



Devils Lake Water Improvement District

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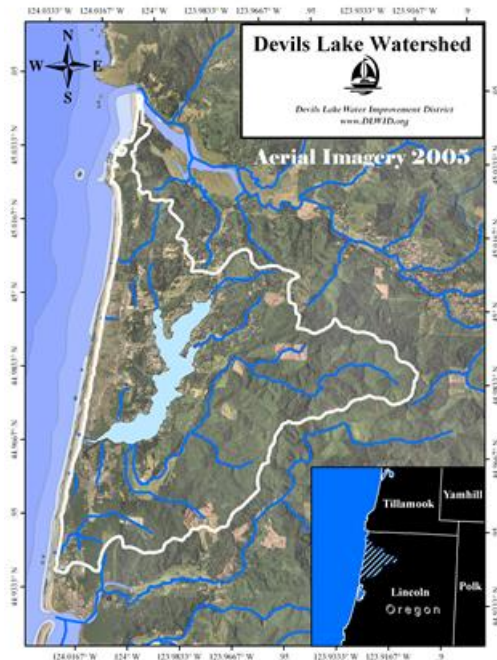
Devils Lake Aeration/Oxidation Project --- Proposed Scope of Work

The Devils Lake Water Improvement District, herein known as the District, is a small local government in Lincoln County, Oregon, and has developed a proposed scope of work for Engineering Plans and a General Report for a lake-wide, sub-surface aeration/oxidation system for Devils Lake.

The project shall necessarily be cost effective for the District and be designed to address reoccurring scum forming Harmful Algal Blooms (HABs). Cost for the design of the project shall be based on actual time and materials, but may not exceed \$100,000.00 in total as provided in state statute and rules for procurements though a direct appointment (ORS 279C.110 (8) and in OAR 137-48-0200 (1)b).

Outcomes:

1. The Engineering Plan and General Report shall provide for a cost effective sub-surface and land based aeration/oxidation system that upon construction will significantly reduce scum forming Harmful Algal Blooms.
2. Upon completion and subsequent to approval of the Engineering Plan and General Report with or without modifications by the District's Board of Directors, the Consultant shall develop a Bid Packet for inclusion in a subsequent Request for Proposals for Construction of the Works and Improvements.
3. Consultants shall provide expert guidance in evaluating any and all Proposals received from the subsequent Request for Proposals for Construction of the Works and Improvements.



Devils Lake

Z ave: 8.4' = 2.6m
Z max: 21.1' = 6.4m
Surface Area: 685 acres = 277 ha
Volume: 5,750 AF = $7.1 \times 10^6 \text{ m}^3$
Watershed: 11.1 mi² = 28.3 km²

D River

Length: 120' +/- 5' = 36.6 +/- 1.5 m

303_d Listed Waters in the Basin

Devils Lake: Chl *a*, pH
Thompson Creek: fecal coliforms



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Definitions: For use in this solicitation document and potential contracts the following are provided as defined by Oregon Legal Glossary of the Oregon Revised Statutes (ORS), Oregon Revised Statutes, and/or Oregon Administrative Rules (OAR) as part of the Model Rules of public contracting all of which shall be governing.

"Consultant" means an Architect, Engineer, Photogrammetrist, Transportation Planner, Land Surveyor or provider of Related Services. A Consultant includes a business entity that employs Architects, Engineers, Photogrammetrists, Transportation Planners, Land Surveyors or providers of Related Services, or any combination of the foregoing. Provided, however, when a Contracting Agency is entering into a direct Contract under OAR 137-048-0200(1)(c) or (d), the "Consultant" must be an Architect, Engineer, Photogrammetrist, Transportation Planner or Land Surveyor, as required by ORS 279C.115(1).

"Construction" means work performed on a site, excluding surveying, exploration or other activities to define or characterize the site, the cost of which exceeds \$250,000. "Construction" includes: (A) Excavating, landscaping, demolishing and detaching existing structures, leveling, filling in and doing other preparation of land for the making and placement of a building, structure or superstructure; (B) Creating or making a building, structure or superstructure; and (C) Altering, partially constructing and doing repairs in and upon a building, structure or superstructure.

