

**NOTICE
REQUEST FOR PROPOSALS
FOR PLANNING SERVICES FOR DEVELOPMENT OF EAGLE COUNTY
OPEN SPACE PLAN
EAGLE COUNTY, COLORADO**

Eagle, Colorado

3/20/2023

Eagle County is soliciting proposals from experienced planning firms to develop and prepare an *Open Space Plan* (“*The Plan*”). *The Plan* will summarize the existing Eagle County Open Space program, consider current and future challenges, define a vision for the next ten years + of land acquisition, protection and management, and outline a suite of tools and decision-making strategies for Eagle County for the creation of a desired vision of the future for protection and management of open space in Eagle County. Additionally, the core of the plan will act as the foundation for the Eagle County Open Space and Natural Resource Department’s future strategy and policy for the acquisition, restoration, long-term stewardship, and capital project prioritization. *The Plan* should also include practical steps to achieving the recommendations, goals, policies, and guidelines that will result in the appropriate balance of programs and facilities. This Request for Proposals (“RFP”) will be non-exclusive. Eagle County reserves the right to purchase supplies or services from other professionals.

Proposals must be submitted via email to kate.oetheimer@eaglecounty.us on or before **5:00 p.m., MDT, April 17, 2023**. Any proposal received after this time will not be considered and will be returned to the respondent unopened unless good cause is shown as determined by Eagle County in its sole discretion.

The proposal document may be obtained at the *Open Space and Natural Resources Department - 500 Broadway, Eagle, Colorado 81631* during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. The complete document is also available at www.eaglecounty.us.

Contact information:

Kate Oetheimer
Open Space Planning Specialist - Department of Open Space and Natural Resources
(O): 970-328-8702 (C): 970-914-8684
Email: kate.oetheimer@eaglecounty.us

This RFP will be published on the Eagle County website, in the Vail Daily, and distributed to the Colorado Open Space Alliance mailing list.

REQUEST FOR PROPOSALS INSTRUCTIONS TO PROPOSERS

1. Eagle County, Colorado will be receiving *proposals* by *email to kate.oetheimer@eaglecounty.us on or before time and date*]. Any proposal received after this time will not be considered and will be returned to the respondent unopened unless good cause is shown as determined by Eagle County in its sole discretion
2. Any question, interpretation or clarification regarding this Request for Proposals (RFP) is required 7 calendar days prior to the due date. Responses, if any, will be issued weekly by addenda posted to www.eaglecounty.us. All questions regarding this proposal must be in writing to *Kate Oetheimer, Open Space Planning Specialist*. Questions may be emailed to kate.oetheimer@eaglecounty.us. No additional questions will be accepted after the date and time referenced above unless good cause is shown as determined by Eagle County in its sole discretion. Oral interpretations shall be of no force and effect.
3. If brochures or other supportive documents are requested, then it is required that they be submitted with your proposal.
4. Eagle County reserves the right, in its sole discretion, to reject any and all proposals submitted in response to this RFP, to waive or not waive informalities or irregularities in proposals received or RFP procedures. Eagle County also reserves the right to re-advertise, or to otherwise provide the services as determined by Eagle County to be in its best interest, and to accept any portion of the proposal deemed to be in the best interests of Eagle County to do so, or further negotiate cost, terms or conditions of any proposal determined by Eagle County to be in its best interests.
5. Eagle County may, at its sole discretion, modify or amend any and all provisions herein. If it becomes necessary to revise any part of the RFP, addenda will be provided through posting at www.eaglecounty.us. Eagle County reserves the right to extend the RFP submittal date or to postpone the award of an agreement.
6. All proposals will be reviewed by a selection committee and any other review as determined to be necessary. Respondents may be asked to supplement their initial proposals with additional written material. Eagle County may short-list respondents based upon an evaluation of the written submittals. Eagle County may arrange for in-person interviews with the short-listed respondents for a detailed presentation.
7. The selected proposal will be the one considered the most advantageous regarding price, quality of service, qualifications and capabilities of respondent to provide the specified service, respondent's familiarity with Eagle County and any other factors the County may consider as determined by Eagle County in its sole discretion. Eagle County may award a contract even if not the lowest priced proposal based upon a review of the identified factors.

