



State of Louisiana

COASTAL PROTECTION & RESTORATION AUTHORITY

Public Notice

Request for Statements of Interest and Qualifications For OUTCOME-BASED PERFORMANCE CONTRACTS TO DEVELOP AND DELIVER LARGE SCALE MARSH CREATION AND/OR RIDGE RESTORATION PROJECTS

RSIQ No. 2503-19-01

June 22, 2018

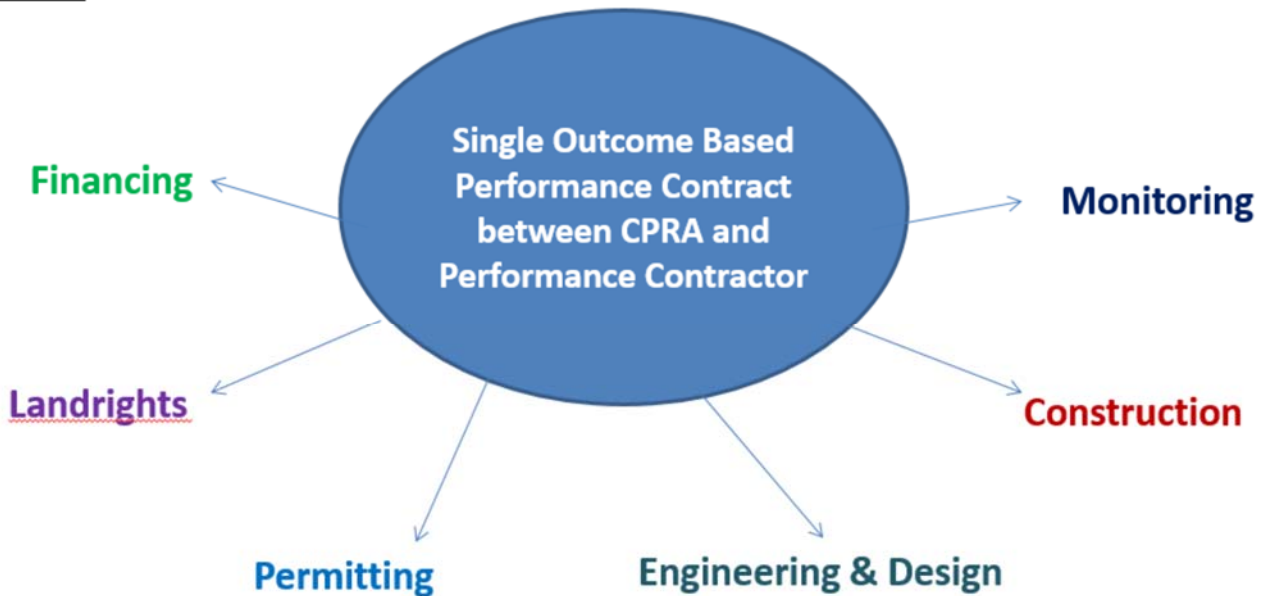
1.0 INTRODUCTION

The Coastal Protection and Restoration Authority (CPRA) is seeking qualified Proposers to provide full delivery of marsh creation and/or ridge restoration projects within southeast Louisiana. This Request for Statements of Interest and Qualifications (RSIQ) is solicited pursuant to La. R.S. 49:214.6.2 and 49:214.7, (<http://legis.la.gov/legis/Law.aspx?d=672078>) and (<http://legis.la.gov/legis/Law.aspx?d=285577>), which created an alternative project delivery method, known as outcome-based performance contracting, for use by the CPRA to award a contract to finance, design, construct, and monitor integrated coastal protection projects (**Figure 1**). This RSIQ shall allow CPRA to evaluate and select qualified Proposers who shall be invited to submit proposals to a subsequent Request for Proposal (RFP) for full delivery of marsh creation and/or ridge restoration projects. The RFP shall describe in detail the types and amounts of large-scale marsh creation and/or ridge restoration projects sought by CPRA, and shall define the minimum project outcomes, goals or outputs associated with each habitat type.

The term "Outcome-based performance contractor" is defined in La. R.S. 49:214.7. For purposes of this solicitation the terms "outcome-based performance contractor", "Proposer", "entity" and "contractor" may be used interchangeably and shall be understood as to be synonymous with the term "outcome-based performance contractor" as defined in the La. R.S. 49:214.7. The term "Owner" is defined in La. R.S. 49:214.7 as the Coastal Protection and Restoration Authority.

This RSIQ is for the evaluation and selection of qualified Proposers to provide full delivery of completed projects involving a comprehensive suite of services that may include, but is not limited to, the following: project finance, project site identification, property rights acquisition, scientific and engineering analyses of project sites, access routes and borrow areas; topographic, bathymetric, magnetometric and hydrographic surveys; geotechnical investigations and analyses; hydrologic and hydraulic analyses and simulations; water quality analyses; environmental, biological and natural resource investigations; regulatory permitting and compliance; construction; and, post-construction monitoring, maintenance and adaptive management.

Figure 1:



It is the intent of CPRA to select multiple Proposers from this solicitation. CPRA shall establish a Qualification Review Committee for evaluation of the responses to this RSIQ. The Qualification Review Committee shall evaluate the responses in accordance with the scoring methodology and criteria as identified and set forth in the Evaluation Criteria (**Enclosure A**). CPRA shall select the Proposers who's Statement of Interest and Qualifications best conforms to this solicitation and is most advantageous to the State of Louisiana and CPRA. CPRA reserves the right to cancel this solicitation at its discretion.

The highest qualified Proposer(s) determined through this RSIQ shall be invited to propose specific projects through a separate RFP process. Contracts for projects selected via the RFP are presently anticipated to range up to \$65 million in value.

Proposers electing to submit a Statement of Interest and Qualifications (SIQ) as the prime contractor, partner, member, joint venture, or coventurer cannot be listed as a subcontractor on another Proposer's SIQ. Proposers not submitting as the prime contractor, partner, member, or coventurer are allowed to be listed as a subcontractor or consultant on as many SIQ's as they deem appropriate. Proposers who are prime contractors on existing contracts with the CPRA are allowed to submit on this RSIQ.

In accordance with Executive Order Number JBE 2018-15, by submitting a response to this solicitation, the Proposer certifies and agrees that the following information is correct: In preparing its response, the Proposer has considered all proposals submitted from qualified, potential subcontractors and suppliers, and has not, in the solicitation, selection, or commercial treatment of any subcontractor or supplier, refused to transact or terminated business activities, or taken other actions intended to limit commercial relations, with a person or entity that is engaging in commercial transactions in Israel or Israeli-controlled territories, with the specific intent to accomplish a boycott or divestment of Israel. The Proposer has also not retaliated against any person or other entity for reporting such refusal, termination, or commercially limiting actions. The state reserves the right to reject the response of the Proposer if this certification is subsequently determined to be false, and to terminate any contract awarded based on such a false response.