"Engineering plan" means the plans and specifications for the works to be constructed including: (a) Maps, profiles, plans and other data necessary to show the location and character of the work, and the property benefited, taken or damaged; (b) All rights of way or other property which may be required for the construction of the works; and (c) Estimates of the cost of the works and of the benefits and damages which will accrue to each tract of land upon the construction of the works.

"Improvements" means goods and services not included in the base price that are, in general, needed to prepare a site and complete the setup of a manufactured dwelling. "Improvements" includes, but is not limited to, permits, site preparation, sidewalks, concrete, utility connections, skirting, steps, railings, decks, awnings, carports, garages, sheds, gutters, downspouts, rain drains, heat pumps, air conditioning, basements, plants and landscaping, installation fees and system development charges.



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"Project" means all components of a Contracting Agency's planned undertaking that gives rise to the need for a Consultant's Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services, or Related Services, under a Contract.

"Related services" means personal services, other than architectural, engineering, photogrammetric mapping, transportation planning or land surveying services, that are related to planning, designing, engineering or overseeing public improvement projects or components of public improvement projects, including but not limited to landscape architectural services, facilities planning services, energy planning services, space planning services, hazardous substances or hazardous waste or toxic substances testing services, cost estimating services, appraising services, material testing services, mechanical system balancing services, commissioning services, project management services, construction management services and owner's representation services or land-use planning services.

"Responsible" means meeting the standards set forth in OAR 137-047-0640 or 137-049-0390(2), and not debarred or disqualified by the Contracting Agency under OAR 137-047-0575 or 137-049-0370.

"Responsive Offer" means, as the context requires, a Responsive Bid, Responsive Proposal or other Offer that substantially complies in all material respects with applicable solicitation requirements.

"Responsible Offeror" means, as the context requires, a Responsible Bidder, Responsible Proposer or a Person who has submitted an Offer and meets the standards set forth in OAR 137-047-0640 or 137-049-0390(2), and who has not been debarred or disqualified by the Contracting Agency under OAR 137-047-0575 or 137-049-0370.

"Responsive" means having the characteristic of substantial compliance in all material respects with applicable solicitation requirements.

"Solicitation Document" means an Invitation to Bid, Request for Proposals, Request for Quotes, or other similar document issued to invite Offers from prospective Contractors pursuant to ORS Chapter 279B or 279C.

"Works" means dams, storage reservoirs, canals, ditches, dikes, levees, revetments, and all other structures, facilities, improvements and property necessary or convenient for



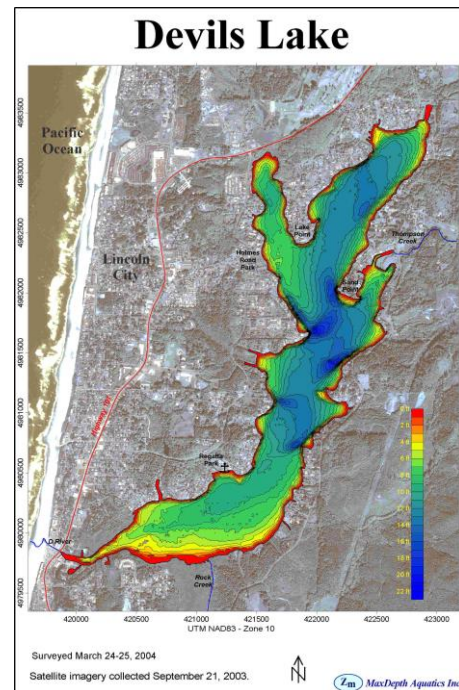
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draining land, controlling flood or surface waters, or supplying water for irrigation, domestic supply or other purposes.

