

General Inquiries

Q: The RFP indicates that the specified budget for the O&C Ditch Company project is significantly greater than the B&L Ditch Company project. Is this statement correct? If so, given that the B&L diversion is larger and the anticipated project footprint is also larger, what is the basis for the differences in funding for the two projects?

A: Yes, the O&C Ditch Company grant is larger than the B&L Ditch Company grant. Prior to submitting grant requests, both ditch companies solicited quotes for project costs to improve the sediment issues in their respective reaches of the river. Those early quotes were used as the basis for the grant request figures. The original scope for O&C Ditch Company included relocating the diversion dam upstream of its current location. The proposal for the B&L Ditch Company focused only on stream channel restoration. Hence the disparity in grant award amounts.

Q: If a team was to be selected for both projects, can the available funding be used together (i.e. combined) and distributed among the two projects as needed, or do the separate allotments for each individual project need to be maintained?

A: The grants were awarded to B&L Ditch Company and O&C Ditch Company individually. Therefore, the two projects must be kept completely distinct and separated. Even if the same team is selected to do both projects, that team must maintain separate accounting of all labor and materials associated with each project and invoice the ditch companies accordingly.

Q: Given that the funding is based on CDBG-DR grants, please clarify if the contract will be firm fixed price, or other.

A: The contract will be a firm fixed price.

Q: In addition to improving sedimentation conditions, both projects make reference to improving channel and floodplain resiliency as well as mitigating for channel instability and bank erosion. In the project footprints that were provided, especially in the case of the B&L Ditch footprint, a significant length of channel appears to be included in the project. Are there explicit stream restoration requirements that need to be met for the sections of stream identified within the project footprints, or is the intent to simply make as many improvements as possible with any funding available in excess of that needed specifically for the diversion structure improvements?

A: The primary focus of both ditch companies is stream channel restoration upstream of their respective diversions and improve sediment transport through their diversion structures. The project area for the B&L Ditch extends downstream far enough to incorporate repairs/improvements to the sand gate structure. The ditch companies are looking for the consultant's recommendations on how far to go upstream and downstream of their diversion to provide the best outcome for the dollars available and spent.

Q: The RFP indicates that the DOLA Technical Assistance Team will review and comment on the conceptual (15%) and preliminary (30%) design plans, which is also being referred to as an 'implementation-ready design'. Will submittal of any other design stages (e.g. 90%) or a final design plan set also be required?

A: In projects of this nature, it seems unrealistic to request the contractor to provide a 90% or final design plan set prior to implementation. There are just too many variables and unknowns going into a restoration project of this type. It is anticipated that the Technical Assistance Team will have the biggest input at the 15% and 30% design review stage.

After that, it will be up to the design and implementation team members to decide how far the plans need to be detailed prior to implementation. The ditch companies and Technical Assistance Team will be evaluating the plans to determine if they meet the overall project objectives. As indicated on page 21 of the RFP, the project team will be required to supply as-built drawings and a final report to the ditch companies.

Q: Do the Ditch companies or DOLA Technical Assistance Team have specifications or requirements regarding the type and amount of engineering oversight during construction not described in the RFP?

A: The implementation oversight is defined in Task 2 on page 20 of the RFP. The ditch companies expect the design team to coordinate closely with the implementation contractor and to be onsite at least weekly during the implementation phase. It should be noted that communication is critical between all parties (design team, ditch company board(s), landowner(s), DOLA, and the implementation team). When issues arise, unexpected problems occur and/or schedules are delayed it is critical that that information gets communicated to everyone involved.

Q: Could you please define the terms of liquidated damages? I saw them mentioned in the RFP but didn't see a value?

