Regional Development Commission (WMSRDC), under an agreement with the National Oceanic Atmospheric Administration (NOAA) is requesting proposals for a consultant to assist WMSRDC with ecological engineering design and construction management services for two (2) fish and wildlife habitat restoration sites. The WMSRDC is the overall project administrator for the cooperative agreement with NOAA. WMSRDC has entered into a contractual agreement with NOAA for management of the project. The Muskegon Lake Watershed Partnership (MLWP) habitat committee, landowners, and natural resources/fisheries management agencies will provide input and guidance for the project.

## **Little Cedar Creek Fish Passage Habitat Restoration Project**

### **– Cedar Creek Tributary, Muskegon County, Michigan:**

- Michillinda Road Crossing Location: 43:3508, -86:0774
- Sweeter Road Crossing Location: 43:3226, - 86:049

Little Cedar Creek is the longest tributary of Cedar Creek which is a high-quality cold water tributary to the Muskegon River. This project will restore 3.5 miles of fish passage, restore 500 ft. of in-stream fish habitat and reconnect 12 acres of wetland habitat and essential spawning and nursery habitat for lake-run and resident fish species such as Brook Trout, Brown Trout and Sculpin. Little Cedar Creek is 7.2 miles in length from headwaters to confluence with Cedar Creek. A number of lakes and wetlands are present in the upper watershed. Over 3 miles are considered a cold water stream and support Brook Trout, Brown Trout and Slimy Sculpin (MDNR fisheries report, 2012). Replacing undersized, damaged, and perched culverts will provide, at a minimum, an additional 3.5 miles of cold water habitat and spawning areas to lake run potamodromous species and resident species. There is limited monitoring data specific to Little Cedar Creek, except within reports on the Muskegon River and Cedar Creek. This lack of information will be enhanced with GVSU AWRI Tier 1 restoration monitoring.

Little Cedar Creek is a sub-watershed tributary to Cedar Creek, a high quality, cold water tributary to the Muskegon River. It is one of only two Muskegon River cold water tributaries in Muskegon County. Little Cedar Creek was identified as a good candidate for fish passage habitat restoration by the Michigan Department of Natural Resources Fisheries Division (MDNR) and has identified fish passage connectivity within streams and adjacent wetlands and other aquatic habitats as priorities for the lower Muskegon River watershed. The entire length of Cedar Creek (24.4 miles) and all of its tributaries (51.2 miles) are trout streams designated by the MDNR. Management options provided in the Muskegon River Watershed Assessment (MDNR, O’Neal 1997) and the Muskegon River Watershed Plan (MDNR, O’Neal 2003) recommend that Cedar Creek be managed for coldwater fisheries, and that efforts be made to restore water quality in reaches that may be impaired. MDNR studies have shown coldwater fish species present at all sites on the Cedar Creek main stem between Holton and Sweeter Road. The West Branch of Cedar Creek contains predominantly coldwater fish. Little Cedar Creek contains coldwater fish in the upper reaches and warmwater fish in the lower reaches that flow through the Muskegon River floodplain to Muskegon Lake. The Muskegon County Road Commission (MCRC) has identified the Michillinda and Sweeter road crossings as impaired and harmful to aquatic natural resources.

Early communication and coordination with local, state, and federal environmental permitting agencies will be critical to the project’s success. The WMSRDC will set up an early project team meeting to engage the following stakeholders with the project consultant and design process: MCRC, Landowners, MDNR Fisheries Division, and NOAA.

Engineering and design for this project is to be completed no later than **April 30, 2021**. (*Monthly status reports, invoices, and WMSRDC professional reimbursement request forms are to be submitted to WMSRDC no later than the fifth day, following each month*).

This RFQ/P is for Engineering Design (Phase I) and Construction Management Services (Phase II) for the **Little Cedar Creek Fish Passage Habitat Restoration Project**. WMSRDC will enter into a contractual agreement with a consultant for the project.

