

Klamath Hydroelectric Settlement Agreement (KHSA) Interim Measure 11: Water Quality Improvements

20XX REQUEST FOR PROPOSALS

Pre-Proposal Due Date: [Insert Date/Time]

Full Proposal Due Date: [Insert Date/Time]

1 Overview

[This document is a suggested RFP template for use in the Priority List of Project implementation process. All material/text in this document are subject to change and substantive addition.]

The Klamath Hydroelectric Settlement Agreement (KHSA; as amended on November 30, 2016) includes Interim Measure 11 (Interim Water Quality Improvements), which is intended to address water quality improvements in the Klamath River during the Interim Period¹ leading up to dam removal by the Klamath River Renewal Corporation (KRRC). KRRC is the Dam Removal Entity (DRE) responsible under the KHSA for the removal and decommissioning of Klamath Hydroelectric Project facilities on the Klamath River. The emphasis of Interim Measure (IM) 11 is nutrient reduction projects in the Klamath Basin to provide water quality improvements in the mainstem Klamath River. PacifiCorp, in consultation with the Interim Measures Implementation Committee² (IMIC), has developed a Priority List of Projects (PLP) to be implemented to fulfill the objective of IM 11. As further stipulated in the KHSA, the PLP is approved by the Oregon Department of Environmental Quality (ODEQ), the North Coast Regional Water Quality Control Board (Regional Water Board), and the State Water Resources Control Board (State Water Board).

The Oregon Watershed Enhancement Board (OWEB) is serving as the Fiscal Agent for administration of the *KHSA Water Quality Improvements Fund* under agreement with ODEQ. OWEB in cooperation with ODEQ and the Steering Committee is pleased to announce this Request for Proposals (RFP) for the *KHSA Water Quality Improvements Fund*. The goal of this competitive RFP is to seek and fund projects that will implement water quality improvements as envisioned in the PLP under IM 11. PacifiCorp has provided funding of up to \$X.X million **[insert funding value as appropriate when RFP is issued]** for implementation of projects (as directed by the PLP).³

OWEB, as the administrator of the RFP, will accept pre-proposals for projects through **[insert pre-proposal due date/time]**. All proposed projects must meet the specific criteria outlined below. Pre-proposals will be

¹ The KHSA defines the Interim Period as the period between the Effective Date and Decommissioning. The Effective Date is the date that the KHSA was originally executed (February 18, 2010). Decommissioning is PacifiCorp's physical removal from a facility of any equipment and personal property that PacifiCorp determines has salvage value, and physical disconnection of the facility from PacifiCorp's transmission grid.

² The IMIC was comprised of representatives from PacifiCorp and other parties to the KHSA (as amended on November 30, 2016), and representatives from the State Water Board and Regional Water Board (though not signatories to the KHSA) through Appendix B, Section 3.2 of the KHSA. The purpose of the IMIC was to collaborate with PacifiCorp on ecological and other issues related to the implementation of the Non-Interim Conservation Plan Interim Measures set forth in Appendix D of the amended KHSA.

³ These amounts are subject to adjustment for inflation as set forth in Section 6.1.5 of the KHSA.

reviewed and evaluated as described below (Section 5). Successful applicants in the pre-proposal stage will be invited to submit a full proposal for review. Grant awards will be made by OWEB (working in conjunction with the Steering Committee) to successful applicants for projects that meet the selection criteria and are supported by ODEQ, the Regional Water Board, and the State Water Board. Thereafter, OWEB will contract with grant recipients who will implement the projects with funds provided from the *KHSA Water Quality Improvements Fund*.

The requirements for responding to this RFP are described in the sections below. The responses to this RFP will be submitted via the application process as described below (Section 5).