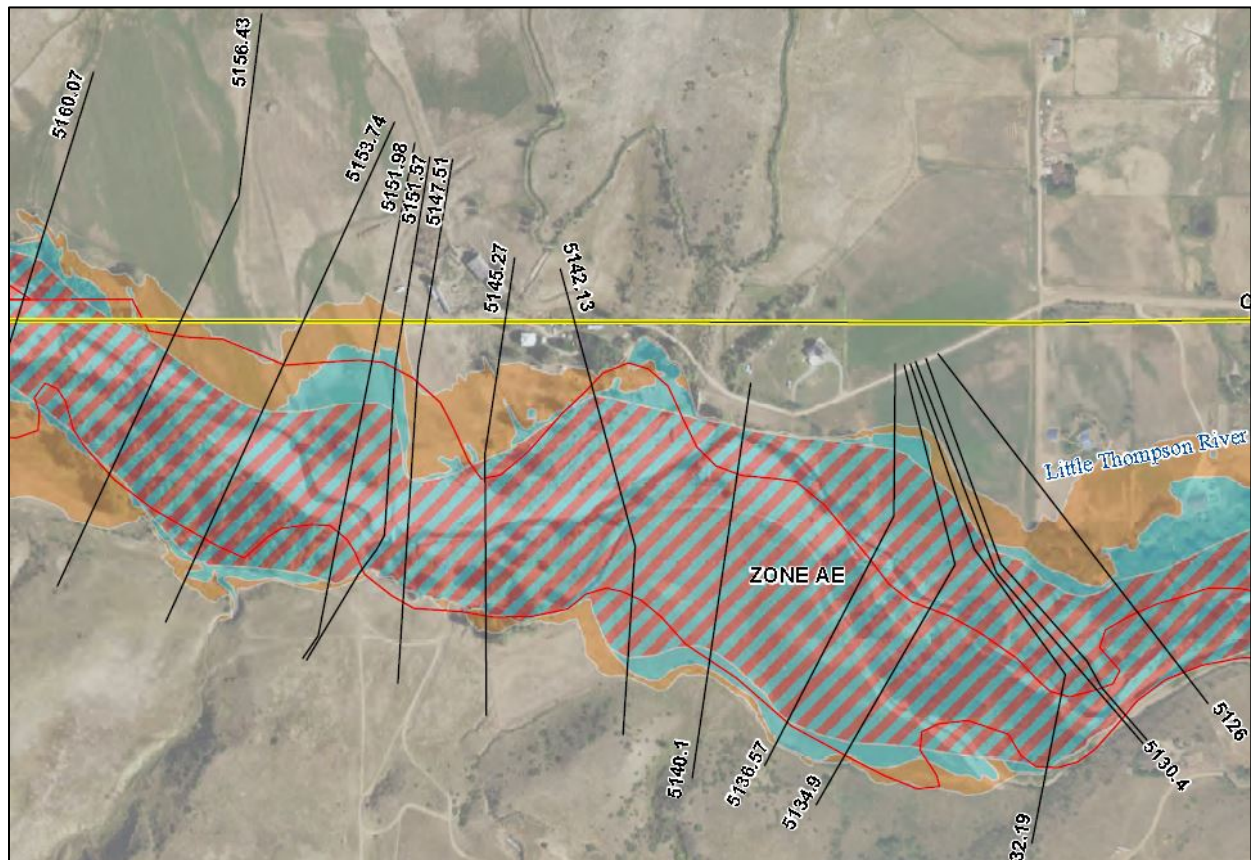
A: The only reference to liquidated damages in the RFP is on pages 77 and 78 under the Federal Labor Standards Provisions and it has to do with contractors that fail to pay their employees properly for working overtime. These terms are required to be in any contract in which HUD funds will be used and they would be enforced by the Department of Labor. The value of the liquidated damages is spelled out in the last paragraph on page 77 of the RFP.

It is also likely that there will be a liquidated damages provision in the contract for both breach of contract and for failure to complete the work within the time specified. The terms of those liquidated damages will be defined at the time the contract is generated.