8. Respondents are encouraged to clearly identify any proprietary or confidential data or information submitted with the proposal. Regardless of whether or not so marked, Eagle County will endeavor to keep that information confidential, separate and apart from the proposal. Notwithstanding the foregoing, respondent acknowledges that Eagle County may be required to release the information in accordance with the Colorado Open Records Act or order of the court.
9. Eagle County will not pay for any information requested herein, nor is it liable for any costs incurred by the respondent in connection with its response to this RFP.
10. No work shall commence nor shall any invoices be paid until the successful respondent has entered into a fully executed agreement with Eagle County and provides the requested proof of insurance.
11. No telephone or oral proposals will be accepted.
12. Proposals must be clearly identified on the front of the envelope or in the subject line of the email submittal by proposal title. Responsibility for timely submittal of proposals lies solely with the respondent. Proposals received after the closing time specified will not be considered unless good cause is shown as determined by Eagle County in its sole discretion.
13. Respondent(s) who submit a proposal are responsible for becoming fully informed regarding all circumstances, information, laws and any other matters that might, in any way, affect the respondent's role and responsibilities. Any failure to become fully knowledgeable shall be at the respondent's sole risk. Eagle County assumes no responsibility for any interpretations made by respondents on the basis of information provided in this RFP or through any other source.
14. All respondents must include a fully executed Proposal Form with their proposal.
15. Eagle County reserves the right to award an agreement to the respondent that demonstrates the best ability to fulfill the requirements of the project based upon our evaluation of the selection criteria.
16. This RFP is not intended to completely define the contractual relationship to be entered into with the successful respondent(s).
17. Upon identification by Eagle County of the successful respondent, Eagle County will give the successful respondent the first right to negotiate an agreement acceptable to Eagle County. In the event that an agreement satisfactory to Eagle County cannot be reached, Eagle County may enter into negotiations with one or more of the remaining respondents. Eagle County may choose to discard all proposals and re-issue another RFP.
18. The successful respondent will perform all of the work or services indicated in the proposal in compliance with the negotiated agreement.

19. The successful respondent(s) shall comply with the following insurance language which shall be included in the agreement to be awarded unless otherwise agreed to in writing by Eagle County:

“Consultant agrees to provide and maintain, at Consultant’s sole cost and expense, the following insurance coverage with limits of liability not less than those stated below:

a) Types of Insurance.

i) Workers’ Compensation insurance as required by law.

ii) Auto coverage with limits of liability not less than \$1,000,000 each accident combined bodily injury and property damage liability insurance, including coverage for owned, hired, and non-owned vehicles.

iii) Commercial General Liability coverage to include premises and operations, personal/advertising injury, products/completed operations, broad form property damage with limits of liability not less than \$1,000,000 per occurrence and \$2,000,000 aggregate limits.

iv) Professional Liability Insurance with prior acts coverage for all Services required hereunder, in a form and with an insurer or insurers satisfactory to County, with limits of liability of not less than \$1,000,000 per claim and \$2,000,000 in the aggregate. In the event the professional liability insurance is on a claims-made basis, Consultant warrants that any retroactive date under the policy shall precede the effective date of this Agreement. Continuous coverage will be maintained during any applicable statute of limitations for the Services and Project.”

The successful respondent(s) shall comply with the following other insurance requirements which shall be included in the agreement to be awarded:

b) “Other Requirements.