2 Program Funding Priorities

Grant funding will be provided to implement projects that meet the specific criteria as described below (Section 7) to fulfill the objective of the PLP under IM 11. Within this RFP, the term “projects” is used as a general term applicable to various water quality improvement projects, technologies, or activities that will be considered for funding and implementation via this RFP process. The term “project categories” is used to refer to groupings or types of projects. In developing the PLP, the IMIC identified four priority PLP project categories: Natural Wetlands Restoration; Diffuse Source Treatment Wetlands (DSTWs); Riparian Fencing and Grazing Management; and Irrigation Efficiency and Water Management (CH2M 2017, 2018). The IMIC concluded that each of the top-ranked project categories can provide water quality improvements to the Klamath Basin, and as such considers each top-ranked project category equally important. The IMIC also concludes that PLP implementation should prioritize projects in the Klamath Basin area upstream of Upper Klamath Lake (CH2M 2017, 2018). This decision was made because the Klamath Basin’s nutrient loadings originate from, and are highest, in this area (Oliver et al. 2014; Walker et al. 2012, 2015). As a result, the assumption here is that PLP activities in that area will yield greatest proportional nutrient reductions. However, projects in the Klamath Basin area downstream of Upper Klamath Lake will be considered, particularly if demonstrable water quality improvements to the Klamath River could result.

Potential applicants are encouraged to consult existing basin plans to formulate project proposals. Project proposals with a demonstrated integration and linkage with existing plans will be viewed as advantageous when grant funding decisions are made. Such plans include but are not limited to the Upper Klamath Basin Watershed Action Plan, the Upper Klamath Basin Comprehensive Agreement, and the Klamath Basin Integrated Fisheries Restoration and Monitoring Plan.

Based on the IMIC recommendation to treat the four PLP categories with equal priority, the IMIC further recommended that each of the four PLP categories should be initially allocated an equal percentage-share of the \$X.X million [*insert funding value as appropriate when RFP is issued*] for implementation of projects using the *KHSA Water Quality Improvements Fund*. These shares of the overall fund are funding targets only because the volume of funding necessary under each of the categories is not known at present and flexibility in allocation between categories may be necessary. In addition, the IMIC recommends that an equal percentage-share of the overall fund be held as a “Flex Fund”, which could be applied to any (or all) of the four project categories as the need arises. This combination of funding targets and a Flex Fund allows flexibility for allocation of funds between categories should more or less money be needed in a particular category to achieve the highest water quality benefits.

3 Types of Projects and Geographic Focus

Grant funding will be provided to implement specific projects in each of the four project categories as summarized below. Grant funding also will prioritize projects in the Klamath Basin area upstream of Upper Klamath Lake to yield greatest proportional water quality benefits.

3.1 Natural Wetlands Restoration

The key goal of natural wetlands restoration is to facilitate improvement in water quality in Upper Klamath Lake, Agency Lake, Keno Reservoir, Klamath Straits Drain, and ultimately the Klamath River by nutrient removal from surface waters through wetland ecosystem processes. The primary means of envisioned wetland restoration is to: (1) reconnect delta areas with Upper Klamath Lake, Agency Lake, Keno Reservoir, and Klamath Straits Drain; and (2) rehabilitate and enhance other existing natural wetlands areas. These reconnections would restore wetland areas and improve water quality by reducing the external loadings of phosphorus and nitrogen to Upper Klamath Lake, Agency Lake, Keno Reservoir, and Klamath Straits Drain. Wetlands restoration also could provide habitat for the endangered Shortnose and Lost River suckers if located in Upper Klamath Lake.

Priority locations for natural wetlands restoration are assumed to include larger (10s to 1,000s of acres) fringe wetlands areas on the margins of Upper Klamath Lake, Agency Lake, Keno Reservoir, and Klamath Straits Drain. Other priority locations for natural wetlands restoration include locations for specific wetlands restoration in the Sprague and Williamson watersheds in the basin above the lake.

3.2 Diffuse Source Treatment Wetlands (DSTWs)

Diffuse Source Treatment Wetlands (DSTWs) are smaller (1 to 10s of acres) constructed or managed wetlands usually located along creeks and canals and in low-lying areas in fields. The goals for DSTWs are generally the same as for other types of wetlands, but the functionality occurs in relatively smaller pockets and has the advantage of providing onsite treatment. DSTWs can effectively reduce nutrient loads downstream and therefore improve water quality through natural water treatment mechanisms, such as uptake by vegetation, microbial processes and sedimentation and filtration (Stillwater et al. 2013). DSTWs also can provide habitats for wildlife, serve as water reservoirs during drought, and buffer storm waters much like natural wetlands. DSTWs are designed to accommodate an estimated amount of stormwater or agricultural tail-water runoff from the landscape, and have been shown to remove nutrients from irrigation ditches and stream networks (Stillwater et al. 2013; Bottcher and Kolden 2014; Creager 2015; Scott 2016).

