



# Request for Proposals:

## Management and Technical Consulting for Agricultural Resiliency and Demand Management Pilot Program

The Colorado River Authority of Utah  
60 East South Temple, Suite 850  
Salt Lake City, UT 84111

Release Date: October 10, 2023  
Close Date: November 15, 2023, 4:00 PM MT

THE COLORADO RIVER AUTHORITY OF UTAH



# 1 BACKGROUND

The Colorado River supplies municipal, industrial, and agricultural water for approximately 40 million people across seven states and thirty Tribes within the United States of America, and two states in the Republic of Mexico. Ongoing drought and climate change have strained the Colorado River Basin, resulting in the lowest levels at Lake Powell and Lake Mead since their first fills, triggering emergency reservoir operations and resulting in the first-ever mandatory cuts in the Lower Colorado River Basin. An estimated 70 to 80% of Colorado River water is consumed by agriculture, which is critical to the social and economic health of the Basin communities and offers the greatest opportunity for water conservation.

Utah is allocated 23% of the Colorado River water supply in the Upper Colorado River Basin, with about 60% of Utahns benefitting from the River. Due to the importance of the Colorado River for Utah, the Colorado River Authority of Utah (Authority) was created in 2021 with a mission to “protect, conserve, use, and develop” Utah’s Colorado River allocation. To achieve its mission, the Authority developed a five-year Management Plan that identifies three priority areas: measurement, hydrology and operations, and drought mitigation. For each year of the Management Plan, a fiscal year Work Plan is developed that describes the specific actions to be taken under each priority area.

Drought mitigation efforts under the first Work Plan in Fiscal Year 2023 (FY23) included various research projects, initiating development of the Utah Colorado River Accounting and Forecasting (UCRAF) modeling tool, initiating the Agricultural Water Demonstration, Research, and Implementation Pilot Program (AG-DRIP), and supporting the Upper Colorado River Commission’s 2023 System Conservation Pilot Program. Under the FY24 Work Plan, most of the drought mitigation efforts from FY23 will continue, and the FY24 Work Plan will build on the existing work to initiate an Agricultural Resiliency and Demand Management Pilot Program (Pilot Program). The FY24 Work Plan also allows for the retention of a project management and technical consultant through a competitive procurement process to facilitate management and implementation of drought mitigation activities consistent with the Management Plan. Accordingly, the Authority requires support in development and execution of a Pilot Program. The Program will inform the Authority of the options for water depletion reduction (or conserved consumptive use), the value of the options identified, the tools available for distribution of conserved water, and the remaining challenges and opportunities for drought mitigation.

## 2 PILOT PROGRAM OVERVIEW

### 2.1 Purpose

The purpose of a full-scale Agricultural Resiliency and Demand Management Program will be to maintain viable agricultural communities by facilitating temporary, voluntary, compensated reduction of water depletion by water users, and establishing a mechanism for conserved water to be beneficially used as an asset to ensure continued Colorado River Compact compliance through drought. Thus, the purpose of the Pilot Program is to identify and understand the opportunities and challenges associated with the development of a full-scale, more permanent Agricultural Resiliency and Demand Management Program. Through the Pilot Program, the Authority will be able to establish a framework for the optimal management of conserved water in harmony with both state and federal regulations – including prioritization of methods for depletion reduction by effectiveness in generating conserved water, understanding of the technical feasibility of different project types, understanding of the conditions and considerations under which water users may participate in demand management, compliance with regulations concerning water right priority distribution and storage of conserved water, and assessment of the regulatory and economic viability of different project types.

### 2.2 Objectives

The Pilot Program will translate research into implementation, and conserve water while creating opportunities to experiment and establish best practices before developing larger-scale drought mitigation programs. The Program will support the Authority's Management Plan while working with Utah State University and the Division of Water Rights to quantify agricultural optimization depletion savings and complementing other state and federal drought mitigation initiatives such as the Utah Department of Agriculture and Food's Agricultural Water Optimization Program, Utah Division of Water Resources Water Banking, the Upper Colorado River Commission System Conservation Pilot Program, and any future related programs.