2.0 OUTCOME-BASED PERFORMANCE CONTRACTING

"Outcome-based performance contract (OBPC)" means a delivery method by which the CPRA shall contract with a Proposer for results-based, specific agreed-upon outcomes, goals, or outputs, with payment provided by an owner upon successful completion of the pre-agreed result, outcome, goal, output, or result. Outcome-based performance contracts shall include the following:

- a. A requirement that a substantial portion of the payment be conditioned on the achievement of specific outcomes based on defined performance targets. For purposes of this subparagraph, "substantial portion" shall mean no less than seventy-five percent of the total project cost.
- b. A process through which performance indicators can be assessed by the owner to determine whether performance targets have been met.
- c. A schedule and calculation of consequences for contractors based on performance, to include payments that would be earned if performance targets are met or the imposition of penalties or other payment adjustments if performance targets are not met.

An outcome-based performance contractor shall employ, or have as a partner, member, coventurer, or subcontractor, persons or a firm with persons who are duly licensed and registered to provide the services required to complete the project and to do business in the State of Louisiana. The standard professional engineer and land surveyor requirements provided for in La. R.S. 37:681 et seq., and the rules and regulations of the Louisiana Professional Engineering and Land Surveying Board, shall apply to the team members providing design services. All applicable professional registrations and licenses shall be obtained and valid prior to the submittal date for this RSIQ.

The standard contractor qualifications as provided for in La. R.S. 37:2150 et seq., and the current rules and regulations of the State Licensing Board for Contractors shall apply to the OBPC component providing construction services utilized by the outcome-based performance contractor, based upon the applicable categories for the specific project types to be delivered, currently anticipated to be Heavy Construction or Dredging. All registrations and licenses for each team member shall be obtained and valid prior to the submittal date for this RSIQ.

3.0 PROJECT BACKGROUND, LOCATION AND DESCRIPTION

Project details and requirements will be included in a subsequent RFP; however, projects must be located within the Barataria Basin of Louisiana (**Enclosure B**) and consistent with the identified marsh creation and/or ridge restoration project areas in the 2017 Coastal Master Plan and the Louisiana Trustee Implementation Group Strategic Restoration Plan and Environmental Assessment #3: Restoration of Wetlands, Coastal, and Nearshore Habitats in the Barataria Basin, Louisiana (https://la-dwh.com/wp-content/uploads/2018/03/Final_SRP.EA_508-Compliant.pdf). Master Plan Project Fact Sheets can be found in Attachment A8 of the 2017 Coastal Master Plan (http://coastal.la.gov/wp-content/uploads/2017/04/Attachment-A8_FINAL_10.02.2017.pdf).

Projects may be implemented through the Natural Resource Damage Assessment (NRDA) restoration planning effort to restore for damages caused by the Deepwater Horizon oil spill as well as other coastal planning and restoration funding sources. These areas are suffering from land loss and habitat shift due to oiling from the Deepwater Horizon oil spill, hydrologic alteration, sediment deprivation, subsidence, and saltwater intrusion. The objectives of these projects are to re-establish and nourish inland marsh and ridge habitat by hydraulically and mechanically dredging material from riverine, inshore and offshore borrow sources. Marsh creation and/or ridge restoration shall increase habitat

areas and help improve storm buffering ability as a part of the multiple lines of defense protecting geographically and socially vulnerable communities.

Discrete projects shall be solicited through a subsequent RFP, and shall consist of inland marsh creation and/or ridge restoration via dredged sediment that may come from multiple potential borrow sources to be identified and secured by the Proposer upon approval by CPRA. Potential sediment sources may be inshore, riverine, and offshore. Projects may also entail mechanical excavation and grading for ridge restoration and shoreline protection.

4.0 OBPC STAFFING REQUIREMENTS

Successful full delivery of marsh creation and/or ridge restoration projects through CPRA's outcome-based performance contracting requires a broad range of business, technical, and construction expertise. Due to statutory mandates and the complexities in delivering completed projects, it is typical for Proposers to employ specialized personnel on the project delivery team, which may include employees of the outcome-based performance contractor, partners, members, coventurers, subcontractors, or consultants.

Following is a list of the desired key positions for the team. Additional expertise may be needed based on site-specific conditions of projects. Proposers should consider the general requirements of project types listed in this RSIQ and utilize their professional judgment and experience on additional staff requirements. Note that individuals may serve in multiple roles.

- The financing members of the team;
- Project Manager with relevant and demonstrated experience successfully delivering ecosystem restoration projects. The Project Manager shall serve as the point of contact with CPRA.
- Property acquisition members of the team;
- Professional Land Surveyor and members of the team with experience executing topographic, bathymetric, hydrographic, magnetometer, and boundary surveys before, during and after construction in coastal environments;
- Design component members for the areas of expertise specific to marsh creation and/or ridge restoration, including civil engineer(s), coastal engineer(s), geotechnical engineer(s) and restoration scientists;
- Construction Manager and team members experienced in coastal habitat restoration, including dredging, transportation, and placement of sediment and associated logistics;
- Project Scientists and other experts on the team experienced with coastal ecosystem restoration and permitting experience through the Louisiana Department of Natural Resources Coastal Use Permitting Program, U.S. Army Corps of Engineers, New Orleans District, Section 10/404 program and experience with U.S. Fish and Wildlife Service, NOAA-National Marine Fisheries, and Louisiana Department of Wildlife and Fisheries. The Project Scientists shall be responsible for regulatory permitting and compliance, monitoring plan development, post-construction monitoring, and adaptive management.

CPRA requires that key personnel listed in the Proposer's SIQ be assigned to any project(s) contracted through subsequent RFP(s) and remain assigned for the duration of such contract(s). Should substitutions become necessary, Proposers may propose substitutions of equal or better-qualified replacement personnel to CPRA for approval. Requests for changes in any of the key personnel, Principal Participants, the Designer, or Specialty Subcontractors shall be particularly scrutinized.

Proposers are advised that contractors of the State of Louisiana may, in certain circumstances, be deemed public employees as defined by the Ethics Commission. **Full disclosure to CPRA is required of any potential conflicts of interest.** Any potential conflicts shall be resolved with the Ethics Commission prior to submitting proposals in response to an RFP.

5.0 ANTICIPATED PROPOSER RESPONSIBILITIES

The anticipated proposer responsibilities may include, but not limited to, the items below for the delivery of a successful marsh creation and/or ridge restoration project through CPRA's OBPC. Detailed work plans specific to awarded projects shall be the responsibility of the Proposer but may be required for submittal in a subsequent RFP.