The Wood River and Sprague River watersheds are identified as priority locations for DSTWs because of their relatively high contribution to Upper Klamath Lake's external nutrient loads and a perceived capacity for additional wetland rehabilitation (Stillwater et al. 2013; Bottcher and Kolden 2014; Creager 2015; Scott 2016). A network of DSTWs would decrease external loading of phosphorus and nitrogen to Upper Klamath and Agency lakes, or any other waterbody downstream of the DSTW, and may help decrease nuisance algal blooms in these waterbodies.

3.3 Riparian Fencing and Grazing Management

Riparian areas include the plant habitats and communities that occur along the margins and banks of streams, rivers, and lakes. In the Upper Klamath Basin, an important objective is to manage and restore riparian corridors along streams that flow into Upper Klamath Lake to reduce sediment loads (and sediment-bound nutrients) in the streams (Stillwater et al. 2013; Upper Klamath Basin Comprehensive Agreement 2014). The naturally eutrophic condition of Upper Klamath Lake is attributed to the natural sediment geology and soils of the Upper Klamath Basin (Walker 2001).

Riparian Fencing and Grazing Management actions can be very effective at managing sediment loads in surface runoff (George et al. 2011; Sarr 2002; Swanson et al. 2015; Wyman et al. 2006). Riparian fencing and grazing management are the central focus of the Upper Klamath Basin Comprehensive Agreement (2014) and the Upper Klamath Basin Watershed Action Plan. Priority locations for specific riparian fencing and grazing management actions include the Sprague River, Williamson River, and Wood River watersheds in the basin upstream of Upper Klamath Lake.

3.4 Irrigation Efficiency and Water Management

Irrigation Efficiency and Water Management projects will be used to manage irrigation and associated return flows along streams and canals that flow into Upper Klamath Lake or the Klamath River to reduce sediment loads, sediment-bound nutrients, and irrigation tailwater⁴ discharges to streams and rivers in the Upper Klamath Basin. Irrigation Efficiency and Water Management projects include: the reduction of irrigation return flow by using wetlands, ponds, and pump-back systems; upgrading irrigation systems to increase the efficiency of irrigated water applications to reduce runoff and irrigation-induced erosion; purchasing of water rights for instream return; and lining or piping delivery systems to reduce water loss and sediment delivery to rivers and streams. Priority locations for specific actions under this project category include irrigated agricultural areas within subbasins of the Upper Klamath Basin, such as the Sprague River, Williamson River, Upper Klamath Lake, Lost River, Upper Klamath East, and Butte Creek.

These irrigation efficiency and water management efforts would contribute to improved water quality in adjacent canals and streams by preventing excessive soil leaching and runoff into local water sources. Water conservation practices that reduce tailwater runoff from irrigated fields can provide extensive improvements in water quality (Shock and Welch 2011; Reclamation 2016). While tailwater reduction can be achieved by re-routing, recycling, and ponding tailwater adjusting irrigation management, scheduling, and monitoring for runoff is perhaps the most cost-effective method of controlling tailwater. Maximum tailwater reductions are likely achieved when irrigation is effectively managed and resulting tailwater is re-routed, recycled, or ponded.

4 Funding Eligibility and Availability

4.1 Eligible and Ineligible Applicants

- Eligible applicants include: non-profit 501(c)(3) organizations, local and municipal governments, resource conservation districts, state and federal agencies, Indian tribes, educational institutions, mutual water companies, irrigation districts, businesses, and unincorporated individuals.
- Ineligible applicants include: any member or organization represented on the Steering Committee⁵; international organizations.
- If you are unsure about your eligibility, please contact OWEB for clarification (see contact information provided below).

4.2 Ineligible Uses of Grant Funds

- Grant funds and matching contributions may not be used to support political advocacy, fundraising, lobbying, litigation, terrorist activities or Foreign Corrupt Practices Act violations.
- Grant funds may not be used to support ongoing efforts to comply with legal requirements, including permit conditions, mitigation and settlement agreements. However, grant funds may be used to support projects that enhance or improve upon existing baseline compliance efforts.
- If you are unsure about grant fund eligibility, please contact OWEB for clarification (see contact information provided below).