"Writing" means letters, characters and symbols inscribed on paper by hand, print, type or other method of impression, intended to represent or convey particular ideas or meanings. "Writing," when required or permitted by law, or required or permitted in a Solicitation Document, also means letters, characters and symbols made in electronic form and intended to represent or convey particular ideas or meanings.

"Written" means existing in Writing.

Background: Devils Lake is a shallow, polymictic, 685 acre coastal lake in Oregon which empties into the Pacific Ocean via the World's Shortest River, the D River. Located in Lincoln County, Devils Lake is bordered to the east by the foothills of the Coast Range, to the west and south by Lincoln City, and to the north by the residential community of Neotsu. The lake is a highly utilized recreational lake and through the accolades of hydroplane racing enthusiasts around the globe is known as the "World's Fastest". Devils Lake is also home to a genetically distinct line of Oregon Coastal Coho (*Oncorhynchus kisutch*) (Johnson & Banks, 2009) as well as a host of other native and non-native plants and animals (USACE 1974, Robertson & Laszlo, 2014). Cumulative, anthropogenic impacts have however left the lake environmentally impacted (McHugh 1972, 1979; Kavanagh, 1973). As a result lake restoration efforts are needed.



In the 1980's an EPA funded Clean Lakes Program was undertaken for Devils Lake. One of the outputs of these efforts was the Diagnostic and Feasibility Study which was completed in 1983 by KCM, Inc. Through subsequent work, a plan was developed to control invasive aquatic weeds through the use of sterile Grass Carp (*Ctenopharyngodon idella*).



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In 1986, 10,000 fish were stocked followed by 17,050 fish in 1987. This was followed by a third stocking of 5,000 additional sterile fish in 1993 (CH2M Hill, 1993). Over time the weeds that had overtaken the lake were suppressed by the herbivorous fish. This reopened the lake to navigation, lost in the decades prior, demonstrating that grass carp are a cost effective tool for vegetation management for Devils Lake reopening the lake to recreation, providing for an economic boom for North Lincoln County (CH2M Hill, 1993). Currently, the lake largely remains free of invasive aquatic weeds, but as the aging population of remaining sterile carp die, the return of invasive aquatic weeds is expected without additional intervention (Systema *et. al*, 2012) which would lead to potential economic impact on the area (Lenaerts, 2013).

Devils Lake is also plagued with recurring, intensifying Harmful Algal Blooms. Paleolimnological records indicate that bloom have been occurring in the lake since at least the 1960's, but have been increasing in recent decades (Eilers, *et. al*, 2005). Nutrient rich sediment present in the lake from a century of intense activity in the watershed as well as annual fluxes of nutrients provide the basis for these Harmful Algal Blooms as well as serve to provide a nutrient source for the aquatic weeds currently suppressed by the grass carp.

In 2011 a watershed based, lake management plan called the Devils Lake Plan was formally adopted by the Devils Lake Water Improvement District Board of Directors. The Devils Lake Plan calls for, among other things, the right to replant sterile grass carp for vegetation management, but also nutrient reduction strategies including, septic tank inspection program, shoreline plantings, wetland restoration, and eventual sewerage of the watershed. These steps, while vital for the long-term health of the lake, may be slow to produce visible results in the lake's trophic status. As a result the ongoing need for Harmful Algal Bloom suppression is also recognized and desired. The District having evaluated numerous means of physical, biological, and chemical controls has opted to pursue a large-scale aeration/oxidation project as a means of addressing Harmful Algal Blooms in the near to mid-term as land-use efforts take root in the watershed.

Scope of Work:

The proposed project seeks the development of an Engineering Plan and General Report which will ultimately lead to the Construction of Improvements and Works for the lake-wide aeration/oxidation of Devils Lake through a separate competitive bid process. The project design shall rely on shoreline and sub-surface physical components to provide aeration and/or oxidation to the system, and not be chemically or biologically based other



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than what is provided in a natural system. This proposed Scope of Work requires that the Project and the Consultant to meet the highest standards prevalent in the industry associated with providing such a project with particular emphasis on the characteristics of Devils Lake being a shallow, high recreational use, temperate, coastal lake in Oregon that is home to a Threatened Oregon Coastal Coho Salmon (*Oncorhynchus kisutch*).

