City of New Braunfels

SOLICITATION, OFFER AND AWARD

City of New Braunfels
Purchasing
424 S. Castell Avenue
New Braunfels, Texas 78130

Solicitation No. 12-033 Sediment Island Removal	☐ Invitation for Bid (IFB) ☒ Request for Proposal (RFP)	Date Issued: August 31, 2012

SOLICITATION

Page 1 of 28 Pages

Proposers must submit sealed proposals in triplicate signed original and one CD for furnishing the services identified in the Schedule. Proposals will be received at the office of the City Secretary at the address shown above until: 10:00 a.m. on September 20, 2012 Proposals received after the time and date set for submission will be returned unopened.

For Information Call: Mary Quinones (NO collect calls, Telegraphic, Email, On-Line or Fax offers accepted)	Phone No.: (830) 221-4389 Email mquinones@nbtexas.org	Fax No.: (830) 608-2112

5% Proposal Bond Required: ☐ YES ☒ NO (If YES, See Para 4(d) of Terms and Conditions)

100% Performance Bond Required: ☐ YES ☒ NO (If YES, See Para 4(d) of Terms and Conditions)

OFFER (Must be fully completed by offeror)

Offeror's State of Residence: Texas (See Para. 6(f) of Terms and Conditions)

Pre-Proposal Conference on September 11. 2012 at 10:00 am. in Parks Admin Office. 100 Golf Course Rd. New Braunfels. TX 78130.

Prompt Payment Terms: ___% Discount if paid within ___ days.

In compliance with the above, the undersigned offers and agrees to furnish any or all items or services awarded at the prices stipulated for each item delivered to the designated point(s) and within the time specified herein. Award shall include all solicitation documents and attachments.

FOR INFORMATION, CONTACT THE PERSON ABOVE.

MANUALLY SIGN ALL COPIES SUBMITTED. SIGNATURE IS MANDATORY.

Submit Signed Offers in Triplicate Original	Proposer E-Mail Address: jimmyowens@dmowens.com
Name And Address of Offeror: D+M OWENS Inc. PO Box 311353 New Braunfels, Tx 78131	Name and Title of Person Authorized to Sign Offer (Type or Print): JAMES A. OWENS President
Signature: James A. Owens	Date: 9/10/2012
Phone No.: 830-625-7205	Fax No.: 830-625-4006

Name, Address and Telephone No. of Person authorized to conduct negotiations on behalf of Offeror (Applies to Request for Proposal only)	

AWARD (To be Completed by CITY)

Contract # NB13-005	Awarded as to item(s): All Items	Contract Amount: $64,988.98
Vendor Code #: 0000199		Delivery Date or Term of Contract: July 31, 2013

Remarks: This contract inforporates the RFP, attachments and Contractor's response.

This contract issued pursuant to award made by City Council. Date: November 12, 2012 Agenda Item No.: 4H

Important: Award may be made on this form or by other authorized official written notice.

Michael Morrison
City Manager

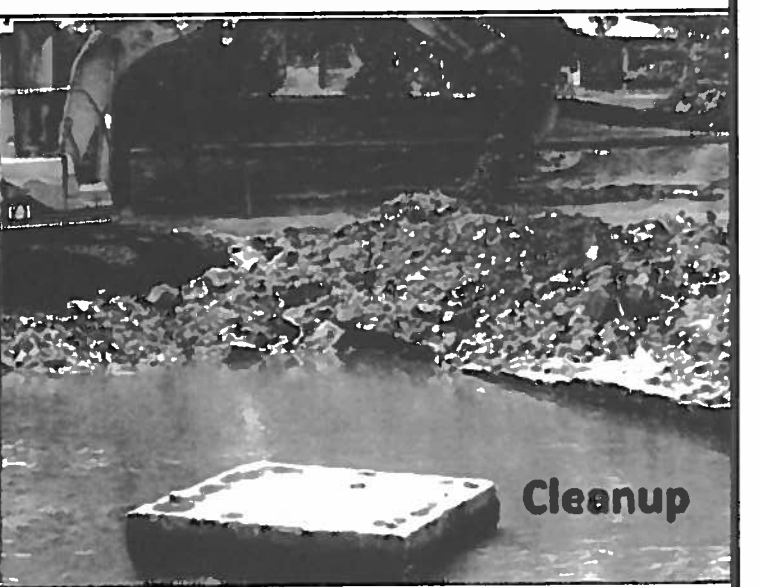
12/8/12
DATE

D & M
SITE WORK • EXCAVATION
OWENS INC.
EST. 1972

PROPOSAL - Solicitation # 12-033
Sediment Island Removal
New Braunfels, Texas

Prepared for:

City of New Braunfels
Purchasing
424 S. Castell Ave.
New Braunfels, Texas 78130



Prepared by:
D&M Owens, Inc.
872 Hwy 46 South
New Braunfels, Texas 78130

September 2012

D & M
SITE WORK • EXCAVATION
OWENS INC.
EST. 1972

PO BOX 311353
NEW BRAUNFELS, TX. 78131
OFFICE:: 830-625-7205
FAX:: 830-625-4006

We are pleased to submit our proposal for the Sediment Island Removal – Solicitation No. 12-033 for the City of New Braunfels.