⁴ Tailwater is excess run-off from irrigated agricultural fields. When tailwater flows into neighboring waterways, it can increase sediment and nutrient loading.

⁵ The Steering Committee includes several entities (i.e., state and federal agencies, Indian tribes) involved in implementation of Interim Measure 11 of the KHSA. The Steering Committee is tasked with oversight of the PLP implementation process. This includes review and approval of the RFP and resulting solicitations, project selection, oversight of the Fiscal Agent, and completion of any necessary reporting.

4.3 Funding Availability and Match

- Grant awards will range in size from about \$10,000 to \$500,000 per project [adjust these values as appropriate], although more funding could be allocated for projects with large benefits or for multi-year projects that implement annual restoration and/or conservation actions.
- Grants for single projects are typically awarded to projects that can be completed within 3 years [adjust this value as appropriate]. Some larger-scale projects may warrant consecutive multi-year funding requests. These requests will be considered on a year-by-year basis and must describe what will be accomplished during each project phase to qualify for consideration.
- Grants may also be awarded for projects that require annual action such that they provide the greatest benefit if they are performed year after year. These types of projects can receive a “renewable grant” for up to 5 years [adjust this value as appropriate] without formally re-applying through potential future RFPs. Such multi-year “renewable grant” projects will be required to detail the funding requested for each year of the project and explicitly document in their proposal (as further detailed below) the actions that will be implemented during each year of the project as well as the anticipated results from those actions. Applicants desiring to be considered for a “renewable grant” must be explicit about this in their proposal, and annual funding will be provided if the project is selected in the competitive process and continues to be implemented successfully.
- OWEB will not provide reimbursement for any project expenditures prior to the grant award project period and will not be liable for such expenditures. However, grant applicants will be authorized to capture match funding specifically related to the project proposal for a period that is no longer than 1 year [adjust this value as appropriate] prior to the date of submission of the project proposal application to OWEB.
- Projects that demonstrate strong partnerships and that have matching funds from various partners/donors to support the costs of the project being submitted, are strongly encouraged. Projects with matching funds will be viewed as advantageous when grant funding decisions are made. Documented matching funds can include federal or non-federal cash or in-kind contributions (including volunteer labor). Matching funds do not need to be fully secured prior to submitting a grant proposal but should have a demonstrable likelihood of being secured during the project period to assure the project can be completed as proposed.

5 Application Information

This RFP includes a two-step competitive proposal process. In the first step, OWEB will accept pre-proposals for projects by [announced pre-proposal due date/time]. In the second step, OWEB will invite successful pre-proposal applicants to submit a full proposal by [announced full proposal due date/time]. The requested content of pre-proposals and full proposals, and the process for their review and evaluation are summarized below.

5.1 Pre-Proposal

Applicants are requested to complete a short pre-proposal narrative that: (1) provides the title of the proposed project and name of the applicant or proposed project sponsor; (2) specifies which of the four project categories (as described in Section 3) the proposed project addresses; (3) summarizes the purpose, goals, objectives, and expected benefits of the proposed project; (4) summarizes anticipated regulatory permitting/compliance needs; and (5) provides an estimated total cost and time duration for completion of the proposed project. Based on the initial information that will be submitted in the pre-proposal application, applicants may be invited to submit a full proposal to further demonstrate how the proposed project will

benefit water quality in the Klamath River and fulfill the goals of the *KHSA Water Quality Improvements Fund*. If accepted, applicants will need to review the following guidelines for preparing a full proposal.

5.2 Full Proposal: Required Content and Information

Full proposals must provide the information as outlined below. Applicants are encouraged to provide additional information and explanations that would lend further support for potential selection of their proposals. If there are any questions or need for additional clarification, please contact OWEB for clarification (see contact information provided below).