- Project Management - Proposer shall be responsible for providing overall management of the project. Major emphasis shall be placed on the timely delivery of functioning ecosystem services associated with the relevant habitat types, locations, and amounts.
- Project Finance - Proposer shall provide all capital to finance the delivery of marsh creation and/or ridge restoration projects. Capital must be secured through private sources.
- Property - Proposer, at his sole cost and expense, shall acquire and secure all property rights necessary to construct and deliver marsh creation/or and ridge restoration projects. This may include, but is not limited to, property rights to the project site(s), access route(s), borrow area(s), and any buffers needed to protect adjacent sensitive habitats. Proposer is responsible for all reasonable due diligence as may be necessary to develop marsh creation and/or ridge restoration projects, including but not limited to: environmental screening to identify/survey potential protected species, archaeological sites, historical architecture structures, contamination, etc. of the site. Proposer shall encumber project site(s) with servitudes to protect ecosystem services delivered by the project(s). The duration of servitudes shall be no less than twenty-five (25) years. Each servitude must have good, marketable title free of liens and incompatible encumbrances. At its sole discretion, as may be described in a subsequent RFP, CPRA may require property rights to be transferred to the state. Proposer shall provide CPRA with rights of access for the durations of all servitudes to allow CPRA to monitor project performance and durability. However, in accordance with La. R.S.49:214.7(H), CPRA, if necessary and upon request from Proposer, may exercise any statutorily created power for the purpose of acquiring lands or estates or interests in lands, including but not limited to easements, servitudes, access agreements, and oyster lease acquisitions, to the extent that the CPRA finds that such actions serves integrated coastal protection purposes.
- Surveying - Proposer shall perform all topographic, bathymetric, geophysical, magnetometer, and boundary surveys necessary to execute the project. This work shall include, but not be limited to, recordation of servitudes and monumentation of servitude boundaries. An as-built survey shall also be required after construction.
- Borrow Areas - Proposer shall be solely responsible for obtaining rights to borrow material and associated construction easements. Proposer shall perform all reasonable due diligence as may be necessary to harvest and transport material for the project, including but not limited to: environmental screening to identify/survey potential protected species, archaeological sites, historical architecture structures, contamination, etc. of the site. CPRA reserves the right to review and approve borrow sources during the RFP process.

- Site Analysis and Engineering Design - Proposer shall complete all necessary scientific and engineering analyses of the project site and borrow area as may be needed to deliver the marsh creation and/or ridge restoration project. A thorough understanding of the physical, chemical and biological factors of the site are required for successful designs with minimal adverse environmental effects.
- Regulatory Permitting and Compliance - Proposer shall be solely responsible for 1) securing all regulatory permits, and 2) for full and complete compliance with all Federal, state and local regulations for the duration of the contract. CPRA shall not be party to such permits. Additional regulatory review and oversight by NRDA trustee representatives or other agencies may be described in the RFP.
- Construction - Proposer shall construct the project according to the permitted engineering design, including all earthwork, structures, vegetative plantings, and seeding and all other activities pertinent to the installation of marsh creation and/or ridge restoration.
- Post-Construction Monitoring, Maintenance, and Adaptive Management - Project monitoring approaches have been established by CPRA through decades of project assessment experience. In general, it is anticipated that project Design Documents shall include a monitoring plan that outlines measurable project goals and a plan for assessing those goals including the timing, means, and methods to be employed for assessment. More details on the performance criteria shall be made available in a subsequent RFP. An adaptive management plan will be requested in the RFP submittal to provide criteria and triggers for managing the project site(s) for optimal provision of ecosystem services for the duration of the servitude. References for the Proposer should include, but not be limited to, the Deepwater Horizon (DWH) Natural Resource Damage Assessment Trustees Monitoring and Adaptive Management Procedures and Guidelines Manual (http://www.gulfspillrestoration.noaa.gov/sites/default/files/2018_01_TC_MAM_Procedures_Guidelines_Manual_12-2017_508_c.pdf), Appendix F from the 2017 Coastal Master Plan (http://coastal.la.gov/wp-content/uploads/2017/04/Appendix-F_FINAL_04.04.2017.pdf), the Coastwide Reference Monitoring System program (CRMS; <https://lacoast.gov/crms2/>), and future Adaptive Management documentation from Deepwater Horizon (DWH) Natural Resource Damage Assessment. More details on the requirements of monitoring shall be made available in a subsequent RFP, but the Proposer should be aware that projects are part of a larger ecosystem restoration effort and therefore evaluations and performance measures shall need to be comparable to other projects.

6.0 VOLUME I – GENERAL SUBMITTAL REQUIREMENTS

Proposers should submit an SIQ that highlights the experience of successful implementation of marsh creation and/or ridge restoration projects. The Qualification Review Committee shall review the SIQs to select Proposers that display successful histories delivering full delivery marsh creation and/or ridge restoration projects and a record of accomplishment with full delivery and/or similar project implementation processes of coastal projects. The submittal shall provide the sections outlined below. Note that several elements listed below are to be provided on the Experience and Qualifications Form (EQF-1) (**Enclosure C**) or as appendices to the SIQ.

6.1 Cover Letter

The Proposer shall submit a cover letter introducing the Proposer's team and its commitment to successful completion of coastal projects through CPRA's Outcome-Based Performance Contracting program. The letter should summarize the Proposer's particular expertise, resources, and advantages that their team shall bring to CPRA. The letter shall clearly state the name, title, firm affiliation, telephone number, email address, and mailing address for the Proposer's primary point of contact for this RSIQ. The primary point of contact must be an officer of the Proposer firm and must represent that they are authorized to legally execute contracts on behalf of the firm.

6.2 Executive Summary

The SIQ shall include a summary that more thoroughly describes the Proposer's project team and its overall experience that applies to the successful execution of OBPC to provide marsh creation and/or ridge restoration. This summary should provide an overview of the contractor's resources and advantages that their team shall bring to CPRA. The Proposer shall present the name, telephone number, email address, and mailing address of the Proposer's Project Manager.

6.3 Business Organization and History

The SIQ shall describe the OBPC Proposer team's organization and history, including years in business and scale of operations for ecosystem restoration. This information should include the Proposer's legal entity and structure, size of company including number of employees (total and in Louisiana), and all office locations. If the Proposer is a corporation, include date of incorporation, place of incorporation, officers and directors, and affiliates, partner corporations, and subsidiaries. If the Proposer is a Limited Liability Company (LLC), include date of organization, place of organization, members, managing member, and identification of the majority member and its percentage interest. If the Proposer is a joint venture (JV), include date of JV formation, name / address of each JV partner, principals of each JV partner, and identification of the majority JV partner and its percentage interest.

The Proposer shall describe that they employ, or have as a partner, member, coventurer, or subcontractor, persons, or a firm with persons who are duly licensed and registered to provide the services required to complete the project and to do business in the State of Louisiana. All applicable professional registrations and licenses shall be obtained and valid prior to submittal of the SIQ.

6.3.1 CPRA fully participates in and encourages participation in the Hudson Initiative Program. The State of Louisiana Veteran and Hudson Initiatives are designed to provide additional opportunities for Louisiana-based small entrepreneurship (sometimes referred to as "LaVets" and "SEs" respectively) to participate in contracting and procurement with the state. Proposers who themselves are a Hudson Initiative small entrepreneurship certified through the Louisiana Economic Development for small entrepreneurship under the Hudson Initiative Program (HIP) should identify themselves as such and provide appropriate documentation in an appendix to the SIQ. Proposers who engage one or more subcontractors certified through the Louisiana Economic Development for small entrepreneurship under the HIP should identify those subcontractors and provide appropriate documentation in an appendix to the SIQ. Certifications must be valid at the date of the SIQ submittal (<https://www.opportunitylouisiana.com/small-business/special-programs-for-small-business/hudson-initiative>). Documentation provided by the Proposer for this section will not be considered in the SIQ page limit.