We look forward to working with you on this project.

Thank you

James A. Owens

James A. Owens

President

City of New Braunfels

SOLICITATION, OFFER AND AWARD

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Submit Signed Offers in Triplicate Original	Proposer E-Mail Address: jimmyowens@dmowens.com
Name And Address of Offeror: D+M OWENS INC. PO Box 311353 New Braunfels, TX 78131	Name and Title of Person Authorized to Sign Offer (Type or Print): JAMES A. OWENS President
Signature: James A. Owens Date: 9/18/2012	Phone No.: 830-625-7205 Fax No.: 830-625-4006
Name, Address and Telephone No. of Person authorized to conduct negotiations on behalf of Offeror (Applies to Request for Proposal only)	

AWARD (To be Completed by CITY)

Contract #	Awarded as to item(s):	Contract Amount:
Vendor Code #:		Delivery Date or Term of Contract:

Remarks:

This contract issued pursuant to award made by City Council Date: Agenda Item No.:

Important: Award may be made on this form or by other authorized official written notice.

_____ DATE

II. Executive summary

As is evident in the attached proposal, D&M Owens, Inc. has assembled a project team with extensive experience regarding sediment removal techniques coupled with technical expertise of the ecology of the Comal Springs/River Ecosystem. To accomplish this project, D&M has enlisted the assistance of 1) BIO-WEST to assist with environmental compliance and endangered species expertise, 2) Dr. Robert Doyle of Baylor University to assist with aquatic vegetation restoration, and 3) Mr. Tim Osting of RPS Espey to assist with hydraulic modeling and design. Coupled together, the D&M project team is perfectly suited for assisting the City of New Braunfels with developing and implementing a plan for removing the sediment island and subsequent aquatic vegetation restoration in the Old Channel of the Comal River. Factors that set the D&M study team apart from the competition include:

- 30 plus years of local experience and presence in the New Braunfels community with extensive experience in sediment removal techniques with specific experience in the Comal River. Having a local presence means an increased familiarity with the system, reduced travel expenditures, and ability to mobilize quickly for necessary fieldwork.
- An extensive knowledge of the aquatic biota and ecological relationships of the Comal River/Springs Ecosystem. BIO-WEST fisheries biologists have been conducting continuous monitoring and research related to the endangered species in the Comal System (including the Old Channel) for over 12 years. As a result, study team biologists are acutely familiar with the endangered species and associated habitat within the project area.
- Dr. Robert Doyle of Baylor University is the foremost expert in aquatic vegetation restoration in the Comal and San Marcos rivers. Dr. Doyle and his students have worked in the Comal system since the 1990s with the majority of the aquatic vegetation they restored still present in the system today.
- BIO-WEST has all the necessary federal and state endangered species permits to begin this work immediately upon award.
- Unparalleled scientific integrity. BIO-WEST and Dr. Doyle have worked for and with a wide range of clients and the firm maintains strong working relationships with both state and Federal resource agency personnel, along with stakeholders. Both, Dr. Doyle and Mr. Oborny are active members of the Southern Edwards Aquifer Species Recovery Team.

The D&M project team is pleased to submit this proposal and cost estimate to the City of New Braunfels. It will become evident as you explore this proposal that project team personnel have extensive experience and expertise in sediment removal and working in the Comal River System with endangered species and their habitat. Examples of relevant experience are included as is a brief overview of the proposed technical approach. Information on key team members is included and costs are summarized in the proposal pricing.

III. DEGREE OF COMPLIANCE

All services quoted in this proposal are in full accord with the general requirements of the RFP (12-033). The D&M Owens project team has all the resources necessary to perform the services outlined in the RFP.

IV. PROPOSAL PRICING

The total costs for the Sediment Island Removal project as described in RFP (12-033) and consistent with the level of effort and intent of the approved EARIP workplan is $64,989. A detailed cost breakdown is presented below.

		RFP - 12-033 Sediment Island Removal				
Position	Rate	Project Management, Design and Planning (Task 1)	Sediment Island Removal and Environmental Oversight (Task 2)	Aquatic Vegetation restoration (Task 3)	Total Hours	Cost
Principal	136.23	24	36	32	92	$ 12,533.16
Senior Engineer	145.73	8		4	12	$ 1,748.76
Senior Researcher	105.18	16	4	48	68	$ 7,152.24
Senior Ecologist	92.34			48	48	$ 4,432.32
Biologist	87.80		8		8	$ 702.40
Aquatic Technician	59.03	12	84	48	144	$ 8,500.32
Technician I	43.27		124	96	220	$ 9,519.40
Technician II	26.42		164		164	$ 4,332.88
Total Labor		60	420	276	756	48,921.48
TRAVEL						
Per diem		50	1,150	1,650		$ 2,850.00
Mileage ($.555 per mile)	0.555	500	1,250	1,750	3500	$ 1,942.50
Total Travel						$ 4,792.50
OTHER DIRECT COSTS:						
Equipment			7,500	750		$ 8,250.00
Supplies			2,250	500		$ 2,750.00
Phone / Fax / Copies		75	125	75		$ 275.00
Total Other Direct Costs		$ 75	$ 9,875	$ 1,325		$ 11,275.00
Total Estimated Cost					Total	$ 64,988.98
	Subtasks	7,229.10	32,403.03	25,356.85		
	TASKS		$64,988.98			