At a minimum, full proposals must provide the following content and information:

1. Title of the proposed project and name of the applicant or proposed project sponsor.
2. The specific project category or categories (as described in Section 3) the proposed project addresses.
3. Description of project purpose and objectives. Provide a description of the purpose, goals, and objectives of the proposed project.
4. Description of expected project benefits. Provide a description of the expected short-term and long-term benefits to water quality from the proposed project. Description of benefits using quantifiable metrics are encouraged. If this project is a continuation or expansion of an existing project, describe the status and results/outcomes achieved to-date.
5. Scope of Work. Provide the proposed scope of work, including the following:
 - a) List and describe the primary tasks and activities that will be conducted for the proposed project. Explain how these tasks or activities address the goals and objectives described above.
 - b) Describe the means and methods by which the scope of work will be accomplished.
 - c) Describe the planning, design/engineering, and permitting necessary for project implementation and how the project team will complete those necessary steps and obtain all relevant permits.
 - d) If private landowner cooperation is necessary, please describe what is needed and the status of that cooperation. Documentation of landowner agreements may be required for a project to receive funding.
 - e) Describe the reporting or documentation to be prepared for the proposed project. Implementation monitoring, including measures based on quantifiable metrics, is encouraged.
 - f) Describe the schedule and duration of the primary tasks and activities for the proposed project. The project schedule should be detailed, describe major project milestones, and identify the planned project implementation period and completion date. If the proposed project will occur over multiple years or can be renewed each year, this should be described in proposal.
6. Project participants and partnerships. Describe the personnel, organizations, or contractors that comprise the project team. List the names of the project manager and other key technical participants and provide their qualifications for involvement in the project. If the project is a cooperative effort with other organizations, list proposed partners and the roles that they will play in accomplishing the scope of work.
7. Estimated budget and requested funding. Provide a detailed budget estimate and funding request for the proposed project as instructed in Section 5.3 below.

5.3 Full Proposal: Required Budget and Funding Information

Full proposals must provide a detailed budget estimate and funding request for the proposed project. There is a standard budget format associated with this RFP based on an MS Excel-based budget template. This MS Excel-based budget template is available for download at [\[insert web link here\]](#).

The project budget needs to be as accurate as possible to the proposed scope of work. Specific tasks necessary to complete the project need to be identified in the budget template. Project costs will need to be broken down according to the following budget categories:

1. Personnel costs. Total costs should be broken down according to the amount of time spent on the project (e.g., hourly, weekly, or monthly rates). Salaries for non-federal government personnel are allowed if they are directed specifically to the proposed project. Funding for salaries for federal government agency personnel is not allowed but can be included as match funds. Other costs such as seasonal assistants, travel time, etc., are eligible. Project work by consultants or other personnel hired specifically for the project should be included in Contractual Services as described below.
2. Travel costs. Specify the purpose or destination for the travel item, unit type, and the quantity of units requested. Do not lump trips together into one amount, rather, itemize by travel category listed.
3. Equipment costs. Equipment is defined as items with a useful life of more than 1 year, a per-unit cost of \$5,000 or more, and that are necessary to complete the project. These items must be identified; however, capital equipment expenditures are highly discouraged and will be thoroughly reviewed for potential alternatives during the competitive review process. Rental of such items should be considered instead. Any equipment less than \$5,000 will be considered supplies and shall be identified in the "Materials and Supplies" category as described below. Supporting documentation should be included (i.e., estimate, website, etc.).
4. Contractor services costs. Contractor services are any agreement issued to a third party to assist with the completion of the project. All work to be completed by the contractor and their rates must be identified.
5. Permitting costs. Estimate funding necessary to complete regulatory permitting and compliance for the proposed project through contractual services or dedicated resources. For estimating these costs, Applicants should refer to Section 6.1 below on the requirements and obligations of fund recipients regarding project-related environmental permitting and compliance.
6. Other Costs – Applicants must detail other specific costs associated with the project that do not appropriately fit within any other budget category, such as printing costs, as Other Costs.

For the detailed budget as developed above, specify the amount requested for the proposed project from the *KHSA Water Quality Improvements Fund*. Indicate what, if any, of the budget would be sought or provided from other funding sources. Specify the amount of the detailed budget, if any, that can or will be provided by other matching funds from partners or donors. Documented match can include federal or non-federal cash or in-kind contributions (including volunteer labor). As described in Section 4.3, although matching funds are optional, projects with matching funds will be given higher priority consideration.

6 Contractual Requirements

If selected, applicants will be required to enter into a funding agreement or contract with OWEB. Specific contractual requirements are discussed below. If there are any questions or need for additional clarification, please contact OWEB for clarification (see contact information provided below).