The project design when implemented shall provide for the outcome of long-lasting, year-round suppression of scum forming Harmful Algal Blooms throughout Devils Lake and its major canals. The project area includes primarily the meandered boundary of Devils Lake, but may extend into privately owned canals as may be deemed necessary by the engineering design to achieve the necessary reductions, and such that access is granted by the property owners. As this project is in a lake owned by the State of Oregon which is home to a genetically distinct population of threatened Oregon Coastal Coho Salmon (*Oncorhynchus kisutch*), the project shall be designed such that installation, operation, and maintenance of the project will have no adverse effect on native fish and wildlife.

This project is contingent on its affordability to the District. As such funding for the capital improvements and ongoing operation and maintenance must ultimately be met within the District's capacity to serve the project long-term. District staff can provide guidance, and copies of the District's current budget can be found on the District's website.

Engineering Plans and the General Report shall include the estimated costs associated with the full purchase of equipment, delivery, installation, and construction of the aeration/oxidation project. Equipment shall be suited for long-term use in the coastal marine environment and be fitted for use in recreational lakes where boating, fishing, anchoring, and other activities are the norm. The Engineering Plan and General Report shall also provide estimates of operation and maintenance costs of the system on an annual basis and other relevant timeframes (e.g. 10 year replacement cycle for x,y,z parts, etc.). All costs and fees shall be clearly delineated and summarized in spreadsheet form and include life expectancy of major equipment and products used in the design of the system.



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Tasks:

- ***Task I: General Report and Engineering Plan***

The Project requires the development of Engineering Plans and a General Report of an aeration/oxidation system for Devils Lake. The design should be suitable for among other things, to address the basic permitting application needs, easement acquisitions, basic financing, construction bid solicitation documents, and ultimately construction of the project. The Engineering Plans and General Report shall meet the needs of the Scope of Work for in lake aeration/oxidation facilities to provide for long-term water quality outcomes identified in this solicitation document. All equipment specified in the Engineering Plan and General Report thus shall conform to the needs of long-term use in a wet, Oregon coastal marine environment, which is subject to corrosion and intense storms and weather conditions. Engineering Plans and operations and construction of any and all Works and Improvements proposed shall be designed to adhere to all federal, state, county, and municipal regulations including but not limited to the Endangered Species Act, Clean Water Act, and land-use regulations. Engineering Plans shall also account for the needs of equipment and operation of such equipment to be suited for a heavily-used, coastal environ, public water body where boating, fishing, anchoring, and other activities are the norm, and where Threatened Oregon Coastal Coho Salmon (*Oncorhynchus kisutch*) and other species inhabit.

General Report shall include estimates for one-time capital costs, and annual operational and maintenance costs required for the successfully completed project. The report shall also identify average replacement cycles or large scale servicing (life-expectancy and/or equipment rebuild schedules) of all major equipment and products required for the project.

Engineering Plans and General Report may make use of existing data available from the District through its website. Data and studies available from the District are listed below and are mostly readily available from the section of the Projects webpage associated with this Devils Lake Aeration/Oxidation Project RFP with other information available upon request. Data and information from the District is believed to be reliable but is not guaranteed. Sufficiency determination of the data or needs of additional data shall be the province of the Consultant. Other sources of information may be obtained from Oregon Water Resources, Oregon DEQ, USGS, the National Weather Service, and others. Any data acquired to supplement what data are available directly shall be provided to the District for future uses and documentation. The Engineering Plan and General Report



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will be subject to and made suitable for a public hearing process as described in ORS 552.418 and will be necessary for permitting and easement acquisitions.