The costs have been divided into three primary tasks including 1) Project Management, Design and Planning, 2) Sediment Island Removal and Environmental Oversight, and 3) Aquatic Vegetation restoration. Task 1 includes developing the proposed work approach to be submitted to the City of New Braunfels by March 1, 2013. Additionally, this task includes monthly progress reports as specified in the RFP. Task 2 includes the necessary pre-removal environmental activities followed by island removal conducted in accordance with environmental oversight. Task 3 involves the re-vegetation of the immediate project area with native aquatic vegetation important to the fountain darter. Additional details are provided in the General Methodology discussion in the next section.

V. DESCRIPTIVE LITERATURE

PROJECT TEAM

D&M Owens, Inc. will be the Prime contractor and has been in the construction industry for over thirty eight years. Established by David Owens Sr. and wife Mary in 1972, D&M was soon known in New Braunfels and the surrounding areas for their quality workmanship and excellent reputation. D&M Owens, Inc. specializes in a wide variety of commercial and residential construction services. Which include site work, excavation, detention and sedimentation ponds, underground storm drainage systems, asphalt paving, concrete curbing, and flat work. D&M is equipped with a Topcon HiPerlite GPS System which ensures the accuracy of elevations and jobsite layout as per engineered plan specifications. D&M has the equipment and personnel to handle a wide range of construction projects. D&M now employs approximately twenty five employees. We believe that the keys to success are strong faith, determination, honesty, and family support.

BIO-WEST, Inc.

BIO-WEST, Inc. is a multi-discipline, environmental consulting firm with a permanent core staff of senior level scientists and an experienced support staff. Established in 1976, BIO-WEST conducts research, inventories, and assessments of natural resource systems throughout the United States. The firm is a leader in environmental consulting and problem solving, and has earned a widely acknowledged reputation for providing objective, credible services and superior products to a wide variety of agencies, organizations, and private clients. BIO-WEST strives to maintain an outstanding reputation for fisheries, aquatic vegetation, and endangered species investigations throughout the United States. BIO-WEST has extensive knowledge of the aquatic biota and ecological relationships of the Comal River/Springs ecosystem as they have conducted continuous monitoring and research related to the endangered species in the Comal System for over 12 years. This includes extensive work in the Old Channel and immediate project area. Finally, BIO-WEST has all state and federal endangered species permits necessary to conduct this work upon award.

Additionally, D&M Owens has enlisted the services of Dr. Robert Doyle of Baylor University who is the foremost expert in aquatic vegetation restoration in the Comal River and Mr. Tim Osting (RPS-Espey Consultants) who specializes in 2-D hydraulic modeling associated with designing environmental restorations projects. BIO-WEST has worked in close association with both professionals for many years and continues to be impressed by their dedication to the resources of the Comal system. Specific information highlighting these key team members experience and experience are provided in the Key Team Members section below and attached resumes.

GENERAL METHODOLOGY

As shown in the cost estimate, the project has been divided into three primary tasks including 1) Project Management, Design and Planning, 2) Sediment Island Removal and Environmental Oversight, and 3) Aquatic Vegetation restoration.

For Task 1, the D&M project team will complete an assessment for the removal of the in-channel sediment island and stands of giant cane (*Arundo donax*). Additionally, the project team will complete a plan for re-vegetating targeted in-stream areas. Both efforts will be combined into a proposed work approach to be submitted to the City of New Braunfels by March 1, 2013. Additionally, this task includes monthly progress reports as specified in the RFP. It is understood that prior to removal activities, D&M will have to obtain a Texas Parks and Wildlife Sand and Gravel permit, as well as the appropriate City permits to conduct these activities. It is also acknowledged that the work will be conducted under the Nation-wide permit for the HCP.

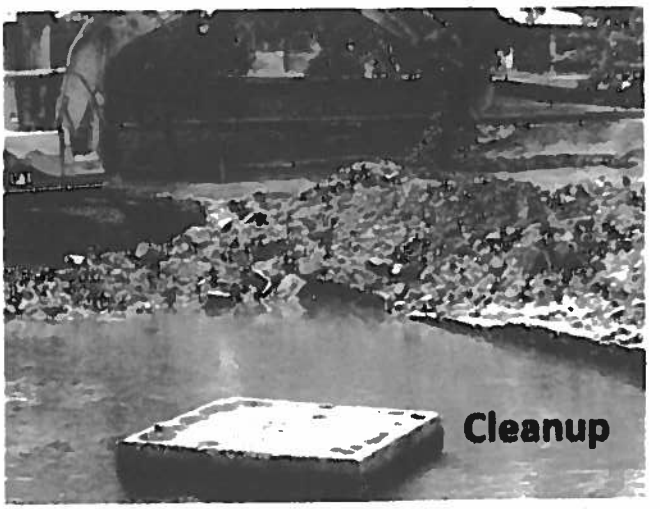
Task 2 will involve the removal of the sediment island along with environmental oversight. It is understood that this Task is linked to two other HCP work items including Old Channel culvert repair (slated for completion by April 2013) and bank stabilization (slated for completion by June 2013), both of which are being completed under separate contracts. As such, the schedule for Task 2 will be flexible to allow for the coordination and prior completion of those activities, with every attempt to complete the sediment island removal by the end of June 2013.