The Pilot Program will include projects that incorporate the following five objectives:

1. Reduction of depletion by deficit irrigation, split season fallowing, irrigation method changes, crop changes, fallowing, etc.
2. Quantification of actual depletion reduction using a combination of methods such as space and time comparisons, remote-sensing measurement, and in-situ measurement.

3. Understanding of conditions and considerations under which water users will reduce depletion and participate in a demand management program.
4. Identification of the state and federal regulatory processes that ensure conserved depletion can be stored in a pre-identified reservoir for credit in an authorized Demand Management Program. On the state side, this may involve identifying the best practices for preparing for and filing a change application and understanding the likely conditions and processes for distributing the water, including storing the water. On the federal side, this may involve identifying federal processes for permitting storage of water in federal reservoirs.
5. Determination of the feasibility and risks of storing saved water over a multi-year period. This may include identifying how often a particular water right is available in priority and a reservoir's operations for storing and spilling water. Analysis of historical hydrology, current water demands of the river system, priority distribution of direct flow and storage water rights (including spills) of the river system, and operations for storage, carry-over, and spills pertaining to a particular reservoir may also be necessary.

At the conclusion of the Pilot Program, the Authority will understand: 1) to what degree various depletion reduction methods are effective and viable for full-scale programs, 2) how reduced depletions will generally be quantified for application in full-scale programs, 3) under what conditions and considerations water users may participate in demand management, 4) how to best navigate state and federal processes to store saved water in a pre-defined reservoir, and 5) feasibility, risks, and costs of storing conserved water for demand management.

### 3 SCOPE OF WORK

The selected consultant team will support development, management and implementation of the Pilot Program and, as needed, development, management, and implementation of the Pilot Projects. The selected consultant will provide administrative and technical support to both the Authority and Pilot Project proponents during the term of the agreement. Thus, a range of expertise including project administration, Utah water law, Colorado River Compact operations, private and federal reservoir operations, and hydrologic, agronomic, economic, and environmental science and engineering will be required. All work will be conducted at the direction of the Authority and will be assigned through a series of Task Orders.

## 3.1 Task Order 1

As part of Task Order 1, the consulting team will be required to provide services consistent with the subtasks outlined below:

### Subtask 1. Pilot Program Development Support

- Develop Pilot Project selection criteria
- Develop a Request for Pilot Project Proposals

### Subtask 2. Pilot Program Administration Support

- Facilitate inter-agency and inter-program coordination
- Conduct Pilot Project outreach and solicitation to potential water users
- Support evaluation and selection of proposed Pilot Projects
- Support development and execution of Pilot Project Implementation Agreements

### Subtask 3. Pilot Project(s) Development Support

- Support Pilot Project conceptualization and development of implementation protocols
  - Support Pilot Project proponent as needed (Objective 1)
  - Plan any Pilot Project activities that are needed to meet the Pilot Program Objectives of the Authority and are beyond the actions to be taken by the Pilot Project Proponent (Objectives 2, 3, 4)
- Produce required documentation of Pilot Project(s) plans

### Subtask 4. Project(s) Implementation Support

- Analyze and evaluate Pilot Project:
  - Progress,
  - Performance, and
  - Verification of compliance with Pilot Project Implementation Agreement
- Identify and understand Pilot Project water regulations
- Analyze and evaluate a water right's availability under the prior appropriation system
- Understand conserved water distribution (shepherding) and accounting by the Division of Water Rights
- Identify and understand reservoir-specific fill, carry-over, and spill operations and accounting by the reservoir operator
- Analyze and evaluate the physical feasibility and risks of storing saved water in a pre-defined reservoir
- Analyze and evaluate the economics of the Pilot Project, including the cost per acre-foot of reduced depletion

## 3.2 Key Deliverables

- Quantification & analysis of project(s) and program outcomes, including the cost of saved water
- Identification of lessons learned and recommendations
- Any related tasks to be determined by the Authority and consultant

## 3.3 Contract Period

Under this contract, the Authority envisions multiple task orders, as needed, through the Management Plan Period (through FY 27). The Authority will evaluate the consultant on an annual basis and reserves the right to terminate the contract after an annual review.