District Data and Documents:

- Devils Lake MS Access Water Quality Database 272MB (includes data from research 1948 - 2011)*
- Research Papers* on District's Research Page:
<http://www.dlwid.org/Research.html>
- Devils Lake Water Improvement District lake and tributary nutrient data (2014)
- Salmon Drift Creek Watershed Council temperature Data for lake and tributaries (2003-2009)
- Devils Lake Neighborhood Association sediment and water column sampling data (2014)
- Devils Lake Plan*
- GIS Data
 - Bathymetry
 - Parcel and Taxlot Maps
 - Aerials
 - Contour Data 2' and 10' intervals
 - LiDAR
 - DEM
 - TIN
 - Stream Layer
 - Septic System Layer

*Information available as downloadable from the District's Project Page, other data available upon request: <http://www.dlwid.org/Projects.html>

Note: Research papers of particular interest are highlighted in BOLD in the Reference section of this solicitation document. Data from these research papers has already been compiled into the MS Database.

- ***Task II: Development of Bid Documents***

Subsequent to the District's receipt of the Engineering Plan and General Report, the District necessarily and in accordance with ORS 552.418, must hold a properly advertised public hearing on the matter. The District also must determine how it will



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fund the potential project and provide a protest period of 30 days subsequent to that decision also in accordance with ORS 552.418. Upon an acknowledgment from the District to proceed the Consultant shall provide to the District Bid Documents including Construction Specifications for all Works and Improvements based on the Engineering Plans and General Report. The Bid Documents shall be designed to require clear and determinable responses for evaluation of any submissions subsequently received. This may be in the form of a matrix to be completed by respondents or other suitable means.

- ***Task III: Evaluation of Construction of Improvement and Works Bids and Bidders***

Upon the District's receipt of bids to a Construction of Works and Improvements solicitation, the Consultant shall assist and provide expert guidance in determining Responsive Offers and Responsive Offerors to enable the District to proceed with the timely Construction of the Project.

Anticipated Schedule:

Upon successful negotiation of conditions and formal development of a Scope of Work or Scope of Services, leading to signing of a Contract with the Consultant, the following is provided as an anticipated schedule:

1. **Task I:** General Report and Engineering Plan – Completed within 3 months of Contracting.
2. **Task II:** Development of Bid Packet and Construction Specifications for Works and Improvements - Completed within 1 month subsequent to the District's approval of Engineering Plan and General Report, financing, and 30 day public protest period of that decision.
3. **Task III:** Evaluation of Proposals for Construction of Works and Improvements - Completed within 1 month of Opening of Offers.

Requested Consultant Submission

1. Cover letter, including name, telephone number, and address of the Consultant, and introductory letter including a clear, concise explanation of the Consultants understanding of the project.



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2. Background information about the proposer and all sub-contractors, including technical qualifications and licenses, current insurance coverage, and current bond certifications.
3. Description of the proposer's and sub-contractors experience. A list of similar engineering and design services and/or similar construction projects undertaken by the proposer with the name, address, phone number, and e-mail address of a current contact person for each project as a reference. References within coastal climates and/or the Pacific Northwest shall be highlighted.
4. Proposed Scope of Work including the proposer's understanding and approach to the project. Description shall provide for all outcomes to be achieved and any short-falls to such outcomes that might be expected based on Proposer's approach.
5. List of all deliverables.

Evaluation of Consultant:

The District is seeking a direct appointment per OAR-137-048-0200 (1)b which will be evaluated based on criteria set forth by Oregon Attorney General's model rules for review of public contracts under OAR 137-048 and as provided by the District's Contract Review Board Policy which provides that the Board of Directors of the Devils Lake Water Improvement District is designated as the Local Contract Review Board and shall have all powers granted under ORS 279, 279A, and 279C. As such proposals will be evaluated as established by statute and as described in this solicitation document, including the following:

1. Experience and qualifications of the firm in performing similar projects.
2. Experience and qualifications of the assigned individuals in performing similar projects.
3. Specialized experience, capabilities and technical competence, which the Consultant may demonstrate with the Consultant's proposed approach and methodology to meet the project requirements.
4. A Consultant's approach to the needs of the Project as described in the Request for Proposals and design philosophy, if applicable.