- i) The automobile and commercial general liability coverage shall be endorsed to include Eagle County, its associated or affiliated entities, its successors or assigns, elected officials, employees, agents and volunteers as additional insureds.
- ii) Consultant's certificates of insurance shall include all sub-consultants as additional insureds under its policies or Consultant shall furnish to County separate certificates and endorsements for each sub-consultant. All coverage(s) for sub-consultants shall be subject to the same minimum requirements identified above. Consultant and sub-consultants, if any, shall maintain the foregoing coverage in effect until the Services are completed. In addition, all such policies shall be kept in force by Consultant and its sub-consultants until the applicable statute of limitations for the Project and the Services has expired.
- iii) Insurance shall be placed with insurers duly licensed or authorized to do business in the State of Colorado and with an "A.M. Best" rating of not less than A-VII.
- iv) Consultant's insurance coverage shall be primary and non-contributory with respect to all other available sources. Consultant's policy shall contain a waiver of subrogation against Eagle County.
- v) All policies must contain an endorsement affording an unqualified thirty (30) days notice of cancellation to County in the event of cancellation of coverage.
- vi) All insurers must be licensed or approved to do business within the State of Colorado and all policies must be written on a per occurrence basis unless otherwise provided herein.
- vii) Consultant's certificate of insurance evidencing all required coverage(s) is attached hereto. Upon request, Consultant shall provide a copy of the actual insurance policy and/or required endorsements required under this Agreement within five (5) business days of a written request from County, and hereby authorizes Consultant's broker, without further notice or authorization by Consultant, to immediately comply with any written request of County for a complete copy of the policy.
- viii) Consultant shall advise County in the event the general aggregate or other aggregate limits are reduced below the required per occurrence limit. Consultant, at its own expense, will reinstate the aggregate limits to comply with the minimum limits and shall furnish to County a new certificate of insurance showing such coverage.
- ix) If Consultant fails to secure and maintain the insurance required by this Agreement and provide satisfactory evidence thereof to County, County shall be entitled to immediately terminate this Agreement.
- x) The insurance provisions of this Agreement shall survive expiration or termination hereof.
- xi) The parties hereto understand and agree that County is relying on, and

does not waive or intend to waive by any provision of this Agreement, the monetary limitations or rights, immunities and protections provided by the Colorado Governmental Immunity Act, as from time to time amended, or otherwise available to County, its affiliated entities, successors or assigns, its elected officials, employees, agents and volunteers.

xii) Consultant is not entitled to workers' compensation benefits except as provided by Consultant, nor to unemployment insurance benefits unless unemployment compensation coverage is provided by Consultant or some other entity. The Consultant is obligated to pay all federal and state income tax on any moneys paid pursuant to this Agreement."

21. Further, the successful respondent(s) shall comply with the following indemnification language which shall be included in the agreement to be awarded:

"Indemnification. The Consultant shall indemnify and hold harmless County, and any of its officers, agents and employees against any losses, claims, damages or liabilities for which County may become subject to, insofar as any such losses, claims, damages or liabilities arise out of, directly or indirectly, this Agreement, or are based upon any performance or nonperformance by Consultant or any of its sub-consultants hereunder; and Consultant shall reimburse County for reasonable attorney fees and costs, legal and other expenses incurred by County in connection with investigating or defending any such loss, claim, damage, liability or action. This indemnification shall not apply to claims by third parties against the County to the extent that County is liable to such third party for such claims without regard to the involvement of the Consultant. This paragraph shall survive expiration or termination hereof."

**REQUEST FOR PROPOSAL
PROPOSAL FORM**

THIS PROPOSAL FORM MUST BE SUBMITTED WITH YOUR PROPOSAL

TO: Eagle County, Colorado
500 Broadway
Post Office Box 850
Eagle, CO 81631

Re: Eagle County *Open Space Plan*

The undersigned, having examined the Instructions to Proposers and any and all documents related to the above referenced RFP:

- (a) agrees to comply with all conditions, requirements, and instructions of the Request for Proposal as stated or implied therein;
- (b) Acknowledges the right of Eagle County, Colorado in its sole discretion to reject any or all proposals submitted, and that an award may be made to a proposer even though not the lowest cost;
- (c) Acknowledges and agrees that the discretion of Eagle County, Colorado in selection of the successful proposers shall be final, not subject to review or attack; and
- (d) Acknowledges that this proposal is made with full knowledge of the foregoing and full agreement thereto.