Inquires for Boulder & Larimer

Q: Please confirm to which elevations the "No-Rise" certification must conform. The existing FEMA FIS, and associated Base Flood Elevations, are from the pre-flood model (effective 12/18/2012).

A: The illustration below is an excerpt from map panel 1368 of the recent CHAMP floodplain analysis dated January 20, 2017. Although this information has not been officially approved by FEMA, it is the best base flood elevation data available to date. The complete set of maps can be downloaded from the CWCB Colorado Hazard Mapping & Risk MAP Portal. The Y1 Big Thompson HUC-8 Hydraulics TSDN at <http://coloradohazardmapping.com/hazardMapping/floodplainMapping/Documents>



Additional information regarding the Colorado Hazard Mapping for Boulder County can be obtained from Varda Blum, Floodplain Program Manager, Boulder County Department of Transportation (720) 564-2659 vblum@bouldercounty.org

Q: When work was completed at B&L post flood, was a County Floodplain permit received and was there a 404 Permit in force?

A: The contractor for the ditch company did not obtain a Boulder County Floodplain permit for the flood recovery work performed after the flood. The contractor did contact the local Army Corp of Engineers and received a letter approving the work to be done in the river under a Section 404(f) exemption. Therefore, a 404 Permit was not required. The reference number for this letter is NWO-2013-01977-DEN.

Q: Please confirm any existing Army Corps of Engineers 404 permits or exemptions that are applicable to proposed reach and timeframe.

A: We are not aware of a current 404 permit or exemption in this reach of the river.

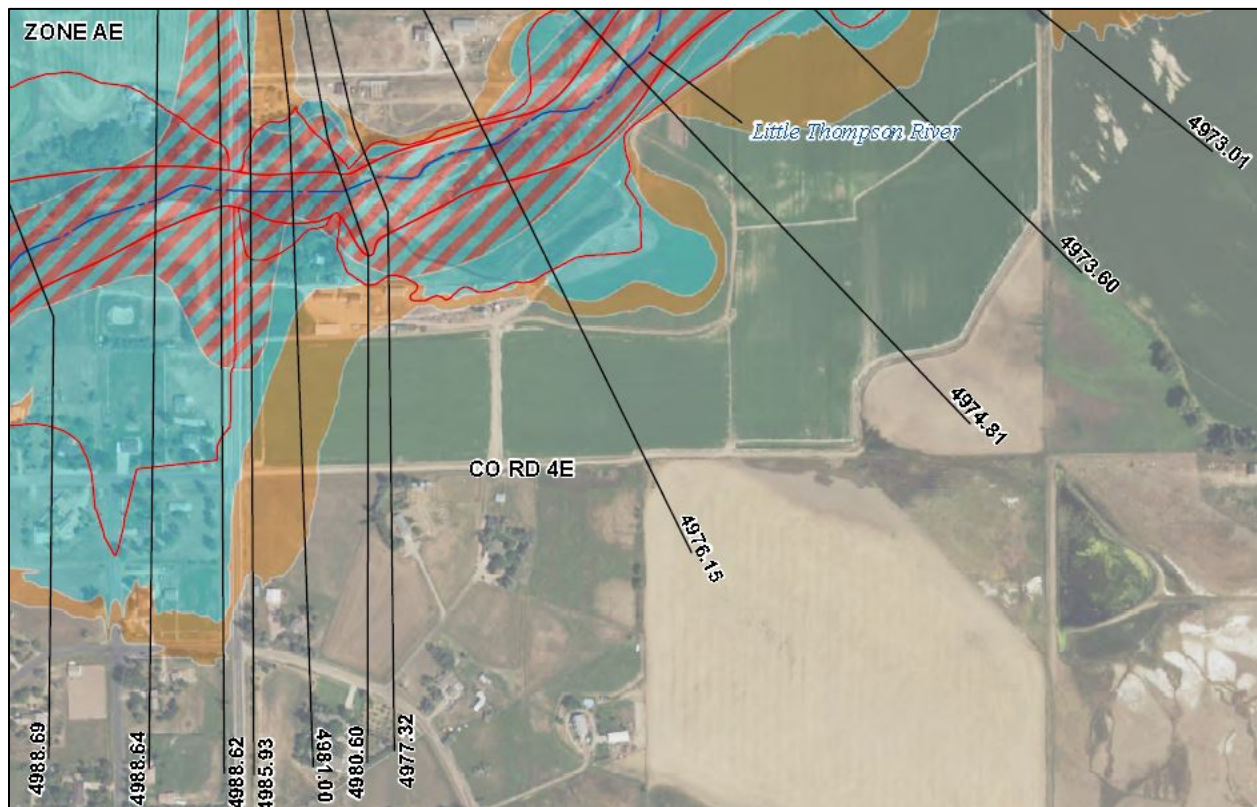
Q: Who is your Army Corps of Engineers contact for the proposed reach?