It is anticipated that prior to island removal all non-native vegetation (*Hygrophila*) will be removed from areas within 2 meters of the island. Subsequent to the vegetation removal, and prior to any construction activity each day, a sweep of the area by permitted biologists using appropriate equipment/techniques will be conducted to remove any remaining fountain darters from the immediate project area. The use of retaining structures such as containment booms, aquatic silt curtains, and/or fencing to collect floating cane will be installed as deemed necessary. D&M proposes to remove the sediment island using a long reach excavator with skid steers. To do this D&M will use a GPS to set up control points and boundaries of the area to be excavated and disposed of. D&M will install silt fencing around all control areas and use construction fencing around all land area involved with the project to secure the area. During island and cane removal, a permitted biologist will be on-site at all times to ensure the proper removal of cane as well as to minimize any impact to fountain darters. The island sediment will be placed in a dewatering station and the spoils will be hauled offsite to an approved disposal area. D&M will then repair all bank and surface area that was impacted by equipment and dewatering areas.

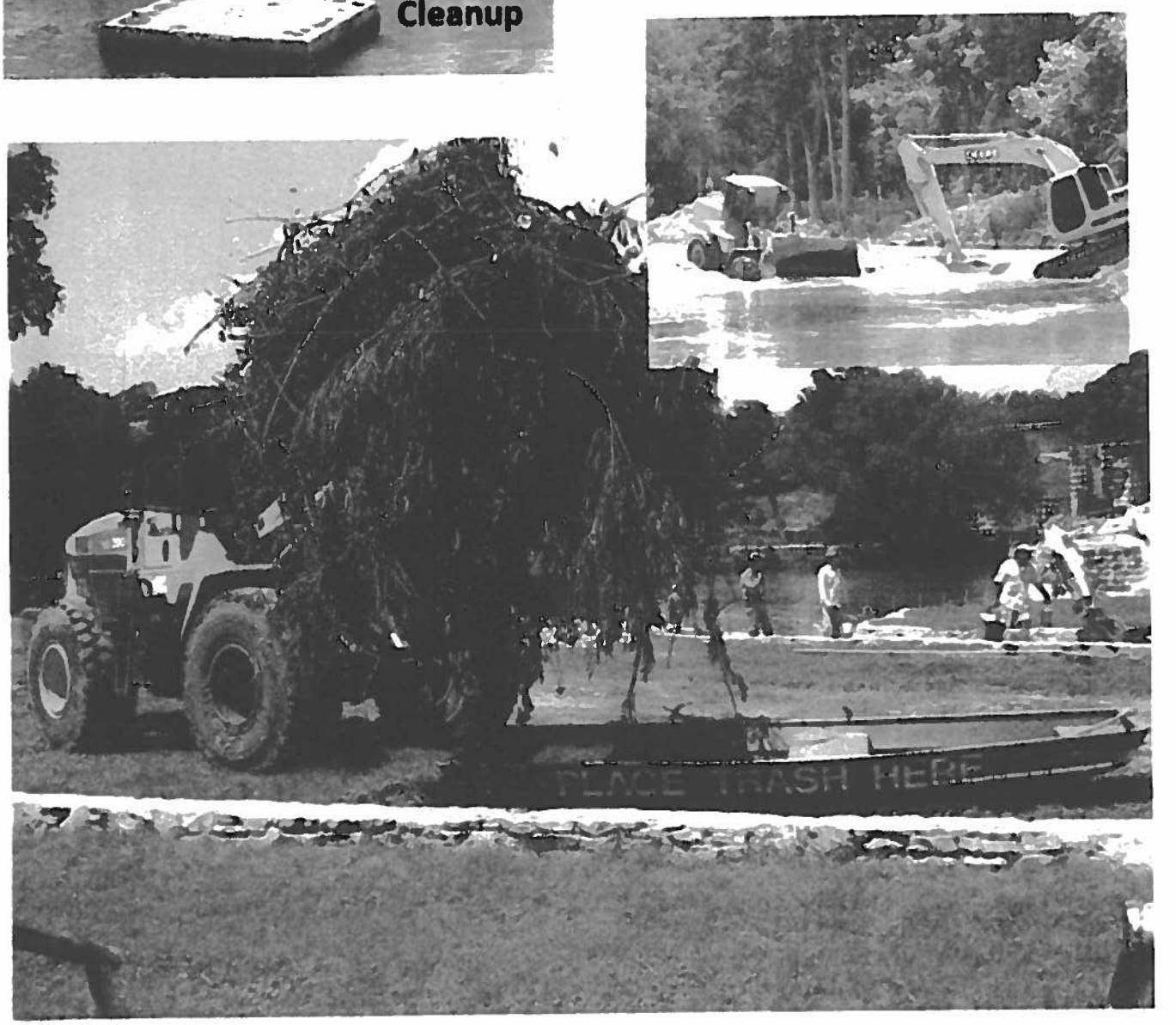
Task 3 involves in-stream vegetation replacement of the immediate project area with native aquatic vegetation important to the fountain darter. All revegetation efforts will be consistent with the goals presented in Chapter 4 (Table 4.6) of the HCP. As BIO-WEST wrote this chapter of the HCP, they are thoroughly familiar with the aquatic vegetation restoration goals for the Old Channel. The source of the plants for revegetation will be from Landa Lake to the degree practicable. If necessary, additional plants will be obtained from the USFWS National Fish Hatchery and Technology Center. The schedule for revegetation is dependent on the completion of Task 2, but is anticipated to be completed within one month from Task 2 completion.