By submission of this proposal, and signature below, the respondent acknowledges that he has the authority to sign this Proposal Form and bind the company named below. The proposer further acknowledges that Eagle County, Colorado has the right to make any inquiry or investigation it deems appropriate to substantiate or supplement information contained in the proposal and related documents, and authorizes release to Eagle County of any and all information sought in such inquiry or investigation.

Company Name: _____
Title of Proposer: _____
Signature of Proposer: _____

REQUEST FOR PROPOSAL

PROJECT DESCRIPTION

The Plan will be a policy guide intended to express community values as a basis for decision making processes in support of the implementation of programs, establishment of priorities, and the strategic investment of Open Space funds for conservation purposes. The Plan will support all of 6 established Open Space conservation criteria and Eagle County's strategic goals.

SCOPE OF SERVICES

Background:

The Eagle County Open Space Program (“the Program”) was formed in 2003 after a ballot initiative establishing a permanent funding source for open space was approved by Eagle County voters in 2002. The Eagle County Open Space Fund (the “Open Space Fund”) is stewarded by the Eagle County Board of County Commissioners (the “BoCC”) and supports the acquisition, conservation, and management of lands in Eagle County. The 1.5 mill levy on property taxes was reauthorized by voters in 2018 and is currently scheduled to sunset in 2040. Since inception, the Program has helped conserve over 15,000 acres of land including over 3,500 acres owned in fee by Eagle County that are actively managed by Eagle County Open Space and Natural Resources Department staff. The Program has not completed a formal planning process since the Program secured funding in 2002.

Eagle County Open Space Program:

Generally, the Program has gone through phases of strategic conservation projects that are recognizable by the community. At Program inception, private conservation easements were funded by the Program, including the Bair (2004) and Gates (2007) ranches. Projects like these, high-dollar without direct public access, received varying degrees of support from the community. Only one property was purchased in the first 7 years of the Program that included publicly accessible lands owned in fee by Eagle County (Eagle River Preserve 2005).

Moving into the second decade of work, the Program was a major player in the Eagle Valley Land Exchange (2012) that saw local municipalities and federal land managers come together to exchange lands to improve management connectivity and reduce complex administrative boundaries.

The next iteration of projects focused around public access and recreation. Multiple sites were purchased in fee that included hiking, biking, and fishing access for the public. During this time period, Eagle County pursued a multi-year project on the Upper Colorado River that involved working closely with the BLM to secure ownership of a number of important boat ramps and access points with the eventual goal of transferring ownership to the BLM, the largest land manager in the area. This project was completed

in 2018 with funding from the Land and Water Conservation Fund (Two Bridges River Access, Dotsero Landing, State Bridge River Access).

The most recent fee-simple acquisition moved the Program into a new role as ranch owner and manager. Closing on the 1,540-acre Brush Creek Valley Ranch and Open Space (BCVROS) in 2017 and the subsequent 132-acre Ridgway inholding in 2020 is the culmination of a decades-long citizen effort to conserve the Brush Creek Valley. BCVROS presents countless opportunities for highlighting conservation values as well as providing ample learning opportunities for staff to engage with working landscapes, property management, and agriculture. The now 1,672-acre property encompasses close to half of the Programs' land owned in fee.

Prior to 2022, the Program was managed by a dedicated Open Space department focused on the acquisition, conservation, and management of Eagle County Open Space properties. With the addition of Natural Resources staff in 2022, The Open Space and Natural Resources (OSNR) Department now functions more holistically within the County, and significantly more resources are available to support the Open Space Program and staff.