1. Phase I - Engineering and Design (E&D) will be funded under an existing WMSRDC NOAA Great Lakes Regional Partnership Cooperative Agreement.

2. Phase II - Construction Management Services (Construction Oversight) funds will be requested by WMSRDC under the existing NOAA Great Lakes Regional Partnership Cooperative Agreement. Funds for Phase II are not certain at this time.

**Phase I Services - Engineering & Design under existing grant funds:**

1. Completion of the ecological restoration engineered design plan (*based on the conceptual design layout and other site information to be developed by the consultant and project partners*), in collaboration with the WMSRDC project team (*Muskegon County Road Commission, other landowners, NOAA and the Muskegon Lake Watershed Partnership*)
2. Completion of a Quality Assurance Project Plan for survey and sampling information to be collected during engineering and design. The selected consultant will coordinate with Muskegon County Road Commission for culvert design methods and with GVSU AWRI for the pre-restoration monitoring information. The consultant will lead QAPP development and include the GVSU AWRI monitoring plan as an appendix in the QAPP. *NOAA and EPA Great Lakes Restoration Initiative QAPP guidelines are included with this RFQ/P (engineering/design of construction/restoration projects). The draft QAPP is to be submitted to WMSRDC and NOAA for comments and review. Updates will be made to ensure NOAA's final approval before engineering and monitoring information can be collected.*
3. In-stream Habitat & Elevation Surveys for upstream/downstream habitat at Michillinda and Sweeter.
4. Soil samples (4).
5. Permit applications/acquisitions/and permit fees (*and pre-application meetings as needed for local, state and federal permits (Muskegon County Soil Erosion Sediment Control, EGLE/USACE joint permits)*).
6. Provide information needed for the NOAA NEPA review and approval (*preliminary and final NOAA approval on engineering/design will be required*)
7. Meetings with MCRC, as needed, to coordinate development of an engineered design and landowner contacts.
8. Two preliminary Landowner Maintenance Plans (one for the Sweeter Rd site and one for Michillinda Rd. site) to be finalized during the Phase II construction oversight phase.
9. Monthly status report in support of invoices
10. Regular communications and any miscellaneous updates or information that WMSRDC may need for grant reporting purposes on a semi-annual basis.
11. Project Partner meetings.
12. Other items as may be needed (please describe)

**Phase II Services – Construction Oversight/Construction Management Services under future grant funds:**

1. Completion of construction bid package with construction specifications and contract documents (*for a competitive construction bid process to be by WMSRDC with assistance from the selected consultant.*)
2. Review of construction bids and provide written input to WMSRDC and landowners on the selection of a contractor(s) for construction/restoration activities
3. Construction oversight and weekly management of contractor activities
4. Complete Worker Health and Safety plan (*to guide construction activities in compliance with normal construction procedures and COVID- 19 requirements and considerations*)
5. Review and approval of monthly construction pay applications
6. Electronic “As-Built” construction drawings and GIS shape files with delineation and amount of habitat types restored
7. Finalize the two preliminary Landowner Maintenance Plans (*developed during Phase I / E&D*)
8. Participate in public, stakeholder meetings and/or educational site tours.
9. Monthly status report in support of invoicing and any miscellaneous information that WMSRDC may need for grant reporting purposes on a semi-annual basis.
10. Other items as may be needed (please describe)