VI. CONTRACTOR BACKGROUND INFORMATION

City of New Braunfels – June 2010 Flood Cleanup



D&M Owens conducted cleanup activities for the City of New Braunfels in the Comal River and spring runs following the June 2010 flood. Areas included the Comal River, Cypress Bend Park, Warnecke Chute excavation, street clean up and debris removal from Rio, Fair Lane and Sleepy Hollow. Additionally, D&M Owens has done numerous jobs for the City of New Braunfels including concrete and asphalt work, miscellaneous work at the City Parks and throughout the New Braunfels area.



Guadalupe-Blanco River Authority

D&M Owens has provided all aspects of work for GBRA including demo work, debris removal, site excavation, Hydro dam repair, as well as concrete work.

Comal and San Marcos Springs Variable Flow Monitoring Program (2001 to Present)

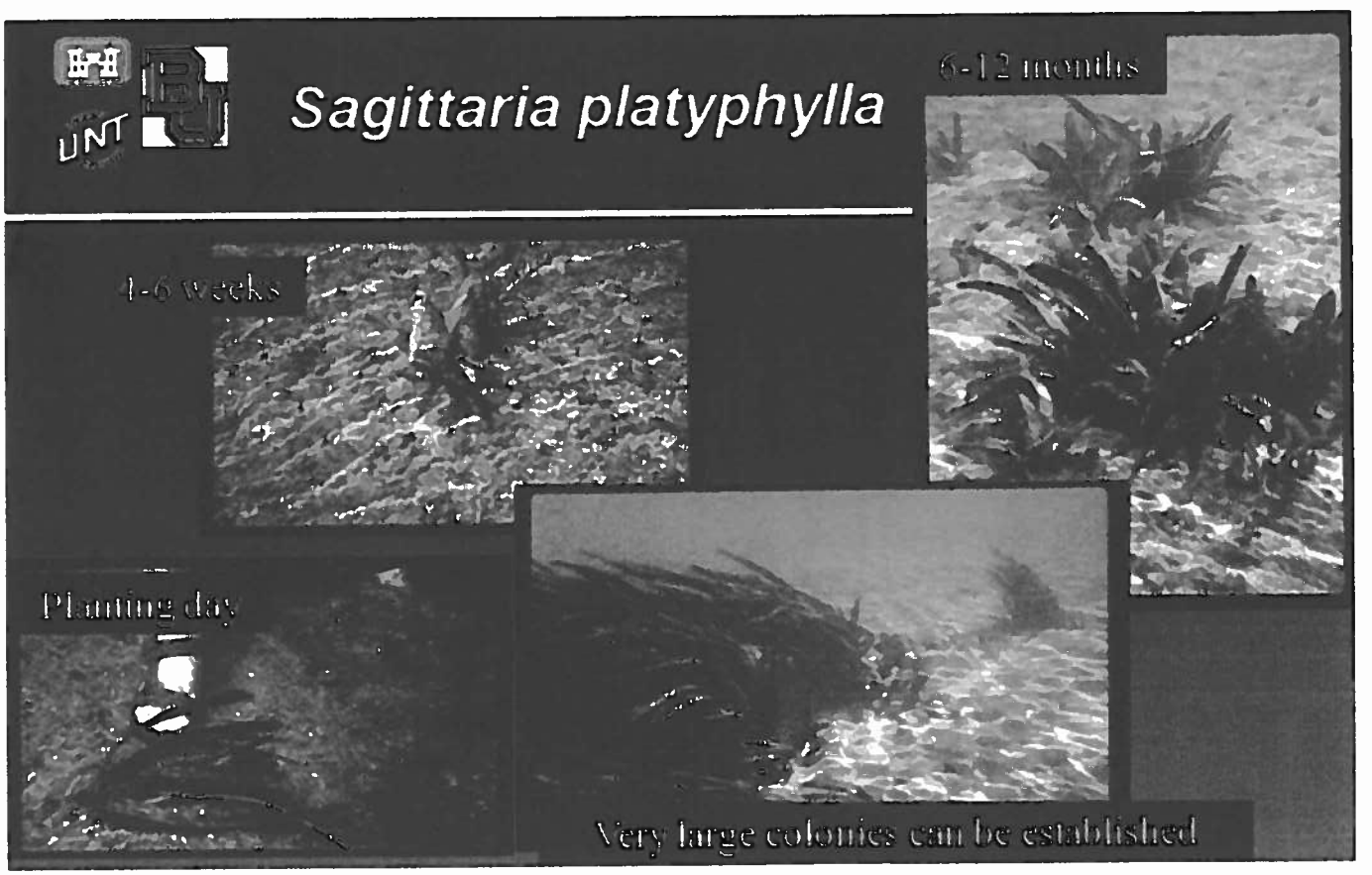
Beginning in 2001, BIO-WEST contracted with the Edwards Aquifer Authority (EAA) to conduct a multi-year applied research effort with the goal of augmenting the available data on population dynamics of threatened and endangered species in the San Marcos and Comal Rivers/Spring Ecosystems and its relationship to springflow. Over the past 12 years, BIO-WEST biologists have collected and analyzed data on a variety of components within these systems including: exotic species, water quality, aquatic vegetation, Texas wild-rice, fountain darters, salamanders, and invertebrates.