OSNR had five employees as of year-end 2022. The OSNR Director oversees a Natural Resources Policy Manager and Vegetation Manager as part of the Natural Resources staff, and an Open Space Manager and Senior Open Space Specialist/ Ranger who focus on the Open Space Program. An Open Space Planning Specialist joined the department in January 2023. Additionally, the Eagle County Citizens Open Space Advisory Committee (OSAC) is a group of seven community members who applied, and were appointed by the BoCC to provide Open Space funding recommendations.

Project Scope:

Summary: Eagle County is seeking the services of an experienced planning firm to assist in the development and preparation of a strategic plan to guide the County over the next ten years in the management and acquisition of Open Space properties (the "Plan"). The Plan will be a policy guide intended to express community values as a basis for decision making processes in support of the implementation of programs, establishment of priorities, and the strategic investment of Open Space funds for conservation purposes. The Plan will support all of 6 established Open Space conservation criteria and Eagle County's strategic goals.

Approach and Innovation:

The successful contractor, through this RFP, will clearly articulate strategies for accomplishing the tasks set forth in the following sections to allow the County to effectively evaluate each proposal. Potential monthly schedule of services should also be included. Successful candidates will demonstrate how they have strategically implemented innovative tools and incorporated best management practices and data-driven decision making while working on similar past projects.

The successful contractor shall, whenever possible collect, share, and use data to drive decision making and inform management goals, strategies, monitoring methods, and other plan elements. The successful contractor shall develop a series of maps depicting a wide variety of conditions across the County that support individual Plan elements.

Task 1: Community Outreach:

The successful contractor shall develop and execute a comprehensive strategy for robust public engagement and participation in the development and drafting of the Plan. The successful contractor shall review all existing pertinent community engagement surveys and relevant regional open space and land use plans to develop a public engagement process that assesses needs, community challenges and opportunities, and appropriate levels of service for the Program. The successful contractor will develop methods to ensure all communities and abilities are engaged, including non-English speaking residents and mobility-impaired trail users. The successful contractor shall also assist the County in developing a high-level and interactive web presence to garner interest in community engagement and participation in the planning process.

Goal: Understand public desires and needs as they relate to the Open Space Program.

Task 2: Natural Resources Inventory

The successful contractor shall identify important and unique natural resources throughout Eagle County Open Space holdings, including, but not limited to: identifying restoration opportunities, management priorities, and other tools for enhancing and protecting the natural resources and conservation priorities of the Program. The natural resources inventory should be scalable and support specific property management plan updates.

Goal: Establish a catalog of natural resources and corresponding management actions on Open Space properties.

Task 3: Defining Vision, Goals, and Opportunities

The successful contractor shall work with OSNR staff to refine the vision, goals, and opportunities of the Open Space Program. The successful contractor shall assist the County in aligning County and public values to create a desired vision of the future for the protection and management of open spaces and trails in Eagle County.

Goal: Have a clearly defined vision and set of values to guide the decision-making process.

Task 4: Conservation Prioritization

Using the established OSAC Conservation Criteria, the successful contractor shall develop a comprehensive, landscape scale strategy for the acquisition or conservation of critical landscapes that enhance Eagle County’s portfolio and represent the results of the community engagement process.

Goal: Depict landscape scale conservation priorities as informed by Conservation Criteria and public feedback.

Task 5: Policy Analysis and Recommendations

The successful contractor shall work with OSNR staff to identify existing policies and decision-making processes to produce a framework for a Statement of Policies and Objectives including, but not limited to: acquisition policies, stewardship policies, advocacy policies, performance and efficiency policies, and public support policies.

Goal: Analysis of BMP's of existing policies and procedures for Open Space management provided as an appendix to the Plan.