6.1 Compliance with Applicable Environmental Laws and Regulations

Successful applicants (referred to as grant recipients in the following excerpts) with projects selected for funding from the *KHSA Water Quality Improvements Fund* will need to comply with the applicable environmental laws and regulations prior to project commencement. Applicants should budget the necessary time and resources to obtain the services necessary or otherwise perform the environmental compliance processes. Successful applicants will be expected to provide a plan of how the project expects to complete the environmental compliance process (i.e., through contractual services or dedicated resources) and when the project expects to receive or if it has received all necessary permits and clearances to comply with applicable state, Federal, and local environmental, cultural, and paleontological resource protection laws and regulations. These environmental compliance processes may include, but are not limited to, the National Environmental Protection Act (NEPA), Clean Water Act (CWA), Endangered Species Act (ESA), and the National Historic Preservation Act (NHPA).

It is the sole responsibility of the grant recipient to obtain services or dedicate appropriate resources to ensure appropriate environmental compliance is completed. The grant recipient will coordinate with OWEB to ensure proper environmental compliance is completed. The grant recipient shall provide to OWEB evidence that all applicable federal, state and local permits for work to be performed are obtained. During on-the-ground project implementation, the grant recipient will comply with all permit requirements, and take all reasonable measures to avoid or minimize impacts to water quality or quantity, habitats, biota, and other sensitive environmental resources.

6.2 Insurance Requirements

Grant recipients will be required to provide certificates of insurance identifying OWEB as additional insured and meeting the coverage limits below. Applicants are strongly encouraged to review the minimum insurance requirements below prior to submitting a proposal; inability to meet these requirements can prevent or delay contracting and release of funds to successful applicants.

OWEB has two types of insurance requirements: (1) general insurance requirements; and (2) specialized insurance requirements. General insurance includes standard liability and worker's compensation coverage requirements, which are considered best practices for organizations conducting activities typically implemented by OWEB Grantees. Specialized insurance refers to additional coverage types and amounts for special or expert operations and activities, which may be required depending on the scope of the proposed project.

[Insurance requirements below are examples only for purposes of this RFP template, and are subject to change]

6.2.1 General Insurance Requirements

The general insurance requirements apply to all Grantees receiving construction, restoration, technical design, and assessment or monitoring project funds from OWEB. In addition, Grantees must ensure all contractors and consultants hired under these projects to complete construction, restoration, technical design, assessment, or monitoring activities will also carry the general insurance types and amounts described below.

The general insurance requirements include the types and amounts as follows:

1. Worker's Compensation: Statutory
2. Commercial General Liability: The most recently approved ISO policy, or its equivalent, written on an Occurrence Basis, with limits not less than \$1,000,000 per occurrence/\$2,000,000 general aggregate (on a per location and/or per job basis) Bodily Injury and Property Damage

3. **Business Automobile Liability:** The most recently approved ISO policy, or its equivalent, with a minimum single limit of \$1,000,000 for bodily injury and property damage including Sudden and Accidental Pollution Liability as appropriate, with respect to Contractor’s vehicles whether owned, hired or non-owned, assigned to or used in the performance of the Services.

The general insurance requirements do not apply to contractors engaged in the following types of activities: facilitation, data analysis, and website design. Contractor insurance limits do not apply to landowners when the Grantee is contracting with the landowner to perform work on the landowner’s property.

6.2.2 Specialized Insurance Requirements

Specialized insurance types and coverages (Table 1) may be required depending on the scope of the proposed project. If required, Grantees may purchase these specialized types of insurance as a rider to an organization’s existing commercial general liability policy or as a supplemental stand-alone policy. See Section 6.2.3 for detail regarding how to determine the necessary coverages.