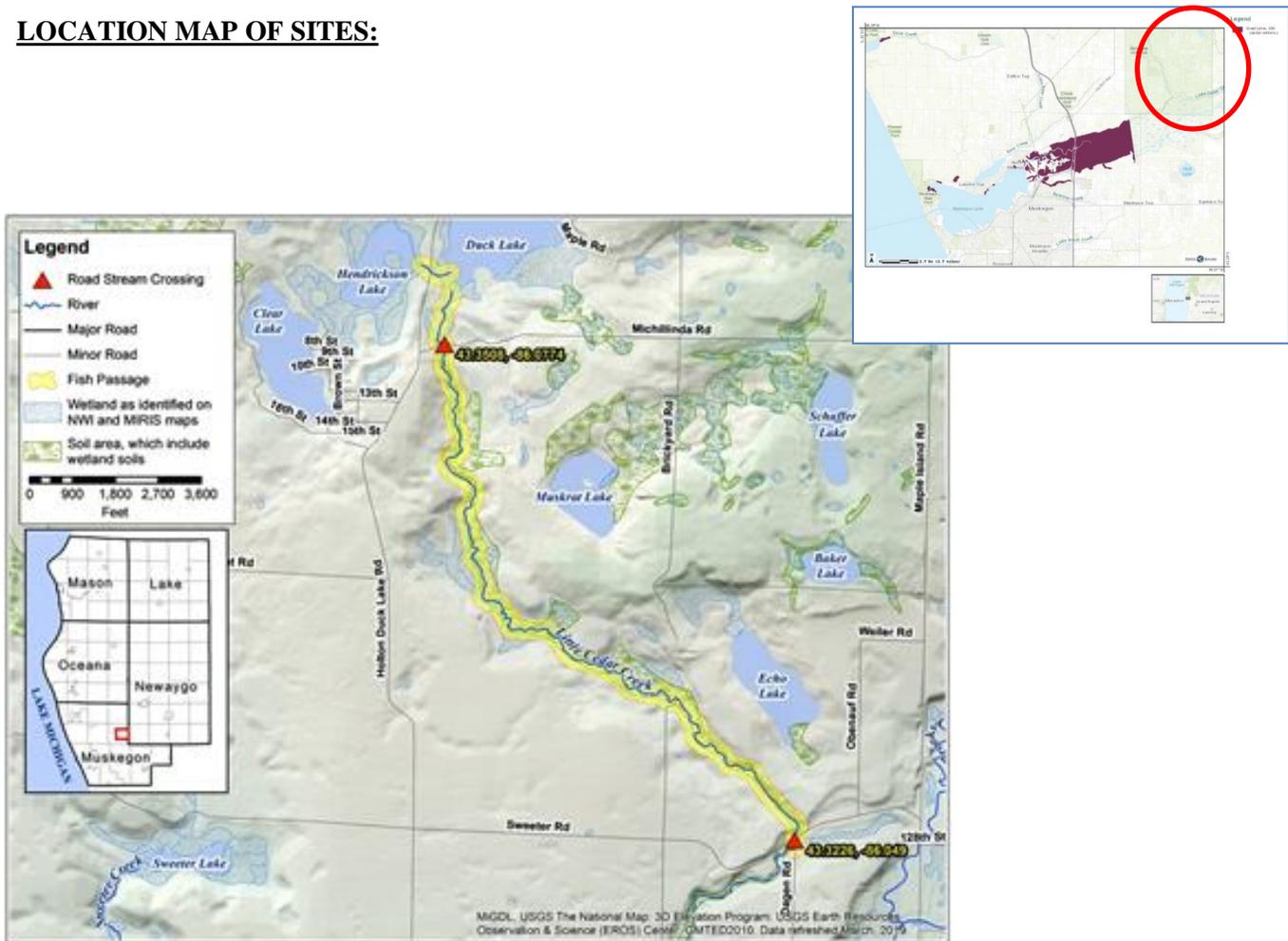
WMSRDC will make payments for services, according to a contractual agreement to be negotiated upon selection of a consultant/contractor. WMSRDC will act as the primary project contact for media communications, project partners, and grant reporting to NOAA.

**SITE PROPOSED FOR RESTORATION:**

The project is west of Maple Island Road and north of the Muskegon River. The project site lies within the jurisdiction of Muskegon County. Restoration design will consist of measures to address environmental conditions relating to road crossings, fish passage and the improvement of in-stream fish and wildlife habitat.