Deliverables:

The successful contractor shall gather all of the feedback and analysis and work with OSNR staff to prepare a draft Plan for review and approval by OSNR staff that will serve as a guide for the Open Space Program for the next ten years, while acknowledging that permanent funding for the Program is not currently scheduled to sunset until 2040. The Plan will include decision-making strategies, timelines, funding recommendations to guide land-acquisition priorities, recreation planning, capital improvements and maintenance, habitat and land management activities including restoration, forest health, wildlife research and monitoring, and recreational and conservation opportunities. Additionally, the Plan will provide a framework for the adoption and update of individual property management plans, conservation agreements, and policies. The final Plan will be presented to the Board of County Commissioners for approval in a public meeting.

Upon completion of the planning process, the successful contractor shall deliver:

- Electronic copies of all applicable presentations and photos used at public meetings;
- Eight (8) hard copies and one (1) editable version of the final draft of the Plan;
- One (1) white paper on BMPs and Policy audit of current Program policies and procedures;
- Facilitation and/or presence at 5-7 OSAC meetings and 2-4 BoCC meetings for presentation of the draft Plan, and to make any required revisions to the Plan following such meetings. Facilitation and/or presence at the BoCC meeting where the final Plan will be presented to and approved by the BoCC;
- One (1) web accessible interactive story map of the planning process; and
- All raw data files from survey results and/or other public engagement processes.

Project Timeline:

The successful contractor will perform the services outlined above in a timely manner as determined by Eagle County and the contractor with an estimated 2024 completion date for all deliverables.

Other topics to address:

- Diversity, Equity, Inclusion and equitable access;
- Design and branding standards;
- Trail user management methodologies including user-specific trails, directional trails, all-purpose trails, eBikes, and winter use;

- Developing metrics for maintaining user experiences while protecting natural resources on Open Space properties;
- Stewardship and environmental education opportunities;
- Enforcement of Open Space policies and regulations;
- Enhanced community engagement;
- Evolving winter and summer recreation opportunities and trends;
- Commercial activity permit policies;
- Climate resilience including soil health, water efficiency, and rangeland improvement;
- Sustainable agriculture and community resilience;
- Regional and statewide partnerships or initiatives, including current and potential future partners; and
- Financial planning and projections.

PROPOSAL SUBMITTAL REQUIREMENTS

1. **Proposal Form.** Must be signed and submitted with response.
2. **Qualifications.** Briefly explain your company’s qualifications to provide the services requested, e.g., years in business, staffing, vehicles to be utilized and experience.
3. **Experience.** Provide a brief overview of the respondent’s qualifications, organization structure, management philosophy, products and services, number of employees, locations, and turnover.
4. **Schedule.** Contractor will perform the services outlined above in a timely manner as determined by Eagle County and the contractor with an estimated Q2 2024 completion date for all deliverables.
5. **Budget/Pricing.** Respondent must provide hourly rates of all personnel who will be working on the Project, and not to exceed cost for the Project.
6. **Familiarity with Eagle County.** Provide a narrative describing familiarity with Eagle County and the County’s Open Space Program.
7. **References.** Please provide three (3) references from current customers receiving the same or similar service(s). Include name, business, phone number, email, and type of project completed, budget, and dates of projects. Include any other similar open space planning projects for other ski-resort towns or cities.
8. **Legal Issues.** Are there any lawsuits, federal, state or local tax liens, or any potential claims or liabilities against you, your company or the officers of the company at this time or within the last three years? If so, please explain.

10. Evaluation Criteria

The proposals will be reviewed by a selection committee. Respondents may be asked to supplement their initial proposals with additional written material. Eagle County may short-list respondents based upon an evaluation of the written submittals. Eagle County may arrange for in-person interviews with the short-listed respondents for a detailed presentation. Final evaluation and selection will be based on:

- Information presented in proposal
- Ability of the respondent to provide quality and timely products and services
- Qualifications and experience of the respondent Reference checks
- Total cost or proposed pricing
- Proposed timeline
- Respondent's familiarity with Eagle County, the County's Open Space Program and any other relevant and appropriate factors as determined by the County in its sole discretion, Eagle County may award a contract even if not the lowest priced proposal based upon a review of the identified factors