Table 1. Specialized Insurance Requirements

Insurance/Project Type	Minimum Amount	When Required
Pesticide or herbicide applicator coverage*	\$250,000 per occurrence, \$500,000 aggregate	All projects that involve applying pesticide and/or herbicides.
Abuse or Molestation Coverage*	\$100,000 per occurrence and \$300,000 aggregate	All projects when Grantee employees or volunteers for the grantee are working with children.
Transporting volunteers on water*	Should be explicitly called out as covered under the commercial general liability policy.	When the Grantee transports stakeholders on the water as a part of the grant.
Professional liability	\$500,000 per occurrence with \$1,000,000 aggregate	All projects when Grantee employees have a professional license and are doing work that falls under that license.
Aircraft Aerial Application Liability	\$1,000,000 combined single limit.	All projects that include aerial application of pesticides or herbicides.
Earth moving work around the footprint of a well	See Section 6.2.3	Risk Assessment Required – See Section 6.2.3
Working with hazardous materials (not including materials used in the normal operation of equipment such as hydraulic fluid)	See Section 6.2.3	Risk Assessment Required – See Section 6.2.3
Removal or alteration of structures that hold back water on land or instream including dams, levees, dikes, tide gates, and other water control devices (this does not include temporary diversion dams used solely to divert water for irrigation)	See Section 6.2.3	Risk Assessment Required – See Section 6.2.3
Source: Table adapted from OWEB <i>Budget Categories: Definitions and Policies, Appendix 5: OWEB Insurance Requirements</i> pg 25. Version December 17, 2018. Available online: https://www.oregon.gov/oweb/Documents/Budget-Categories-Definitions.pdf		

6.2.3 Process to Determine the Insurance Amount

An organization applying for a project that includes a requirement for specialized insurance coverage will have to upload a completed Risk Assessment Tool with the application. The link is at:

<https://www.oregon.gov/das/Risk/Pages/CntrctrInsReq.aspx>.

Once on this page, click the link “Services and goods contracts and grant agreements.” The link provides a spreadsheet with several tabs; please read the “Instructions” tab first. This tool is not a perfect fit for the types of projects being developed; however, the questions raised in the tool will help the applicant and OWEB determine the potential level of risk the project carries and any additional insurance requirements.

If the completed Risk Assessment Tool shows no additional insurance needed beyond standard insurance requirements, then no additional documentation or action is needed; however, if additional insurance types or coverage amounts are needed, then the Grant Agreement will reference the additionally required insurance if the application is awarded.

In either case, the applicant will fill out the Risk Assessment Tool and sign it to document their understanding of the insurance that may be necessary for the project. If the project is awarded, the applicant must acquire any required additional insurance to comply with the Grant Agreement.

6.2.4 Indemnity

Subject to the limitations of the Oregon Tort Claims Act (ORS 30.260 - 30.300), Grantee will defend (subject to any limitation imposed by ORS Chapter 180), save, hold harmless, and indemnify the State of Oregon and OWEB and their officers, employees and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Grantee or its officers, employees, contractors, or agents in the implementation of projects by the Grantee.

7 Project Selection and Proposal Evaluation

Pre-proposals and full proposals will be reviewed and evaluated by a Steering Committee, which is tasked with oversight of the PLP implementation process. The Steering Committee is made up of members from each of the following organizations or other organizations with management roles in the Upper Klamath Basin: ODEQ, State Water Board, Regional Water Board, Karuk Tribe, The Klamath Tribes, Yurok Tribe, U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, Oregon Department of Fish and Wildlife, U.S. Bureau of Reclamation, and Oregon Water Resources Department. **[This list of Steering Committee member organizations will be revised once the Steering Committee has been established.]**

Proposals will be evaluated according to their ability to meet the evaluation criteria, and the adequacy and clarity of application information. Applicants are encouraged to review *Development of a Priority List of Projects: Phase 2 Report* (CH2M 2018) for detailed information on project categories, including associated goals and objectives; recommended priority locations; suggested design features and elements; assumed capabilities and effectiveness; potential uncertainties; project-related cost information; and information sources. *Development of a Priority List of Projects: Phase 2 Report* (CH2M 2018) is available for download at **[web link here]**.

7.1 Proposal Evaluation Criteria

Proposals will be evaluated based on the following criteria covering the topics of technical merit, cost effectiveness, permitting and compliance, organization qualifications, and community and partner involvement.

7.1.1 Technical Merit

The proposal’s technical merit will be evaluated on how thoroughly and effectively the proposal:

- Presents a clear discussion about the project benefits, including the quality and quantity of benefits, the sustainability (likely duration) of benefits, and estimated level of uncertainty that benefits will be realized.

- Describes how this specific project fits into water quality management in the larger Klamath Basin, including interconnection and integration with other existing plans and programs. Such plans include but are not limited to the Upper Klamath Basin Watershed Action Plan, the Upper Klamath Basin Comprehensive Agreement, and the Klamath Basin Integrated Fisheries Restoration and Monitoring Plan.
- Describes and explains project objectives, approach, and scope of work that are clear and technically sound.
- Describes the project deliverables and estimated timeline.
- Describes how reporting of the project milestones and implementation monitoring will occur during the project until its completion.