The proposed sites for restoration are at and adjacent to the Muskegon County Road Commission easements on Sweeter Rd. (43:3226, - 86:049) and Michillinda Rd. (43:3508, -86:0774). In stream habitat restoration will be implemented immediately upstream and downstream of the road/stream crossings along the properties of Jason and Heather Jarvis and Joseph and Beth Kastl at Sweeter Rd, and the property of James Hardsky and Joann Hardsky at the Michillinda Rd. site.

**LOCATION MAP OF SITES:**



## **SITE RESTORATION SUMMARY:**

### **Restoration Needs and Objectives:**

Historically, fish habitat was degraded by culvert failure (crushed/collapsed at Michillinda Rd.) and installation of a perched culvert (Sweeter Rd.) resulting in a lack of fish passage opportunities and the loss of in-stream habitat for fish and wildlife

### **Specific Restoration Implementation, Investigation and Design Needs:**

1. Coordinate with Muskegon County Road Commission with the design for two (2) road/stream crossings with the lowering, removal and replacement of crossings to connect up-stream/downstream segments and allow for unrestricted fish passage.
2. Engineering and Design of native fish and wildlife structures/habitat at the two (2) road/stream crossings.
3. Engineering and Design for up to 500 ft. of in-stream habitat structures. Allowing for 250 ft. of in-stream habitat structures to be installed at each crossing with approximately 125 ft. placed upstream and 125 ft. downstream. The upstream and downstream locations will also include 75 ft. of native habitat improvements on either side of the stream to enhance fish cover opportunities.

### **Restoration quantities to be restored / enhanced (designed):**

1. Up to 500 ft. of in-stream habitat (native vegetation, lunger structures, large woody debris, and/or field stone as appropriate).

### **Time period for engineered design (Phase I):**

1. **Engineered design and permitting (applications and fees)** will be completed no later than April 1, 2021.

## **PRODUCTS and SERVICES:**

WMSRDC is requesting an Engineered Ecological Restoration Design (Phase I). Construction Management Services Oversight (Phase II) is dependent on availability of grant funding) for the Little Cedar Creek Fish Passage Habitat Restoration Project, described above.

## **PROPOSAL FORMAT:**

### **The proposal statement shall include, at a minimum:**

1. A Project Understanding Statement
2. Itemized Scope of Services, based on your understanding of Project Goals, Tasks and Sub-Tasks
3. Not-to-Exceed Cost Proposal, by Task, Personnel, Subcontractors, Hours, Rates and applicable Fees and Unit Prices
4. Qualification Statement (shall include, at a minimum):
  - a. Project Team and their Relative Experience (on similar projects during the last five years)
  - b. Resumes of the Project Team (respondent and any project team subcontractors)
  - c. Statement about your Firm (as it relates to this type of project)

### **Cost Proposal Table**

The cost proposal table should show the Tasks and Sub-Tasks under these category headings:

1. Task (with brief task description)
2. Hours (for each task by project personnel)
3. Costs (for project personnel and subcontractors)
4. Unit costs (where applicable)
5. Total, Not to Exceed Cost
6. Any other additional, relevant categories
7. A separate table with hourly rates for project personnel

### **Scope of Work and Cost Proposal Table**

Show these Tasks and Sub-Tasks (and include any other necessary tasks, as appropriate for each phase):

## **Phase I – Engineering Design / Permitting / Coordination with MCRC Designs for Road/Stream Crossings**

### **1. Engineered Design for Habitat Restoration**

- a. Development of engineered ecological restoration design, with project team input
- b. Development of QAPP (*requires NOAA approval before investigation and monitoring information can be collected*)
- c. In-stream habitat and elevation surveys
- d. 4 soil samples, per design needs and EGLE/USACE Permit requirements
- e. Provide information as needed for NOAA to obtain NEPA review and approval.
- f. Coordination with MCRC designs for road/stream crossing
- g. Project partners meetings
- h. Other items that may be needed (please describe)