6.3.2 Submittals shall also include a statement of the Proposer's ability and intention to provide equal opportunities in recruitment, selection, appointment, promotion, training, and related employment areas in connection with the OBPC. The SIQ may also describe the extent to which the Proposer intends to self-perform any work and how Louisiana businesses may be utilized. Documentation provided by the Proposer for this section will not be considered in the SIQ page limit.

6.4 Project Management and Staffing

Submittals must include concise statements of qualifications and experience for key proposed management and staffing. This section should demonstrate the depth and breadth of resources needed for efficient delivery of durable projects. Proposals should describe an organizational structure that portrays the roles and responsibilities of project team members. The qualifications of individuals for the key staff positions listed below are to be summarized in the SIQ and presented in resume format prescribed on the EQF-1 (**Enclosure C**). Key staff resumes in the EQF-1 shall clearly state the location (city and state) of the office in which the staff member resides. Individuals may serve in multiple roles, but each individual's resume shall be limited to two (2) pages or less. Subcontractors and consultants holding key roles in the team organization should be included and clearly identified as such. Each individual's firm affiliation should be indicated on the organization chart. The organization chart should be accompanied by a narrative summary indicating the functional responsibilities and designated authorities of personnel and entities identified.

6.5 Financing Team Experience

Submittals must include concise statements of qualifications and experience for proposed financing members of the team. This section should describe the financial capacity and the capability to sustain and execute projects of a maximum of ten years duration. Proposals should demonstrate the Proposer's experience in financing complex projects through post-construction performance monitoring. The qualifications of proposed financing members of the team are to be summarized in the SIQ and presented in resume format prescribed on the EQF-1 (**Enclosure C**). Resumes in the EQF-1 shall clearly state the location (city and state) of the office in which the member resides. Each financing team member's resume shall be limited to two (2) pages or less.

6.6 Project Experience

Project experience should emphasize ecosystem restoration projects delivering coastal habitat type(s). Emphasis on project selection should include projects in the United States which provided similar coastal site characteristics, riverine construction, marine construction, geotechnical conditions, and interaction with riverine and marsh systems. Projects submitted should demonstrate significant experience with hydraulic and/or mechanical dredging, transport, and placement.

For each project, Proposer must provide at least one (1) name and contact number for the Owner and/or primary regulatory authority for reference. The Qualification Review Committee may select a minimum of two or up to the total number of projects and contacts listed for reference checks. Proposers shall be responsible for verifying the contact numbers submitted in the SIQ. The information obtained from the reference checks shall be incorporated into the scoring of this section. If additional information is needed on the relevant projects listed by the

Proposer, CPRA reserves the right to pursue additional references and shall incorporate the performance information obtained into the scoring of this section.

6.7 Technical Approach

Submittals should provide a general description of the Proposer's site analyses, engineering and design methodologies to marsh creation and/or ridge restoration projects. Proposers should present any special skills and proficiencies the technical team might apply in the engineering process. This section may also describe tools and techniques the Proposer applies to reduce project risk and ensure successful restoration metrics are achieved.

Proposers should also demonstrate general familiarity with relevant Natural Resource Damage Assessment and Restoration planning process and documents associated with the *Deep Water Horizon* case, Louisiana's Comprehensive Master Plan for a Sustainable Coast (June 2, 2017), and CPRA protocols and engineering expectations for marsh creation and/or ridge restoration projects. A general approach to monitoring and adaptive management should be included in this section.

Submittals must include concise statements of qualifications and experience for key design component members for the areas of expertise specific to the project. The qualifications of proposed design component members of the team are to be summarized in the SIQ and presented in resume format prescribed on the EQF-1 (**Enclosure C**). Resumes in the EQF-1 shall clearly state the location (city and state) of the office in which the member resides. Each design component member's resume shall be limited to two (2) pages or less.

6.8 Construction Capabilities and Approach

The SIQ should provide information on construction methodologies previously used by the Proposer on other projects of similar size, type, and complexity as detailed in Sections 3.0 through 5.0. Proposers should present detailed information regarding specialized experience, equipment, monitoring, and field practices that apply to the installation of created marshes and restored ridge habitat. Protocols that reduce the possibility of adverse environmental impacts and increase the likelihood of successful ecological outcomes (e.g. durable marsh elevations, rapid establishment of vegetation) should be emphasized.

Submittals must include concise statements of qualifications, experience, and resources for the construction team component. The qualifications of the proposed construction team component are to be summarized in the SIQ and presented in resume format prescribed on the EQF-1 (**Enclosure C**). Resumes in the EQF-1 shall clearly state the location (city and state) of the office in which the member resides. The construction team component's resume(s) shall be limited to two (2) pages or less.

6.9 Appendices: Standard Forms and Supporting Documents

Documentation provided by the Proposer for this section will not be considered in the SIQ page limit. Standard forms, professional licenses and certificates, company licenses to work in Louisiana, Hudson Initiative Certificate, and other required documents are to be appended to the SIQ as described below.

6.9.1 Appendix I: Experience and Qualifications Form (EQF-1) (**Enclosure C**)

The Experience and Qualifications Form (**Enclosure C**) shall be used to support CPRA's understanding of the project team and their previous interaction on projects described in the SIQ. Additionally, the form shall provide details for the relevant projects described in Block 13, which shall be used for reference checks. A maximum of ten (10) project references should be noted in the form's project description (Block 13). CPRA reserves the right to call any of those listed project owners or contacts as listed on this form, or individuals other than those listed, to verify the Proposer's quality of work and owner satisfaction. Names listed on this form must precisely match the names filed with the Louisiana Secretary of State, Corporation Division, and the Louisiana State Licensing Board for Contractors. Block 14 is intended to show a concise matrix of the key team members and a history of the projects that those individuals have worked on together. A more detailed showcasing of projects should be in the SIQ as described in Section 6.6 above. This form shall be used to support in CPRA's understanding of the project team and their previous interaction on projects described in the SIQ. All resumes should be submitted as part of this form, but again each individual's resume shall be limited to two (2) pages or less.

6.9.2 Appendix II: Licensure and Certifications

All professional licenses and certificates, company licenses to work in Louisiana, Hudson Initiative Certificate(s) and other required documents referenced in the RSIQ, should be referenced in the appropriate section of the SIQ and supporting documentation included in Appendix II.

According to the provisions of L.R.S. 12:301-302, any corporation which is not incorporated in the State of Louisiana must obtain a certificate of authority to transact business in Louisiana from the Louisiana Secretary of State, Corporations Division, 3851 Essen Lane, Baton Rouge, Louisiana 70809, Phone no. (225) 925-4704.