## 3.4 RFP and Contract Schedule

The Authority reserves the right to cancel, delay, or postpone the evaluation of proposals and the award of the contract for any reason that it deems necessary and in its best interest. The RFP and contract schedule is shown in Table 1 as follows:

**Table 1.** RFP and contract schedule.

<b>Contract Milestone</b>	<b>Milestone Date</b>
RFP Released	Tuesday, October 10, 2023
RFP Advertised	Tuesday, October 10, 2023
Questions and Clarifications Due	4:00 PM, Wednesday, November 6, 2023
<b>Proposals Due</b>	<b>4:00 PM, Wednesday, November 15, 2023</b>
Presentations by Select Consulting Firms (if needed)	December 4 - 6, 2023
Award Contract	Friday, December 8, 2023
Contract Completion	June 30, 2027

# 4 SUBMISSION GUIDELINES

## 1.1 Proposal Content

1. Cover Letter (*not included in the page count for the proposal*)
2. Organizational Profile (Table 2 and text)
  - a. Introduction of the consulting firm and description of experience, capabilities, and availability

- b. Team organization chart with names and titles of project team members, experience, and availability (Table 2)
  - c. Name and show any sub-consultants on the organization chart
  - d. Provide any related experience on similar projects that have been completed
3. Technical Approach to Completing the Project
  - a. Discuss and describe your understanding of the Project
  - b. Describe the methods and approach for completing the Project based on the activities described in the Scope of Work
  - c. Describe potential risks and issues that may delay the completion of the Project
4. Schedule
  - a. Provide a timeline of milestones and discuss any critical schedule issues and possible items that could impact the schedule
5. Resumes (*not included in the page count for the proposal*)
  - a. Provide key personnel resumes in an appendix to the proposal
6. Cost Proposal (*not included in the page count for the proposal, and only provided in a separate, password-protected PDF document*)

## 1.2 Minimum Qualifications

The Consultant and the Consultant's team shall be capable of providing all professional services as described in this RFP and maintain those capabilities until notification that the Consultant's proposal was unsuccessful or, if the proposal is successful, until the project has been successfully completed. Exclusion of any service needed for the project may serve as cause for rejection of the proposal.

Specifically identify Key Personnel and their roles in Table 2, who would be assigned to the project, including qualifications, experience in related or relevant projects, and background of each. Only projects on which Key Personnel were participants should be listed. Projects may be listed for participants when they were working for a firm different from their current firm. Note that Key Personnel identified in the responding proposal may not be changed without the advance, written approval of the Authority.

**Table 2.** Example table for identifying key project engineering personnel.

Key Project Personnel*	Name	Office Location	Education	Professional Licensure/ Certifications (if applicable)	Years of Experience		Summary of Relevant Experience and Related Projects <ul style="list-style-type: none"> <li>• Project name, completion date, brief description</li> <li>• Project role</li> <li>• Project owner and contact information</li> </ul>
					<i>With Firm</i>	<i>Total</i>	
<i>Principal in Charge</i>							
<i>Project Manager</i>							
<i>Others As Needed</i>							
<i>Others As Needed</i>							
<i>Others As Needed</i>							

*\* Insert or modify rows and columns as needed*

### 1.3 Cost Proposal

Consultants are required to prepare a cost estimate to complete the Project as described in the Scope of Work, to be submitted at the same time as their proposal. The cost estimate must be provided in a separate, password-protected PDF document from the other proposal content. When the selection process is complete based on qualifications, the Authority will request the cost estimate PDF password from only the top-ranked firm, and the cost estimate will be opened. The cost estimate PDF password is not to be provided until after the top-ranked firm is identified. The cost estimate will then be reviewed by the Authority and used for contract negotiations. The cost estimate will not be used in the consultant selection process.