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5. The amount and type of resources and number of experienced staff the Consultant has committed to perform the needs of the project.
6. Consultant's capability, experience and past performance history and record in providing similar services, including but not limited to quality of work, ability to meet schedules, cost control methods and Contract administration practices.
7. Consultant's geographic proximity to and familiarity with the physical location of the Project
8. Consultant's ownership status and employment practices regarding women, minorities and emerging small businesses or historically underutilized businesses
9. Volume of work, if any, previously awarded to a Consultant, with the objective of effecting equitable distribution of Contracts among qualified Consultants, provided such distribution does not violate the principle of selecting the most qualified Consultant for the type of professional services required.

General Requirements and Notices:

1. The intent of this document is to guide the Direct Appointment process as provided in OAR 137-48-0200 (2)c) from all Consultants offering the required Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services that the District reasonably can identify under the circumstances, and hence forth called the qualified pool of consultants.
2. All proposers are hereby advised that this solicitation document is not a commitment or offer to enter into an agreement or engage into any competitive bidding or negotiation pursuant to any statute, ordinance, rule, or regulation.
3. The Proposed Scope of Work shall serve as the basis to develop the formal Scope of Work or Scope of Services for all work to be done and be used to establish an estimated fee for all services, to a statutory maximum not to exceed \$100,000. This estimated fee shall become the upper limit for the expenses paid by the District for the project. The compensation paid must be reasonable and fair to the District as determined solely by the District. Should the District not be able to successfully negotiate a contract with the most qualified candidate, the District may negotiate with the additional qualified candidates as outlined above and in OAR 137-048.



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4. In accordance with ORS 279C the District reserves the right to cancel the procurement and to reject any or all proposals in full or in part for any reason or for no reason at all.
5. The District may reject an offer that does not comply with prescribed public contracting procedures and requirements, including the requirement to demonstrate the bidders or proposers responsibility under ORS 279C.375 (3)(b) which states that the bidder:
 - (A) Has available the appropriate financial, material, equipment, facility and personnel resources and expertise, or has the ability to obtain the resources and expertise, necessary to meet all contractual responsibilities.
 - B) Holds current licenses that businesses or service professionals operating in this state must hold in order to undertake or perform the work specified in the contract.
 - (C) Is covered by liability insurance and other insurance in amounts the contracting agency requires in the solicitation documents.
 - (D) Qualifies as a carrier-insured employer or a self-insured employer under ORS 656.407 or has elected coverage under ORS 656.128.
 - (E) Has made the disclosure required under ORS 279C.370.
 - (F) Completed previous contracts of a similar nature with a satisfactory record of performance. For purposes of this subparagraph, a satisfactory record of performance means that to the extent that the costs associated with and time available to perform a previous contract remained within the bidder's control, the bidder stayed within the time and budget allotted for the procurement and otherwise performed the contract in a satisfactory manner. The contracting agency shall document the bidder's record of performance if the contracting agency finds under this subparagraph that the bidder is not responsible.
 - (G) Has a satisfactory record of integrity. The contracting agency in evaluating the bidder's record of integrity may consider, among other things, whether the bidder has previous criminal convictions for offenses related to obtaining or attempting to obtain a contract or subcontract or in connection with the bidder's performance of a contract or subcontract. The contracting agency shall document the bidder's record of integrity if the contracting agency finds under this subparagraph that the bidder is not responsible.
 - (H) Is legally qualified to contract with the contracting agency.
 - (I) Supplied all necessary information in connection with the inquiry concerning responsibility. If a bidder fails to promptly supply information



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concerning responsibility that the contracting agency requests, the contracting agency shall determine the bidder's responsibility based on available information, or may find that the bidder is not responsible.