For-profit and non-publicly traded corporations must provide a Disclosure of Ownership form when contracting with CPRA. The Disclosure of Ownership should be submitted with SIQ. Upon contracting with CPRA, the forms must be completed, notarized, and submitted to the Louisiana Secretary of State, Corporations Division, 3851 Essen Lane, Baton Rouge, Louisiana 70809 and a copy stamped by the Corporations Division must be provided to CPRA.

The OBPC construction team member(s) shall be licensed in accordance with the rules of the Louisiana State Licensing Board for Contractors at the time of SIQ submittal, and maintain licensure for the duration of any subsequent contract(s). Engineering and surveying shall be performed in compliance with the registration law for Professional Engineers and Land Surveyors (L.R.S. 37:681 through 37:703) and the rules of the Board of Registration for Professional Engineers and Land Surveyors.

6.9.3 Appendix III: Equal Opportunity Statement

As described in 6.3.2 (above), all Proposers must provide equal opportunities in recruitment, selection, appointment, promotion, training, and related employment areas in connection with a prospective OBPC.

6.9.4 Appendix IV: Qualification Review Committee Conflicts of Interest Acknowledgement

A Qualification Review Committee shall be comprised of CPRA staff and/or representatives from the Governor's Office of Coastal Activities. The Proposer must avoid any situation where personal and business relationships could have, or give the appearance of having, influence on any potential member of the Qualification Review Committee. The Proposer must avoid actions, discussions, and communications (oral or written) with any member of the Qualification Review Committee that might be perceived as exerting influence over a Qualification Review Committee member. The Proposer shall submit with its SIQ a completed Qualification Review Committee Conflicts of Interest Acknowledgement (**Enclosure E**).

All prime contractors and subcontractors submitting an SIQ on this advertisement will be subject to a blackout period during which any Proposer, or its agent or representative, is prohibited from communicating with any state employee or contractor of the State involved in any step in the procurement process for this advertisement. The blackout period shall apply not only to state employees, but also to any contractor of the State. "Involvement" in the procurement process shall include but shall not be limited to project management, design, development, implementation, procurement management, development of specifications, and evaluation of proposals for a particular procurement. The blackout period shall begin upon posting of the solicitation and shall end when the selected Proposers are posted.

In those instances in which a shortlisted Proposer is also an incumbent contractor, the CPRA and the incumbent contractor may contact each other with respect to the existing contract only. Under no circumstances may the CPRA and the incumbent contractor and/or its representative(s) discuss the blacked-out procurement.

Any Proposer who violates the blackout period may be liable to the State in damages and/or subject to any other remedy allowed by law. Any costs associated with cancellation or termination shall be the responsibility of the Proposer.

6.9.5 Appendix V: Other Supporting Documentation

Other information alluded to in 6.0 Submittal Requirements that may be necessary to document the legal status of the Proposer's business, but that do not directly bear on the Proposer's technical abilities, construction capacity, or project experience, may be submitted as Appendix V.

7.0 VOLUME II – PROJECT FINANCE SUBMITTAL REQUIREMENTS

Volume II Submittals of the SIQ shall be treated as confidential.

7.1 Appendix I: Project Finance

The Proposer, or in the case of a Joint Venture (JV), each JV member, shall describe the financial capacity and the capability to sustain and execute projects of a maximum of ten years duration. Proposals shall include evidence demonstrating the financial capability to complete projects through post-construction performance monitoring. Evidence shall include either of the following:

- 1) Financial Statements (preferably audited or reviewed by an independent CPA) for the past three (3) years; or,

- 2) If three years of financial statements are not available, Proposer, or in the case of a Joint Venture (JV), each JV member, shall state the reason and provide comparable financial information in an alternative format to document financial condition and capacity to finance OBPC projects. Independent certification of financing ability on bank/financial company letterhead or other source external to the Proposer, or in the case of a Joint Venture (JV), each JV member, is required.

SIQs should describe the maximum amount(s) the Proposer, or in the case of a Joint Venture (JV), each JV member, is willing to capitalize for a single contract and cumulatively for multiple contracts. Note: these amounts are for information purposes only and will not be factored into evaluations.

The SIQ should describe the Proposer's surety bonding capacities and should describe any other financial assurances that the Proposer: a) has utilized on similar contracts; and/or, b) that the Proposer anticipates using for subject projects.

As will be described in a subsequent RFP, Proposers will be required to provide financial assurances to CPRA in one of the following forms:

- 1) Performance Bonding - The Proposer may provide security in the form of an acceptable performance bond as will be described in the RFP to guarantee delivery of the maximum number of originally contracted acres of marsh creation and/or ridge restoration.
- 2) Letters of Credit - LOCs must be drawn from a reputable bank identified by the FDIC as "Well Capitalized" or "Adequately Capitalized".
- 3) Casualty Insurance on underlying ecological performance of acres of marsh creation and/or ridge restoration.

7.2 Appendix II: Sanctions and Litigation History

7.2.1 Sanctions: The Proposer, or if a JV, each JV member, shall disclose whether it is or has been the subject of any sanctions or complaints filed with the Louisiana Board of Ethics, the Louisiana Licensing Board for Contractors, Louisiana Professional Engineering and Land Surveying Board, or any other state or federal regulatory agency within the past ten (10) years. If so, the Proposer shall provide a full description of the facts, circumstances, and outcomes of said sanctions or complaints. If the Proposer is a JV, disclosures shall be provided for each JV member. These disclosures should be included in an appendix and will not be considered in the SIQ page limit.

7.2.2 Litigation History: Proposers shall disclose whether they, or if a JV, any JV member, have been involved in any arbitration, litigation, or disciplinary proceedings within the past ten (10) years, or any other such proceedings or litigation between the Proposer and previous project owners. If the Proposer has been involved, a description of facts, circumstances, and outcomes of each should be included in an appendix and will not be considered in the SIQ page limit.

8.0 INSTRUCTIONS AND MISCELLANEOUS PROVISIONS

One (1) original and six (6) hard copies of the Volume I portion of the SIQ Submittals and one (1) copy of Volume II of the SIQ Submittals **shall** be submitted to the RSIQ Coordinator at the address specified. Two (2) Volume I portions of the SIQ **shall** be submitted in .pdf format in an electronic format (i.e. CD, flash drive).

At least one (1) of the SIQ's **shall** contain original signatures of those company officials or agents duly authorized to sign proposals or contracts on behalf of the Proposer. The copy of the SIQ with original signatures shall be retained for incorporation in any contract resulting from this RSIQ and subsequent RFP's.

Submittals should be no more than fifty (50) pages in length including contents page(s). Supporting documentation provided in required appendices shall not count toward the page limit but Proposers are advised to be attendant to page limitations for various sections within required sections and forms. Any information contained on pages that exceed the prescribed page limits shall not be evaluated.