A: It is our understanding Kiel Downing is the Chief at the Denver Regulatory Office, 9307 S Wadsworth Blvd, Littleton, CO 80128, (303) 979-4120. He would be the first point of contact.

Inquires for Osborn & Caywood

Q: Please confirm to which elevations the "No-Rise" certification must conform. The existing FEMA FIS, and associated Base Flood Elevations, are from pre-flood model (effective 2/6/2013).

A: The illustration below is an excerpt from map panel 1389 of the recent CHAMP floodplain analysis dated January 20 2017. Although this information has not been officially approved by FEMA, it is the best base flood elevation data available to date. The complete set of maps can be downloaded from the CWCBC Colorado Hazard Mapping & Risk MAP Portal. The Y1 Big Thompson HUC-8 Hydraulics TSDN at <http://coloradohazardmapping.com/hazardMapping/floodplainMapping/Documents>



Additional information regarding the Colorado Hazard Mapping for Larimer County can be obtained from Eric Tracy, Larimer County Engineering Department, (970) 498-5729, tracyel@co.larimer.co.us

Q: Please confirm the role of the proposer in obtaining the Environmental Review for the O&C Ditch Company. The RFP states the Environmental Review will be completed by AEGISS.

A: The O&C Ditch Company has initiated the Environmental Review process with AEGISS. However, the project area was not well defined. Once the design team has formalized the final project area as well as activities anticipated within that area, the ditch company will provide that information to AEGISS, so that they can complete the Environmental Review process prior to implementation of the project.

Q: Please confirm any existing Army Corps of Engineers 404 permits or exemptions that are applicable to proposed reach and timeframe.

A: After the floods of September 2013, the landowner owner obtained a 404 permit No. NWO-213-1923-DEN. He has applied for and received an extension of the permit, per a letter dated March 13, 2018. That permit expires March 18, 2022 and is for 1,100 linear feet of the Little Thompson River in the vicinity of 40.278680°N, -105.091620°W (the location of the O&C ditch company's diversion structure). If the project area extends beyond the 1,100' of river it would be incumbent on the project team to obtain the necessary modification of the permit.

Q: Who is your Army Corps of Engineers contact for the proposed reach?

A: According to the letter obtained by the landowner, the contact is Nicholas Franke at the Denver Regulatory Office, 9307 S Wadsworth Blvd, Littleton, CO 80128, (303) 979-4120. His email address is Nicholas.A.Franke@usace.army.mil

We recognize that producing three original hard copies of the proposal and having them couriered is time consuming. In order to give all potential bidders the maximum amount of time to develop their best proposals, we are altering the deadline requirements for the hard copy proposals. The electronic proposals still must be submitted to scoma95@comcast.net by the deadline listed in the RFP, 5:00 PM Wednesday, April 25, 2018. However, the hard copy proposals can follow within 48 hours. In other words, be delivered to the office of O&C Ditch Company at 492 S Youngfield Ct, Lakewood, CO 80228 by 5:00 PM Friday, April 27, 2018.