This study incorporates regular quarterly sampling in several locations in the two systems, with flow dependent sampling conducted when the discharge in one or both of the rivers falls below or rises above specified "trigger" levels. The primary goal is to establish baseline data for each of the endangered species' populations and track habitat usage and population dynamics as spring flow decreases during drought conditions. Specialized techniques such as drop netting, drift netting, in-situ water temperature loggers, and SCUBA surveys, are being used to sample these unique ecosystems.

Through this extensive multi-component monitoring program BIO-WEST personnel have become very familiar with the Comal River/Springs Ecosystem (in particular the Old Channel and immediate project area) and the ecological interactions which influence endangered species and their habitat.

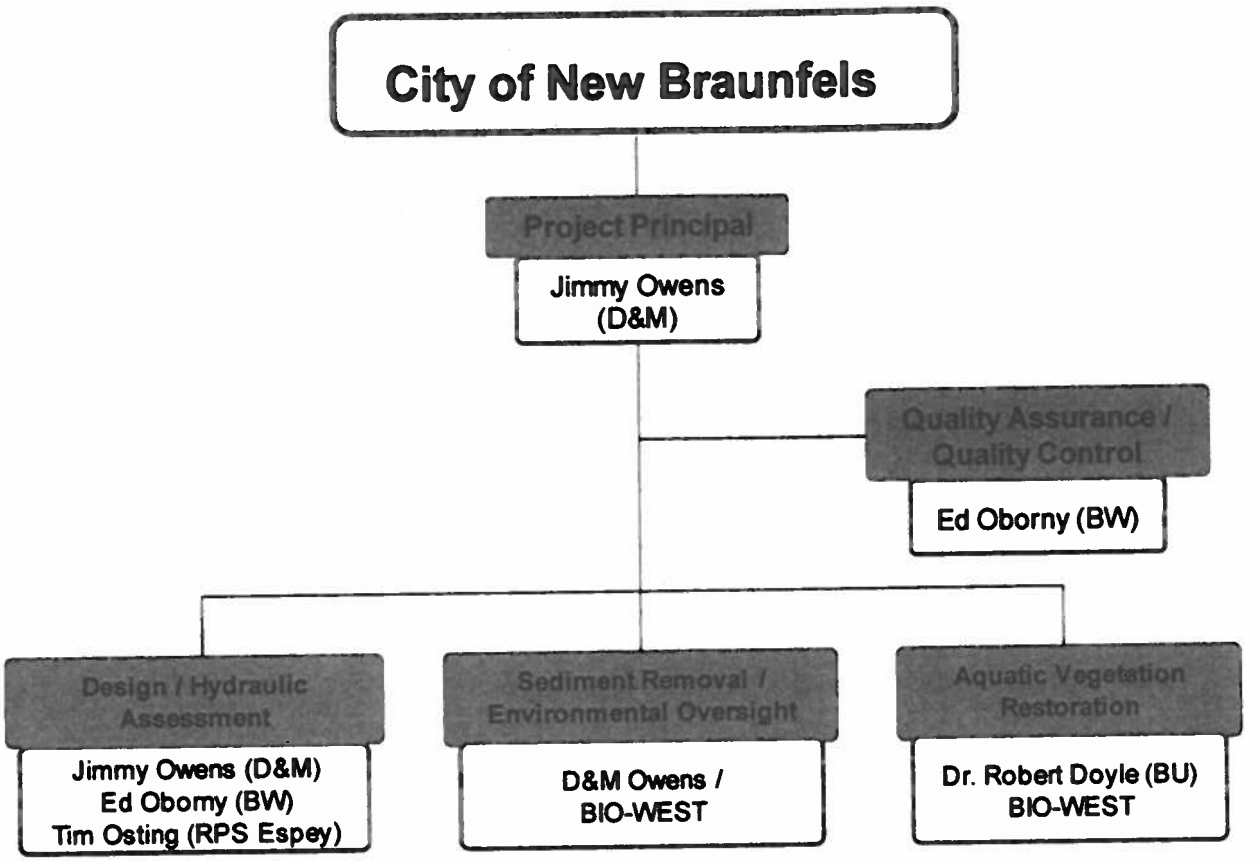
Comal River Aquatic Vegetation Restoration (1997 to Present)