Submittal text for narrative content may not be smaller than 11 point in Garamond font; font size for graphics may not be smaller than 9 point. Elaborate proposals are neither required nor desired. The CPRA prefers a simple presentation and discourages extensive use of artistic designs, use of hard binders, etc.

| | Volume I | Volume II |
|-----------------|----------------------|--|
| Hard Copy | 1 original, 6 copies | 1 copy |
| Electronic Copy | 2 (CD, flash drive) | Proposers should <u>not</u> submit any electronic copies of Volume II. |

9.0 OTHER INFORMATION

Statements of Interest and Qualifications must be delivered to CPRA no later than **3:00 p.m., August 13, 2018**, and must be addressed to the following:

**Allison Richard, RSIQ Coordinator
Coastal Protection & Restoration Authority
150 Terrace Avenue
Baton Rouge, LA 70802
Phone: 225-342-5453**

CPRA shall not be responsible for delayed or lost proposals received after the deadline. Any materials received after the deadline shall be deemed nonresponsive. All submitted SIQ's become property of the State of Louisiana. Volume I of the SIQ's shall not be held confidential and shall be considered public information. *Volume II Submittals of the SIQ shall be treated as confidential.*

Within sixty (60) days of the final deadline for receipt of responses, the Qualification Review Committee shall select a short list of the highest-rated proposers in a number to be determined by the Qualification Review Committee. However, if fewer than three eligible responses are received for review by the Qualification Review Committee, then the CPRA Executive Director may either approve proceeding with the outcome-based performance contracting process or re-advertising in accordance with statute. Each Proposer shall be notified in writing of the selections. The selected outcome-based performance contractors shall be posted at <http://coastal.la.gov/resources/rfps-rsiqs-contracts/contracts-and-grants/>.

CPRA reserves the right to reject any and all submittals for this RSIQ invitation. This invitation does not constitute an acceptance of any offer, nor does such invitation in any way obligate CPRA to execute a contract with any Proposer. The final decision to execute a contract with any party rests solely with CPRA.

In accordance with La. R.S. 49:217.7.N, there shall be no challenge by any legal process to the choice of the successful outcome-based performance contractor except for fraud, bias for pecuniary or personal reasons not related to the taxpayers' interest, or arbitrary and capricious selection by the CPRA.

Any response that does not meet all of the requirements contained in the RSIQ shall be deemed nonresponsive and shall not be considered by CPRA. False or misrepresented information furnished in response to an RSIQ shall be grounds for rejection. Additionally, CPRA reserves the right to cancel this solicitation at its discretion.

Written questions regarding RSIQ requirements must be submitted to the RSIQ Coordinator listed below:

Allison Richard, RSIQ Coordinator
Coastal Protection & Restoration Authority
Email: CPRAcontracts@LA.GOV
Fax: (225) 800-5599

The CPRA shall consider written inquiries and requests for clarifications of the content of this RSIQ received from potential Proposers. **Written inquiries must be received by 3:00 p.m. local time on July 18, 2018.** Inquiries must include the requestor's name, address, e-mail address, and telephone and facsimile numbers and the Proposer he/she represents. Official responses to all questions submitted by potential Proposers shall be issued without attribution and shall be posted at <http://coastal.la.gov/resources/rfps-rsiqs-contracts/contracts-and-grants/>.

VOLUME I

- ENCLOSURE A: EVALUATION CRITERIA
- ENCLOSURE B: PROJECT AREA
- ENCLOSURE C: EXPERIENCE AND QUALIFICATIONS FORM (EQF-1)
- ENCLOSURE D: QUALIFICATION REVIEW COMMITTEE CONFLICTS OF INTEREST
ACKNOWLEDGEMENT

VOLUME II

- APPENDIX I: PROJECT FINANCE
- APPENDIX II: SANCTIONS AND LITIGATION HISTORY

Enclosure A: Evaluation Criteria

**EVALUATION CRITERIA
FOR
OUTCOME-BASED PERFORMANCE CONTRACTS
TO DEVELOP AND DELIVER LARGE SCALE MARSH CREATION
AND/OR RIDGE RESTORATION PROJECTS**

The Coastal Protection and Restoration Authority shall establish a Qualifications Review Committee for evaluation of the responses to this Request for Statements of Interest and Qualifications (RSIQ). The Qualifications Review Committee shall evaluate the Statements of Interest and Qualifications in accordance with the scoring methodology and criteria set forth below. The Qualifications Review Committee shall select a short list of the highest-rated proposers based on SIQ evaluations.

1.0 PRELIMINARY SCREENING

To be considered by the Qualifications Review Committee, the Proposer's Statement of Interest and Qualifications (SIQ) must clearly answer each of the following questions in the affirmative:

- 1) Does the Proposer document and describe that they employ, or have as a partner, member, joint venture, coventurer, or subcontractor, persons, or a firm with persons who are duly licensed and registered to provide professional engineering and design services in accordance with the rules and regulations of the Louisiana Professional Engineering and Land Surveying Board?
- 2) Does the Proposer document and describe that they employ, or have as a partner, member, joint venture, coventurer, or subcontractor, persons, or a firm with persons who are duly licensed and registered to provide professional land surveying services in accordance with the rules and regulations of the Louisiana Professional Engineering and Land Surveying Board?
- 3) Does the Proposer document and describe that they employ, or have as a partner, member, joint venture, coventurer, or subcontractor, persons or a firm who are duly licensed and registered, and meet the standard contractor qualifications as provided for in R.S. 37:2150 et seq., and the current rules and regulations of the State Licensing Board for Contractors?
- 4) Have all applicable professional registrations and licenses been obtained prior to the submittal date for this RSIQ?
- 5) Does the Proposer's SIQ include a statement of the proposer's ability and intention to provide equal opportunities in recruitment, selection, appointment, promotion, training, and related employment areas in connection with a prospective outcome-based performance contract?

2.0 EVALUATION CRITERIA AND POINT ALLOCATIONS

Statements of Interest and Qualifications that meet all preliminary screening criteria will be further evaluated using the rating factors provided below. SIQs will be analyzed in their entirety to evaluate Proposer teams in each of the following areas:

- A) Business Organization and History 5 points
- B) Project Management and Staffing 15 points
- C) Financing Team Experience 20 points
- D) Project Experience 20 points
- E) Technical Approach 15 points
- F) Construction Capabilities and Approach 15 points
- G) Hudson Initiative Program 10 points
- 100 points

The above areas will be evaluated based on information provided by the Proposer in Section 6.0 of the RSIQ with the exception of D) Project Experience.

3.0 EVALUATION OF PROJECT EXPERIENCE

Project Experience described in the SIQ narrative on the Experience and Qualifications Form (EQF-1) will be assessed to evaluate the Proposer’s past performance as an outcome-based performance contractor and delivering other marsh creation and/or ridge restoration projects.

For purposes of these evaluation criteria, all projects presented in the SIQ that are complete and have received final approvals from clients, regulatory agencies and/or other appropriate parties shall be considered “completed” projects. All projects that have been constructed and are in the post-construction monitoring phase shall be considered “active” projects.