6. If the District does not cancel the procurement process, the District will begin negotiating a Contract with the highest ranked consultant from the qualified pool. The District shall direct Contract negotiations toward obtaining written agreement on the following: (a) The Consultant's performance obligations and performance schedule (b) Payment methodology and a maximum amount payable to the Consultant for the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services required under the Contract that is fair and reasonable to the District as determined solely by the District, taking into account the value, scope, complexity and nature of the Architectural, Engineering, Photogrammetric Mapping, Transportation Planning or Land Surveying Services or Related Services; and (c) Any other provisions the District believes to be in the District's best interest to negotiate.
7. The District shall, either orally or in writing, formally terminate negotiations with the selected consultant from the qualified pool, or if the District and the Consultant are unable for any reason to reach agreement on a Contract within a reasonable amount of time, the District may thereafter negotiate with additional entities from the qualified pool, as necessary.
8. The District reserves the sole right to judge the Consultants representations, either written or oral, but may utilize expert opinions to guide in that judgment.
9. False, incomplete, or unresponsive statements in connection with a proposal may be sufficient cause for the rejection of the proposal. The valuation and determination of the fulfillment of the above requirement will be the District's responsibility and its decision shall be final.
10. The District reserves the right to interpret or change any provisions of this solicitation document at any reasonable time prior to final contracting. Such interpretations or changes will be in the form of an addenda. Such addenda will become part of this solicitation document and may become part of any resultant contract.
11. All proposals submitted in response to this solicitation document will become the exclusive property of the District, and may become a matter of public record, and



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- may thus be regarded as public records, with the exception of those parts of each proposal which are defined by the proposer as business or trade secrets, and so marked as “confidential” or “proprietary.” The District shall not in any way be liable or responsible for the disclosure of any such proposals or any part thereof if disclosure of any such proposals or any part thereof is required under the Public Records Act.
12. The District shall not in any way be liable for any costs incurred in connection with the preparation of any proposal submitted in response to this solicitation document.
 13. The District will obtain/retain full ownership and/or use of all submissions, deliverables, and materials produced through this Proposed Scope of Work and through any such contracts that should arise as a result to this request to the full extent of the law.
 14. Pursuant to Oregon Revised Statute (ORS) 672.102, “As minimum evidence of qualification for registration as a professional engineer, an applicant shall: (1) Successfully pass the fundamentals of engineering examination; (2) Successfully pass a practical engineer’s examination as may be prescribed by the State Board of Examiners for Engineering and Land Surveying; and (3) Have a work record of four years or more of active practice in engineering work satisfactory to the board.” The Oregon Board does not have reciprocity with any state. However, professional engineers registered in other jurisdictions may file applications for registration on the basis of comity as stipulated and detailed in OAR 820-010-0200, OAR 820-010-0215, and OAR 820-010-0442. Further, in accordance with OAR 820-010-0200(5), each applicant must pass a take-home examination on the laws and rules in Oregon before receiving a certificate of registration to practice professional engineering in Oregon. The take-home examination can be found at <http://osbeels.org/exam/>.
 15. In accordance with ORS 279C.365 Proposers are advised that this project does not to the best of our knowledge require asbestos abatement licensure under ORS 468A.720.
 16. In accordance with ORS 279C.365 Proposers are advised that this project does not to the best of our knowledge require licensing with the Construction Contractors Board or the State Landscape Contractors Board.



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17. Bid securities are not required in responding to this request.
18. Interested parties are directed to protest procedures set forth in the Division 48 Model Rules of Oregon Administrative Rules 137-048.