7.1.2 Cost Effectiveness

The proposal's cost effectiveness will be evaluated on how thoroughly and effectively the proposal:

- Presents an estimated budget with labor and expense costs for primary tasks that match the proposed scope of work.
- Provides rationale and statements on the benefits and values of any matching funds.

7.1.3 Permitting and Compliance

The proposal's handling of permitting and compliance will be evaluated on how thoroughly and effectively the proposal:

- Describes necessary permitting and environmental approvals, timelines, and compliance required to implement and complete the proposed project.
- Provides associated effort and costs to obtain necessary permits and approvals as required.

7.1.4 Organization Qualifications

The qualifications of proposal applicants and sponsors will be evaluated on how thoroughly and effectively the proposal:

- Demonstrates the organization's relevant experience and past performances with this type of project.
- Describes the qualifications and experience of the key staff assigned to the project (e.g., project manager, principal investigator(s), and other professionals).
- Defines and justifies the roles and responsibilities of the key staff assigned to the project.

7.1.5 Community and Partner Involvement

The proposal's community and partner involvement will be evaluated on how thoroughly and effectively the proposal:

- Describes partnerships with private landowners (if applicable) and provide documentation that the landowners are willing to provide access and agree to the work done on their property.
- Demonstrates local area stakeholder support for the project (e.g., number, diversity of partners, matching funds, contact information and /letters demonstrating involvement and/or support).
- Describes additional project scope assistance from other partner or stakeholder funding sources, such as matches additional funding or in-kind services from Federal, foundation, or private sources.
- Provides for technology sharing or public education opportunities.

7.2 Proposal Evaluation Scoring

Proposals will be evaluated and awarded based on assigning scores to the proposal evaluation criteria described above. Points will be assigned based on how well the proposal addresses the criteria within each of the topics (i.e., technical merit, cost effectiveness, permitting and compliance, organization qualifications, and community and partner involvement). The maximum number of points among the topics varies in a manner that reflects the relative priority or weighting given to the topics by the IMIC for project selection purposes (Table 2). The resulting sum of points will provide an aggregate total score for use in recommending project award decisions.

Table 2. Maximum Number of Points for Proposal Evaluation Criteria

Proposal Evaluation Criteria	Maximum Number of Points
Technical Merit	7
Cost Effectiveness	5
Permitting and Compliance	2
Organization Qualifications	3
Community and Partner Involvement	3
Possible Total	20

7.3 Proposal Submission and Evaluation Milestones

Dates of activities are subject to change. **[Dates are examples only for purposes of this RFP template]**

- ✓ Applicant Webinar *May 8, 20xx, 10:00 am Pacific*
- ✓ Pre-Proposal Due Date *June 1, 20xx, 2:00 pm Pacific*
- ✓ Invitations for Full Proposals Sent *July 20, 20xx*
- ✓ Full Proposal Due Date *August 17, 20xx, 2:00 pm Pacific*
- ✓ Review Period *September-October 20xx*
- ✓ Awards Announced *December 20xx*

8 Application Instructions

All pre-proposal and full proposal application materials must be submitted in adherence to the following instructions:

[OWEB will insert any specific instructions here, such as online system, proposal format requirements, proposal page limits, etc.]

All pre-proposal applications must be received by **[insert specific due date here]**. Please note that extensions will not be granted. Applicants will be notified of the status of their pre-proposals by **[insert specific due date here]**. If invited to submit a full proposal, the due date will be **[insert specific due date here]**. Applicants will be notified of the status of their full proposals by **[insert specific due date here]**.

OWEB reserves the right to award or not award a grant to any applicant, and OWEB may withdraw this RFP at any time without notice. Once submitted, application materials become the sole property of OWEB and will not be returned.

During the proposal review process, the Steering Committee may request applicants revise their proposals or provide additional details on a specific topic. Applicants who do not respond to these requests and do not complete requested revisions may be removed from further consideration for funding.

For more information or questions about this RFP, please contact the appropriate OWEB staff as follows:

[OWEB will insert appropriate contact information here]

9 References

[To be completed as RFP is further developed and finalized]

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