The Qualifications Review Committee will analyze up to ten (10) projects described in the SIQ and documented on the EQF-1 to complete the table below.

| | Number of performance-based projects | | Completed Marsh Creation and/or Ridge Restoration Projects | Other Completed Ecosystem Restoration Projects |
|----------|--------------------------------------|--------|--|--|
| | Completed | Active | | |
| PROPOSER | | | | |

This table will be used to score the Proposer's corporate history of delivering ecosystem restoration projects according to the following scale:

- a. Project delivery experience on **completed** performance-based projects having three (3) or more years of post-construction monitoring that demonstrated durable provision of the intended ecosystem services:

| | |
|---|-----------|
| No (0) performance-based projects completed to date: | 0 points |
| One (1) performance-based projects completed to date: | 6 points |
| Two (2) to five (5) performance-based projects completed: | 10 points |
| Six (6) to nine (9) performance-based projects completed: | 12 points |
| Ten (10) performance-based projects completed: | 20 points |

- b. Project delivery experience on **active** performance-based projects having been constructed and currently in the post-construction monitoring phase:

| | |
|--|-----------|
| No (0) performance-based projects currently active: | 0 points |
| One (1) active performance-based projects: | 5 points |
| Two (2) to five (5) active performance-based projects: | 7 points |
| Six (6) to nine (9) active performance-based projects: | 8 points |
| Ten (10) active performance-based projects: | 10 points |

- c. Project delivery experience on other **completed** marsh creation and/or ridge restoration projects:

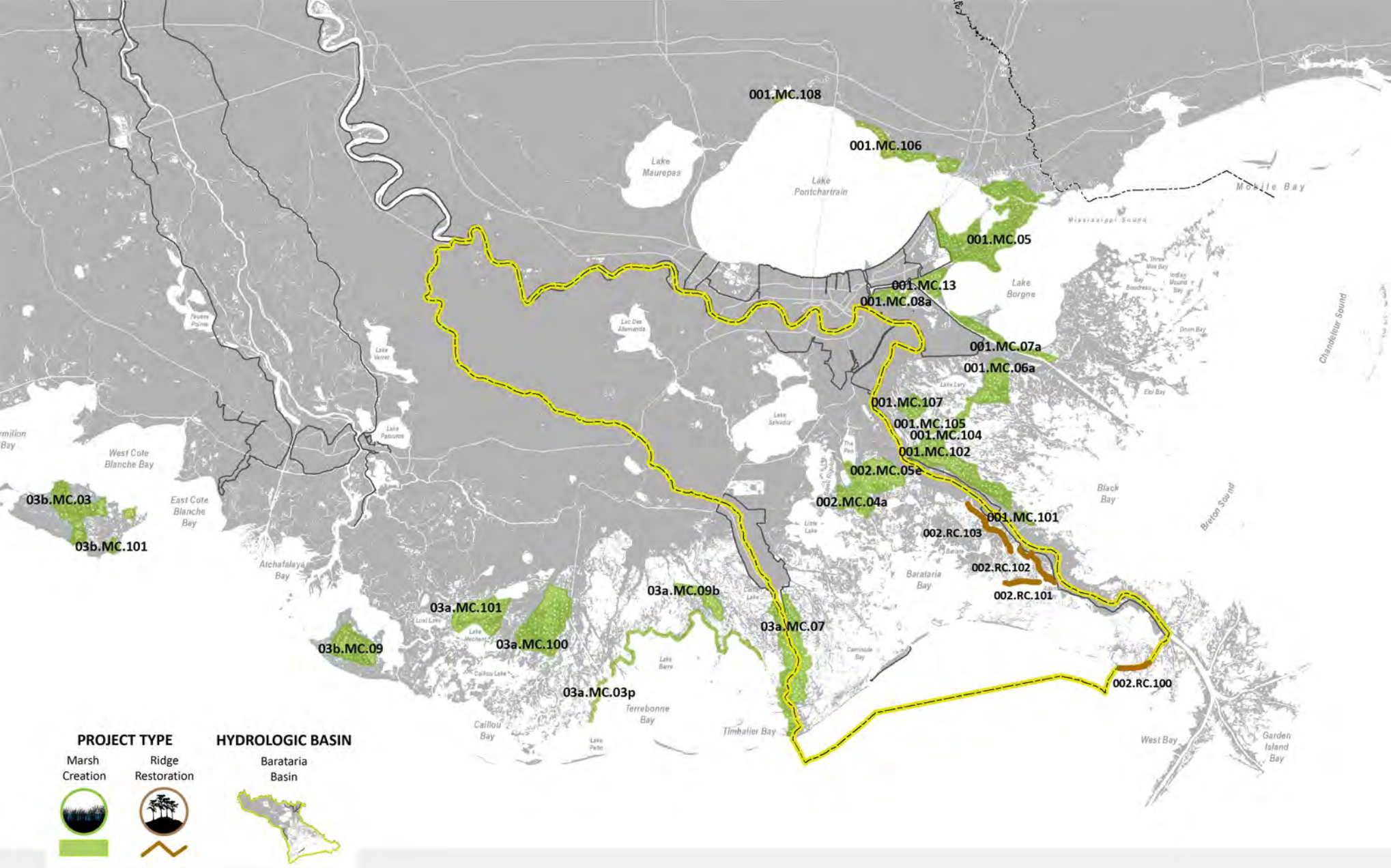
| | |
|--|-----------|
| No (0) completed marsh or ridge restoration projects: | 0 points |
| One (1) completed marsh or ridge restoration project: | 4 points |
| Two (2) to five (5) completed marsh or ridge restoration projects: | 10 points |
| Six (6) or more completed marsh or ridge restoration projects: | 12 points |

- d. Project delivery experience on other **completed** ecosystem restoration projects:

| | |
|---|----------|
| No (0) completed ecosystem restoration projects: | 0 points |
| One (1) completed ecosystem restoration project: | 1 points |
| Two (2) to five (5) completed ecosystem restoration projects: | 4 points |
| Six (6) or more completed ecosystem restoration projects: | 8 points |

Each project will be scored in the highest applicable category. The maximum project experience score is twenty (20) points.