### 1.4 Proposal Submission

To be responsive to this RFP, interested consultants must submit two PDF documents (one document with all proposal content compiled except the cost proposal, and one password-protected document of only the cost proposal) via email to Lily Bosworth (lbosworth@utah.gov) no later than 4:00 PM MT, on Wednesday, November 15, 2023.



The written proposal shall not exceed 10 single-sided pages in length, not including the cover letter, resumes, or Table 2. Fonts shall be 10-point or greater. Wherever possible, proposal content should be generated electronically directly from the native document software rather than scanned copies.

## 1.5 Modifications to, or Withdrawal of, a Submitted Response

A responder may modify or withdraw the responder's proposal, at any time before the Submission Deadline, by providing a written modification or a written statement withdrawing the proposal to the RFP contact. Modifications or letters of withdrawal received by the RFP contact after the Submission Deadline will be rejected as invalid.

The Authority may: (i) allow a responder to correct an immaterial error in a responder's proposal, as provided in §63G-6a-114, Utah Code Annotated, and/or (ii) request a responder to clarify information contained in a proposal, as provided in §63G-6a-115, Utah Code Annotated.

## 1.6 Cost of Responding to RFP and Contract Negotiations

All expenses related to responding to this RFP, including, but not limited to, preparing, submitting, and presenting a proposal; attending meetings in relation to this RFP; discussions; and all travel, dining, lodging, and communication expenses will be borne solely by the responder. The Authority assumes no liability for any costs incurred by a responder in responding to this RFP.

All expenses of the successful responder relating to conducting contract negotiations, including, but not limited to, drafting, research, legal review, preparation, attending meetings, site visits, travel, dining, lodging, and communication expenses will be borne solely by the responder. The Authority assumes no liability for any costs incurred by a responder relating to contract negotiations. No responder shall bill the Authority for any expense that was incurred prior to the time that the contract is signed by all parties.

## 1.7 Contact

Questions and clarifications regarding this RFP should be provided in writing to Lily Bosworth at [lbosworth@utah.gov](mailto:lbosworth@utah.gov) no later than 4:00 PM, Wednesday, November 6, 2023.

Any unsolicited communication from your firm or anyone on behalf of your firm concerning this RFP to any employee or board member of the Authority not listed as the contact before award of contract is grounds for disqualification from this procurement.

# 5 EVALUATION OF PROPOSALS

## 5.1 Selection Criteria

The selection committee will evaluate submitted proposals based on the qualifications presented as they relate to the selection criteria below in Table 3.

**Table 3.** Proposal Selection Criteria and weighting.

Selection Criteria	Points
<p>1. <b>Evaluation of Proposal and Approach</b> (0-5 with a weight of 8 for a maximum total of 40 points)</p> <ul style="list-style-type: none"> <li>• Responsiveness to the RFP’s Purpose, Objectives, and Scope of Work described herein</li> <li>• Description and adequacy of engineering methods and approach</li> <li>• Familiarity with the Authority’s mission, Management Plan, and Work Plans</li> <li>• Familiarity with the Authority’s role</li> <li>• Familiarity with Colorado River issues and policy and Utah water regulations</li> <li>• Familiarity with agricultural water optimization practices, project verification, water use and water balance measurement, etc.</li> <li>• Potential schedule showing key dates, program milestones, and critical path issues</li> </ul>	40
<p>2. <b>Evaluation of Experience</b> (0-5 with a weight of 8 for a maximum total of 40 points)</p> <ul style="list-style-type: none"> <li>• Demonstration of consultant firm’s experience and knowledge in developing and implementing work similar to the Pilot Program and potential Pilot Project(s) requested</li> <li>• Demonstration of experience with projects that included both quantification of water savings and building effective relationships with participants</li> <li>• Project Team Profile provided with Table 2 completed</li> </ul>	40
<p>3. <b>Evaluation of Resources</b> (0-5 with a weight of 4 for a maximum total of 20 points)</p> <ul style="list-style-type: none"> <li>• Demonstration of resources and availability to complete contract requirements within the schedule</li> <li>• Identification of a quality control and quality assurance plan</li> </ul>	20
<b>Total Points Possible</b>	<b>100</b>