In 1997, Dr. Robert Doyle was invited by the USFWS to visit the Comal River and provide expert opinion on the die-off of native plants in the Comal River. At the time there was widespread concern about Marisa snail damage to native plants. From that initial visit, a contract from USFWS was obtained that resulted in mapping the aquatic plant communities of both the Comal and San Marcos rivers - a task which resulted in complete vegetation maps of both rivers for 1998, 1999 and 2000. While working at the US Army Corps of Engineer's Waterways Experiment Station and University of North Texas, Dr. Doyle conducted applied research focused on investigating and developing novel ideas about native plant community restoration and enhancement. Contracted through the USFWS, Dr. Doyle conducted numerous experimental plantings of native species in both the Comal and San Marcos River.



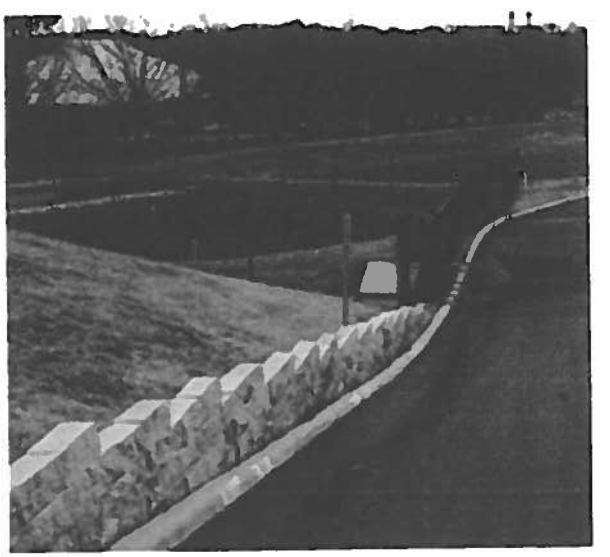
As the Director for the Center for Reservoir and Aquatic Systems Research at Baylor University, one of Dr. Doyle's key duties is mentoring graduate students who are evaluating new and exciting techniques for establishing native aquatic plant species in spring-fed ecosystems.

ORGANIZATIONAL CHART



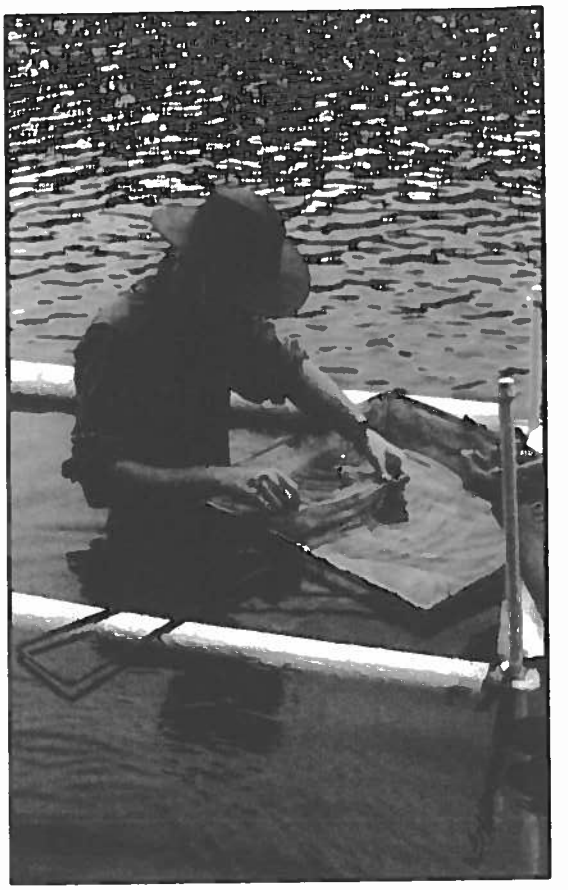
KEY TEAM MEMBERS

Jimmy Owens



Mr. Owens is the President of D&M Owens, Inc. and will serve as project princiapl for this sediment island removal project. Mr. Owens has over 30 years of experience and has conducted numerous project of similar nature throughout central Texas, with emphasis on the Comal System. Jimmy is the son of David Owens Sr. and wife Mary who established the company in 1972. In February 2001 David Sr. retired and sold the company to three of his children who have been working in the business for many years. The standard and reputation set by their father continues to be the driving force in their company. D&M now employs approximately twenty five employees, four of which are their own sons. As president, Jimmy believes that the keys to success are strong faith, determination, honesty, and family support. He looks forward to someday letting the third generation take over to continue the reputation that was established many years ago.