Enclosure B: Project Area

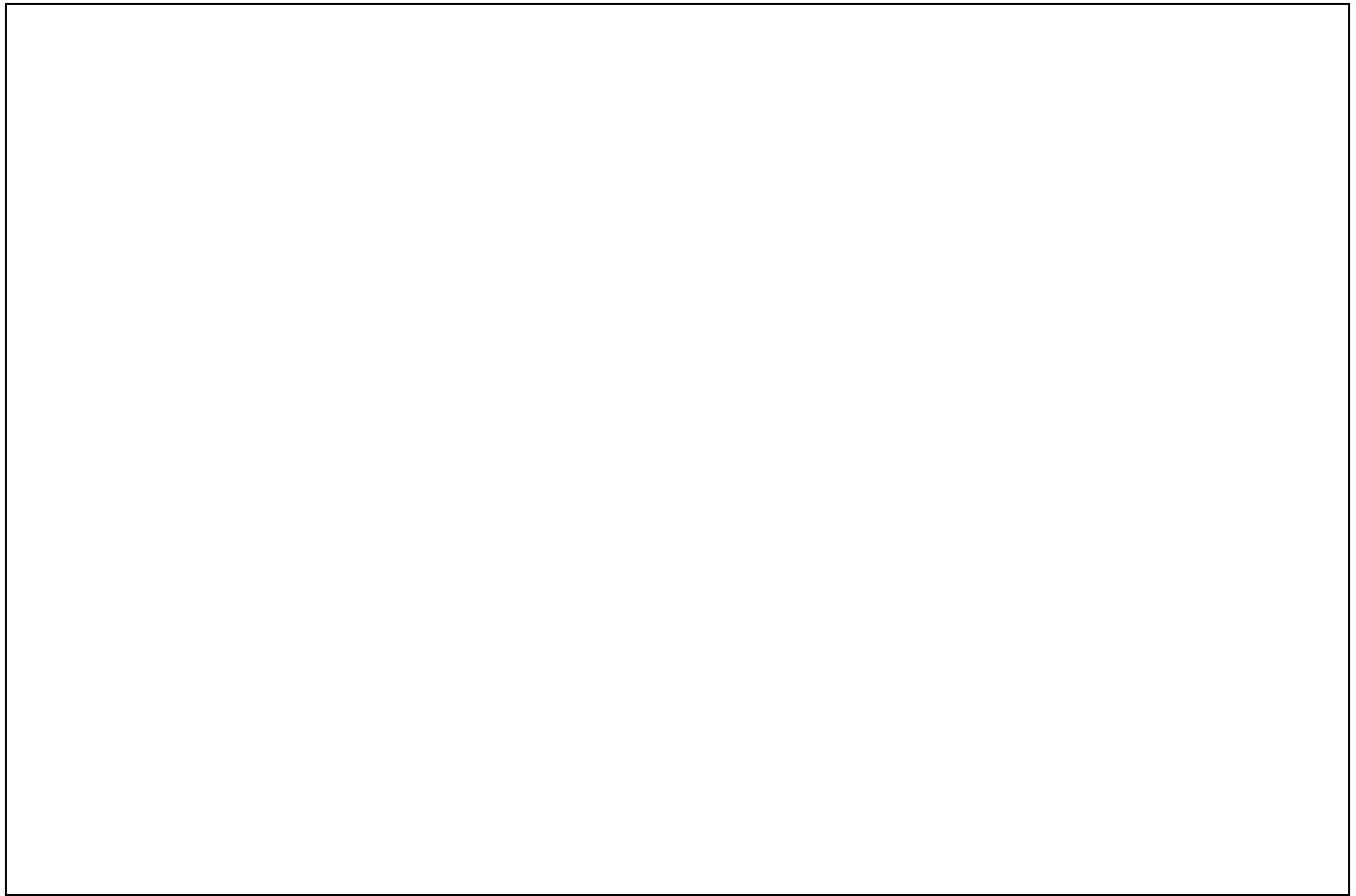


STATE OF LOUISIANA
 COASTAL PROTECTION AND RESTORATION AUTHORITY
 OUTCOME-BASED PERFORMANCE CONTRACTING TO
 DEVELOP AND DELIVER LARGE SCALE
 MARSH CREATION AND/OR RIDGE RESTORATION PROJECTS
 ENCLOSURE B: PROJECT AREA

Volume I, Enclosure C: Experience and Qualifications Form (EQF-1)

12. Brief résumé of key project personnel anticipated to work on this contract.

| | |
|---|---|
| a. Name, domicile and email address | b. Title/ Area of Expertise |
| c. Name of firm by which employed full time | d. Years' experience: With this firm: With other firms: |
| e. Education: Degree(s) / Years / Specialization | f. Active registration or applicable certifications: State/Discipline/License Number/First year registered |
| g. Other experience and qualifications relevant to the proposed project with role identified clearly: | |



13. Proposer's most relevant project experience (List up to but no more than 10 projects and include no more than one page per project).

| a. Project name & location | b. Project description (including delivery method) | c. FIRM INVOLVED; Detailed description of nature of firm's responsibility including timeframe engaged & firm members involved | d. Owner's name, address, and telephone number | e. Designer's name, address, and telephone number | f. Completion date (specify percent constructed); Construction cost in thousands |
|----------------------------|--|---|--|---|--|
| | | | | | |
| | | | | | |
| | | | | | |

15. Use this space to provide any additional information or description of resources supporting your firm's qualifications for the proposed project. This section is limited to five (5) pages.

16. This is to certify that all information contained herein is accurate and true.

Signature: _____

Typed Name and Title: _____

Date: _____

**Volume I, Enclosure D: Qualification Review Committee Conflicts of
Interest Acknowledgement**

**STATE OF LOUISIANA
COASTAL PROTECTION AND RESTORATION AUTHORITY
OUTCOME-BASED PERFORMANCE CONTRACTS TO
DEVELOP AND DELIVER LARGE SCALE
MARSH CREATION AND/OR RIDGE RESTORATION PROJECTS**

QUALIFICATION REVIEW COMMITTEE CONFLICTS OF INTEREST ACKNOWLEDGMENT

Pursuant to La. R.S. 49:214.6.2 and 49:214.7, the Coastal Protection and Restoration Authority, (“CPRA”) intends to utilize the Outcome-Based Performance Contracting (OBPC) project delivery method to contract for services for Large Scale Marsh Creation and/or Ridge Restoration. Successful Proposers will be invited to propose marsh creation and/or ridge restoration projects (the “Project”). The undersigned, is duly authorized representative of _____. _____ is a Proposer to CPRA’s Request for Qualifications and is submitting a Statement of Qualifications to be considered as a potential OBPC Proposer for the Project (hereinafter “Proposer”).

In accordance with La. R.S. 49:214.7, CPRA is to appoint a Qualification Review Committee who will review the request for qualifications, score the Proposers, and present the highest-rated proposers to the CPRA Executive Director. Individuals within the following groups may be selected by CPRA as a member of, or an alternate member of, the Qualification Review Committee:

- (1) Coastal Protection and Restoration Authority Staff
- (2) Governor’s Office of Coastal Activities Staff

Conflict of Interest: Proposer should avoid any situation where personal and business relationships could have, or give the appearance of having, influence on any potential member of the Qualification Review Committee from the groups listed above. Avoiding impropriety and the appearance of it promotes the professional values of fairness, impartiality, a reliance on process, and making decisions based on the merits. Proposers must avoid actions, discussions and communications (oral or written) with any member or potential member of the Qualification Review Committee that might be perceived as exerting influence over a Qualification Review Committee member. In the event of a conflict of interest, potential or perceived conflict of interest, Proposer shall notify CPRA immediately.

I have read the conflicts of interest policy of CPRA set forth above and agree that Proposer will fully comply with its terms and conditions. If at any time Proposer becomes aware of any actual or potential conflicts of interest involving Proposer, Proposer will immediately notify CPRA in writing.

Acknowledged and Agreed:

Signature: _____

Print Name: _____

Date: _____