### **2. Permitting Assistance**

- a. Acquire EGLE/USACE and SECS permits, including permit application, payment of permit application fees and responses to subsequent permit application information requests from the agencies, on behalf of WMSRDC and the landowners. Attend any permit pre-application meetings as needed.
- b. Acquire access permission from landowners and others as needed
- c. Other items that may be needed (please describe)

### **3. Project Administration and Reporting**

- a. Monthly status report in support of invoicing and any additional information that WMSRDC may need for grant reporting purposes on a semi-annual basis.
- b. Other items that may be needed (please describe)

### **4. Please List and Describe Any Additional, Relevant Tasks that are Necessary for the Project**

### **5. Phase I Grand Total**

## **Phase II - Construction Management Services and Oversight (*Phase II is Dependent upon Grant Funding*)**

### **1. Contractor Selection Process (Phase II)**

- a. Develop a competitive bid package, including contract documents and specifications (to be approved by WMSRDC), to seek competitive bids for a contractor(s) to perform construction according to the approved engineered designs. (Habitat Structures)
- b. Provide WMSRDC with services for the mandatory, pre-bid (Virtual/Zoom) contractor meeting, with on-site visit, to review proposed restoration design.
- c. Review of construction bids and input to WMSRDC on the selection of a contractor(s) for construction/restoration activities
- d. Develop worker health and safety plan
- e. Other items that may be needed (please describe)

### **2. Construction Oversight**

- a. Construction oversight and management of contractor activities
- b. Electronic “As-Built” construction drawings and GIS shape files with delineation and amount of habitat types restored
- c. Finalize pre-restoration landowner habitat management plans per installed in-stream habitat structures

### **3. Project Administration and Reporting**

- a. Provide WMSRDC with monthly status reports of progress at restoration/construction sites, including

acreages, linear feet and any additional information as required by WMSRDC for NOAA reporting requirements. (WMSRDC will require timely submission of monthly status reports, itemized invoices, and professional reimbursement request forms to meet grant reporting and grant fund drawdown and payment requirements.)

- b. Review contractor pay applications in support of monthly contractor payment approvals by WMSRDC
- c. Other items that may be needed (please describe)

**4. Please List and Describe Any Additional, Relevant Tasks that are Necessary for the Project**

**5. Phase II Grand Total**

**MANDATORY PRE-PROPOSAL (Virtual/Zoom) MEETING AND OPTIONAL TOUR OF RESTORATION SITE:**

To further explain the project, a mandatory pre-proposal (Zoom meeting) and optional site tour is scheduled for **Wednesday, October 21, 2020, 10:00 a.m.** (See Zoom invitation, below). **Optional Site Tour to follow at 1:00 p.m.** Participants will meet at the Sweeter Road stream crossing at 1:00 p.m. (See attached map for location.)

**TIMELINE:** Upon selection of a consultant/contractor, WMSRDC will develop a contract between the consultant/contractor and WMSRDC for final agreement (within in approximately 7 - 10 days).

**Sealed Proposals: Four (4) copies of your proposal must be submitted in a sealed envelope marked “Little Cedar Creek Project,” addressed and delivered to:**

**Mrs. Erin Kuhn, Executive Director**  
West Michigan Shoreline Regional Development Commission  
316 Morris Avenue, Suite 340  
Muskegon, Michigan 49440  
**- Attention: RFQ/P - Kathy Evans**

**REQUIRED TIME FOR RECEIPT OF PROPOSALS:**

**Sealed Proposals must be received in the office of the West Michigan Shoreline Regional Development Commission no later than 1:00 PM, November 5, 2020.** Late submittals will not be accepted and will be returned unopened.

**A Public Bid Opening will be held via Zoom at 3:30 PM, November 5, 2020** (See Zoom invitation, below).

**CONSULTANT SELECTION PROCESS:** WMSRDC staff, along with representatives from the Muskegon County Road Commission, other landowners and representatives of the Muskegon Lake Watershed Partnership (WMSRDC project advisory committee) will review and evaluate the proposals.