Terms and Conditions:

1. As the Consultant under approved Contract with the District will be evaluating the potential responses to subsequent Request for Proposals for Construction of Works and Improvements related to this Engineering Plan and General Report, the Consultant will be prohibited from bidding on such.
2. Proposers must have or must obtain at their own cost all federal, state, and municipal licenses, insurances, and bonding required for the any contracted Scope of Work or Scope of Services.
3. An Offeror's Offer is a Firm Offer, irrevocable, valid and binding on the Offeror for not less than 90 days.
4. The District may request, orally or in Writing, that Offerors extend, in Writing, the time during which the District may consider their Offer(s). If an Offeror agrees to such extension, the Offer shall continue as a Firm Offer, irrevocable, valid and binding on the Offeror for the agreed-upon extension period.
5. Before Awarding a Contract the District shall determine that the Proposer submitting the most advantageous Proposal is Responsible. The District shall use the standards set forth in ORS 279B.110 and OAR 137-047-0640(1)(c)(F) to determine if a Proposer is Responsible. In the event the District determines a Proposer is not Responsible it shall prepare a Written determination of non-Responsibility as required by ORS 279B.110 and shall reject the Offer.
6. Consultants and Contractors must abide by all federal, state, county, and municipal regulations including labor laws as described in ORS 279B.020
7. Consultant or Contractors shall meet performance standards or outcomes identified in the solicitation document. Failure to meet these outcomes and/or perform the agreed on Scope of Services shall include consequences which may



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- include, but not be limited to the following: (A) Reducing or withholding payment; (B) Requiring the Consultant or Contractor to perform, at the Consultant or Contractors expense, additional work necessary to perform the identified Scope of Services or meet the established performance standards; or (C) Declaring a default, terminating the public contract and seeking damages and other relief available under the terms of the public contract or other applicable law.
8. Consultants or Contractors must provide certification of non-discrimination in obtaining subcontractors in accordance with ORS 279A.110 (4).



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Reference Documents:* (Available Online at: <http://www.dlwid.org/Research.html>)

*Items in **BOLD** are of particular interest for this project

Anthony, R.G., Hansen, M.C. 1993. Relationship of Grass carp Introductions to Waterfowl use of Devils Lake, Oregon. Cooperative Wildlife Research Unit, Department of Fisheries and Wildlife, Oregon State University, Corvallis. 36 pp.

Anders, C.M. 1990. Chronology of the North Lincoln County Area. 207pp.

Anthony, R.G., Hansen, M.C., Sandler, M., Marr., N.V., Schuler, C.A., and Lutz, R.S. 1990. Short-Term effects of triploid grass carp on waterfowl and Bald Eagles a Devils Lake, Oregon. Report submitted to Devils Lake Water Improvement District, Lincoln City, Oregon.

Aquatic Control, Ltd. 1985. Devils Lake Vegetation Survey and Water Chemistry Monitoring Results.

Bayer, R.D., Pickering, P. 1994. Bird Records for Some Sites in the Lincoln City Area. A report submitted to the Lincoln City Citizen's Advisory Committee for Local Wetlands Inventory.

Bierly and Associates. 1981. Devils Lake Watershed Analysis. Prepared for KCM's Devils lake Diagnostic and Feasibility Study.

Bierly, K.F., Walmstrom, M. 1982. Devils Lake Aquatic Vegetation Analysis, Technical Report. Prepared for the City of Lincoln City, Oregon. 25 pp.

Bio-Surveys, LLC, and Sialis Company. 2003. Limiting Factors Assessment and Restoration Plan Rock Creek Tributary to Devils Lake.

Blair, M.S., Nelson, P.O. 1993. Oregon Coastal Lakes Study: Phosphorus Loading and Water Quality Implications. Environmental and Water Resources Engineering Program, Civil Engineering Department, Oregon State University, Corvallis, OR.

Bonar, S.A. 1990. Efficacy of sterile grass carp (*Ctenopharyngodon idella*) for aquatic plant control in the Pacific Northwest. Doctoral Thesis. University of Washington, Seattle. 242 pp.

Bonar, S.A., Pauley, G. B., Thomas, G. L. 1987. Estimation of triploid white amur stocking densities for aquatic plant control for Devils Lake, Oregon. Proceedings, 21st Annual Meeting, Aquatic Plant Control Research Program, Miscellaneous Paper A-87-2, US Army Engineer Waterways Experiment Station, Vicksburg, MS, pp 122-132.

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