## 5.2 Evaluation Process

The evaluation process shall be in compliance with Utah Procurement Code Requirements and Procedures. To determine which proposal provides the best-qualified services with the best value to the Authority, the Evaluation Committee shall evaluate the proposals submitted in conformance with the applicable requirements of the Utah Procurement Code, using a staged evaluation process as follows:

**Stage 1.** The Evaluation Committee will review all proposals that are received in a timely manner. Responders that are determined to be not responsible, and proposals that are not responsive, or do not comply with the requirements of this RFP and the requested submission format, will be eliminated from consideration. A written notice will be sent to those responders who are eliminated from consideration.

**Stage 2.** The Evaluation Committee will evaluate proposals that are not eliminated in Stage 1 in accordance with Criteria 1 - 3 listed above. The Evaluation Committee will give each of the three Criteria a score of 1 – 5 as follows, then each score will be weighted to achieve a maximum potential score of 100.

- 0 – No response or information
- 1 – Inadequate, and/or fails to meet requirements
- 2 – Fair, and/or only partially responsive
- 3 – Average, and/or meets the minimum requirements
- 4 – Above average and/or exceeds minimum requirements
- 5 – Superior

The top-ranked proposal(s) will be designated as finalists and will move on to Stage 3 (if needed).

**Stage 3.** If needed, presentations may be conducted with responders who were not eliminated in Stage 1 or Stage 2. The presentations will be conducted in person on December 4, 5, or 6, 2023. For proposals considered in Stage 3, the scores awarded under Stage 2 could be adjusted, if justified. If presentations are deemed unnecessary, proposals may be accepted without a presentation. A written notice will be sent to those responders who are eliminated from consideration after Stage 3.

**Submission of Recommendation.** After completion of the evaluation and scoring of proposals, the Evaluation Committee will submit the proposals and evaluation scores to the Authority Executive Director for award.

### 5.3 Award of Contract

After the selection committee has reviewed all proposals and selected the most qualified consultant, the Authority will enter into negotiations with the consultant as soon as practicable to prepare a draft agreement. The selected firm will provide the Cost Proposal PDF password to the RFP contact at this time. If an agreement cannot be reached, the Authority will immediately enter negotiations with the second most qualified firm.

**Notice of Award.** The Authority will make public the Notice of Award to both the responders and to the public as soon as practicable after the awarding of contract(s) have been made.

### 5.4 Accuracy of Proposals

All proposals will be relied upon as true and accurate. The selection committee will rely on this information when evaluating each submission by the selection criteria. Any proposal failing to clearly present all the requested information or failing to be in the requested format may be considered non-responsive and rejected.

In accordance with Utah State Law, proposals are a public record and are subject to public review upon request. However, a consultant may request that any part of its proposal be designated as a protected record and not available for public release by complying with the requirements of §63G-2-309(1), Utah Code Annotated. To do this, firms must provide the Authority with a written claim of business confidentiality and a concise statement of reasons supporting this claim. This information must be submitted together with the proposal to be considered.

The Authority reserves the right to request a consultant clarify any part of the submitted proposal. Response to such requests must be made in writing and will become part of the proposal. Supplementary information and materials received after the deadline, that are not expressly solicited by the Authority, will not be considered in the evaluation. All firm proposals, including electronic media, will become and remain property of the Authority.