At the discretion of the WMSRDC:

- 1. Interviews may be held as part of the evaluation process. (Virtual/Zoom if needed)
- 2. Negotiations may be a part of the selection process.

If the WMSRDC chooses to negotiate an agreement using the terms of the original proposal as a basis, the negotiations will be held beginning with the top ranked firm and proceeding in order until an acceptable agreement is reached with a firm.

## **SCHEDULE:**

WMSRDC will implement the following schedule for the RFQ/P process:

**A. RFQ/P distributed by WMSRDC to a number of interested, qualified consultants and posted on the WMSRDC Web Site on October 14, 2020.**

**B. Mandatory Pre-Proposal (Zoom) Meeting: October 21 at 10:00 AM  
An Optional Site Visit will follow (map attached.)**

**Join Zoom Meeting**

<https://us02web.zoom.us/j/89691962859?pwd=N0JROWFwUFVrbDgyVFpZeEhTMk5mZz09>

Meeting ID: 896 9196 2859

Passcode: 063783

One tap mobile

+13017158592,,89691962859#,,,,,0#,,063783# US (Germantown)

+13126266799,,89691962859#,,,,,0#,,063783# US (Chicago)

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Find your local number: <https://us02web.zoom.us/j/89691962859?pwd=N0JROWFwUFVrbDgyVFpZeEhTMk5mZz09>

**C. Pre-Bid Meeting Follow-up Questions may be submitted, in writing, to [kevans@wmsrdc.org](mailto:kevans@wmsrdc.org) until 4:30 p.m. October 28, 2020. Responses will be provided to all who attend the Mandatory Pre-Proposal meeting and no later than 4:30 p.m., October 29, 2020.**

**D. Hard Copy Proposals Due (via regular postal mail) by 1:00 PM, November 5, 2020 at: WMSRDC, 316 Morris Ave., Suite 340, Muskegon, MI 49440**

**E. Public Bid Opening (Zoom): November 5, 2020, 3:30 PM**

**Join Zoom Meeting**

<https://us02web.zoom.us/j/87229584192?pwd=MWJ2b3ZYUjBtTy9RL2lvL2dYQkUyUT09>

Meeting ID: 872 2958 4192

Passcode: 592891

One tap mobile

+13017158592,,87229584192#,,,,,0#,,592891# US (Germantown)

+13126266799,,87229584192#,,,,,0#,,592891# US (Chicago)

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Find your local number: <https://us02web.zoom.us/j/87229584192?pwd=MWJ2b3ZYUjBtTy9RL2lvL2dYQkUyUT09>

**F. Proposal Review and Selection: Within 7-10 business days, following public bid opening**

**G. Notification of Selection: Within approximately 3-5 business days following the selection date**

**H. Contract Award Date: Within approximately seven days following the notification date**

## Attachments:

Attachment includes the following links and documents:

- USEPA Link to QAPP Development Guidance: <https://www.epa.gov/sites/production/files/2015-06/documents/g5-final.pdf>
- NOAA Tier 1 Monitoring Guidance
- Cedar Creek Watershed Hydrologic Study, Dave Fongers, MDEQ May 7, 2004
- EGLE E-Mail regarding T&E Species
- Little Cedar Creek Hydrology Map
- WRD Flood Discharge Data Sweeter Rd. - <https://www.egle.state.mi.us/flow/hflow.asp?FileNumber=20170071>
- WRD Flood Discharge Data Michillinda Rd.-  
<https://www.egle.state.mi.us/flow/hflow.asp?FileNumber=20200172-3>
- Little Cedar Creek 2020 Layout
- Site Directions Map

For documentation:

Visit our **FTP Site** at: <ftp.co.muskegon.mi.us>

Then enter the Guest user name WMSRDC.GUEST,  
and the Password: wmsrdc1

Then double click on the WMSRDC file.