Edmund L. Oborny, Jr.



Mr. Oborny is the Fisheries Section Leader and BIO-WEST's Vice-President. He specializes in aquatic ecology, threatened and endangered species, water quality, biological modeling, and instream flow issues and concepts. He has 18 years of professional project experience, is familiar with all levels of project management, and has worked on many environmental flow projects involving endangered species components. Mr. Oborny is currently project manager and principal aquatic resources investigator for the multi-discipline, multi-year Variable Flows and Water Quality Study for the Edwards Aquifer Authority. This large-scale applied research project involves intensive sampling, data analyses and interpretation regarding the importance of various flow regimes and associated impacts to the threatened and endangered species of the Comal and San Marcos Springs/River ecosystems.

Mr. Oborny's experience and expertise with environmental flow issues and fisheries is also illustrated by the number of professional appointments that he has received in the past 5 years. These appointments are listed in their entirety in Mr. Oborny's resume, but are summarized below:

- Edwards Aquifer Recovery Implementation Program Science Subcommittee Member: 2008–2011.
- Edwards Aquifer Recovery Implementation Program Biological Modeling Team: 2008–present.
- Southern Edwards Aquifer Species Recovery Team Member: 2008–present.
- Special Consultant to the Biological Working Group in Spring Valley, Nevada: 2007–present.
- Blue Ribbon Science Advisory Panel Member (Aquatic Resources) in Owens Valley, California: 2009–present.

Dr. Robert Doyle

Dr. Robert Doyle currently serves as the Director for the Center for Reservoir and Aquatic Systems Research, Professor, and Department Chair in Biology at Baylor University. Dr. Doyle has nearly 30 years of experience specializing in aquatic plant ecology and community dynamics (year-to-year variability, impacts of disturbance, etc), impacts and control of non-native species (*Hydrilla* & *Hygrophila*), and aquatic vegetation restoration and establishment of native species. Dr. Doyle has worked in the Comal River since the 1990s when he first completed aquatic vegetation maps for the entire Comal System. Following that initial mapping, Dr. Doyle conducted numerous experimental plantings of native species in both the Comal and San Marcos River. Many of these activities were completed in Landa Lake with the majority of plantings still viable today. Since those initial transplants, Dr. Doyle together with colleagues and students have activly researched the ecology of native and non-native aquatic vegetation as well as tranplant methodologies. In 2012, an MS student under Dr. Doyle's supervision completed a 2-year evaluation of techniques for establishing native aquatic plant species in the San Marcos River. Like Mr. Oborny, Dr. Doyle also serves on the USFWS Recovery Team for the endangered species in the Comal ecosystem. Dr. Doyle's extensive knowledge of aquatic vegetation in the Comal River, and unparalled expertise in aquatic vegetation restoration in spring ecosytems provides an outstanding compliment to the project team.

Tim Osting

Mr. Osting is Managing Engineer in the water resources / environmental section of RPS Espey in Austin, TX. His specialties include multidimensional hydrodynamic modeling, hydrology, water quality evaluation and modeling, habitat modeling, river-floodplain and riparian area interaction, GIS analysis and hydrographic field studies utilizing state-of-the-art, high-resolution data collection equipment. Mr. Osting has worked exclusively with BIO-WEST on several contracts involving these specific duties, and most recently assisted BIO-WEST with a detailed examination of the flow, water quality, and aquatic habitat dynamics of the Old Channel of the Comal River.

D&M Owens REFERENCES	
City of New Braunfels	Jon Cox Phone: (830) 481-4179
Guadalupe-Blanco River Authority	Jeff McKee Phone: (830) 660-7628
Gruene Environmental Construction	Doug Anderson Phone: (830) 221-5607
BIO-WEST REFERENCES	
Edwards Aquifer Authority 1615 N. St. Mary's Street San Antonio, Texas 78215	Rick Illgner – Research Coordinator Phone: (210) 222-2204 Email: rillgner@edwardsaquifer.org
Lower Colorado River Authority 3700 Lake Austin Blvd. Austin, Texas 78767	Leah Manning – Project Manager Phone: (512) 473-3589 Email: leah.manning@lcra.org
San Antonio River Authority PO Box 839980 San Antonio, Texas 78283-9980	Steve Raabe – Director of Technical Services Phone: (210) 302-3614 Email: sraabe@sara-tx.org
Texas Parks and Wildlife Department Resource Protection, River Studies Program Aquarena Center, The Landing San Marcos, TX 78666	Kevin Mayes – Senior Aquatic Biologist Phone: (512) 754-6844 Email: kevin.mayes@tpwd.state.tx.us
U.S. Fish and Wildlife Service National Fish Hatchery and Technology Center 500 E. McCarty Lane San Marcos, Texas 78666	Tom Brandt – Supervisor Phone: (512) 353-0011 ext. 224 Email: Tom_Brandt@fws.gov