

Request for Proposal

ʔakisq̓nuk First Nation Flood Hazard and Risk Assessment

- East Kootenay Region, BC

Introduction

The ʔakisq̓nuk First Nation (ʔakisq̓nuk) is seeking qualified engineering/geoscience consultants to a conduct a detailed flood hazard and risk assessment for the ʔakisq̓nuk First Nation. The area of interest lies between Fairmont Hot Springs and Windermere, British Columbia.

Proponents are requested to submit a proposal per the format and submission requirements within this document and as identified in Appendix A: "Proposal Submission Form".

Submission Details

Proposals will be received up to the closing time on the closing date. Electronic submissions only will be accepted by email, in PDF format. Hard copies are not required.

Closing Date: December 10, 2021
Closing Time: 12:00 PM Mountain Time
Attention: Lorne Shovar, Interim Senior Administrative Officer
Subject Line: ʔakisq̓nuk First Nation Flood Hazard and Risk Assessment
Email: lshovar@akisqnuk.org

When a Proponent submits their Proposal by email:

- a) The email containing the Proposal will be deemed to have been received at the Closing Location at the date/time stamped/tagged by the ʔakisq̓nuk email system; and,
- b) The Proponent assumes the entire risk that the email is received by the addressee and is complete, including the risk that the ʔakisq̓nuk email system will not properly receive the email and any email attachments before the Closing Time. ʔakisq̓nuk's inability to receive an email or email attachment, for any reason, shall not constitute an exception to the mandatory requirement to submit Proposal by the Closing Time, and ʔakisq̓nuk assumes no risk or responsibility that any email will be received. Proponents are responsible for confirming receipt of proposals.

ʔakisq̓nuk reserves the right to cancel this RFP for any reason without any liability to any proponent or to waive irregularities at their own discretion.

Submissions, Enquiries and Omissions

If the Proponent finds any discrepancies in or omissions from the Request for Proposals or has any doubt as to the meaning or intent of any part thereof, the Proponent shall inform ʔakisq̓nuk in writing. Clarification of terms and conditions of the proposal process are to be directed to:

Lorne Shovar, Interim Senior Administrative Officer

ʔakisq̓nuk First Nation

Email: Ishovar@akisqnuuk.org

ʔakisq̓nuk, its agents and employees shall not be responsible for any information given by way of oral or verbal communication.

ʔakisq̓nuk shall only respond to questions submitted in writing. Any questions that are received and answered by ʔakisq̓nuk staff that affect the proposal process, any interpretation of, additions to, deletions from, or any other corrections to the RFP document, may be issued as written addenda by ʔakisq̓nuk. It is the sole responsibility of potential Proponents to check with ʔakisq̓nuk or the following website to ensure that all available information is received, prior to submitting a proposal:

BC Bid <http://www.bcbid.gov.bc.ca>

AFN Website <http://akisqnuuk.org/>

Inquiries will be received until Wednesday, November 26, 2021, 4:00 PM Mountain Time. Questions received after this time may not be answered.

Project Purpose and Scope

The proposed project will be required to complete detailed flood and steep creek assessments and flood hazard mapping within the ʔakisq̓nuk First Nation Reserve Lands, as well as the completion of a semi-quantitative risk assessment. The ʔakisq̓nuk First Nation will use this report to provide background information for future reserve land development (for new housing locations, etc.) and to identify potential locations for flood mitigation projects, among other uses.

The scope of this RFP includes:

- Characterization of the study area including regional physiography and hydroclimate, and local watershed and creek characteristics, alterations to watercourses implemented by early settlers (where possible to determine), geology and site characteristics flood history and mitigation activity.
- Data compilation and baseline analyses required for assessment, including compilation of topographic data - terrain, hydrologic, hydraulic, fluvial, geomorphologic analyses, and consideration of climate change impacts.
- Hazard mapping and assessment according to provincial and national standards, including the mapping of flood inundation areas, flow velocity, and flow depth for pertinent return periods.
- Dissemination of flood hazard mapping and data in digital formats amenable to incorporation into policy and risk-informed decision making. The target water bodies are:
 - Windermere, Madias and Tatley creeks and Windermere Lake.

- Semi-quantitative risk assessments with the following loss categories: life, economic, cultural/traditional/archeological, and ecological.
- Recommendations related to next steps of mitigation planning that would be advanced based on the work completed in this project.

The ʔakisq̓nuk First Nation is also requesting an assessment of known locations where streams have been altered for settlement / agricultural purposes and whether these locations increase the risk profile for residents of the ʔakisq̓nuk First Nation reserve lands. Local Indigenous Traditional Knowledge (ITK) notes that some streams may have been altered by early non-indigenous settlers to provide irrigation capacity to settler agricultural operations.

Area of Interest and Background

The area of interest is comprised of the following geographic scope.

The area of interest includes **all lands within the legal boundaries of the ʔakisq̓nuk First Nation reserve** and **also encompasses Windermere Creek**, which is a primary water supply for residences on the reserve lands, is traditionally significant, and where floods and other water-borne emergencies may impact reserve lands.

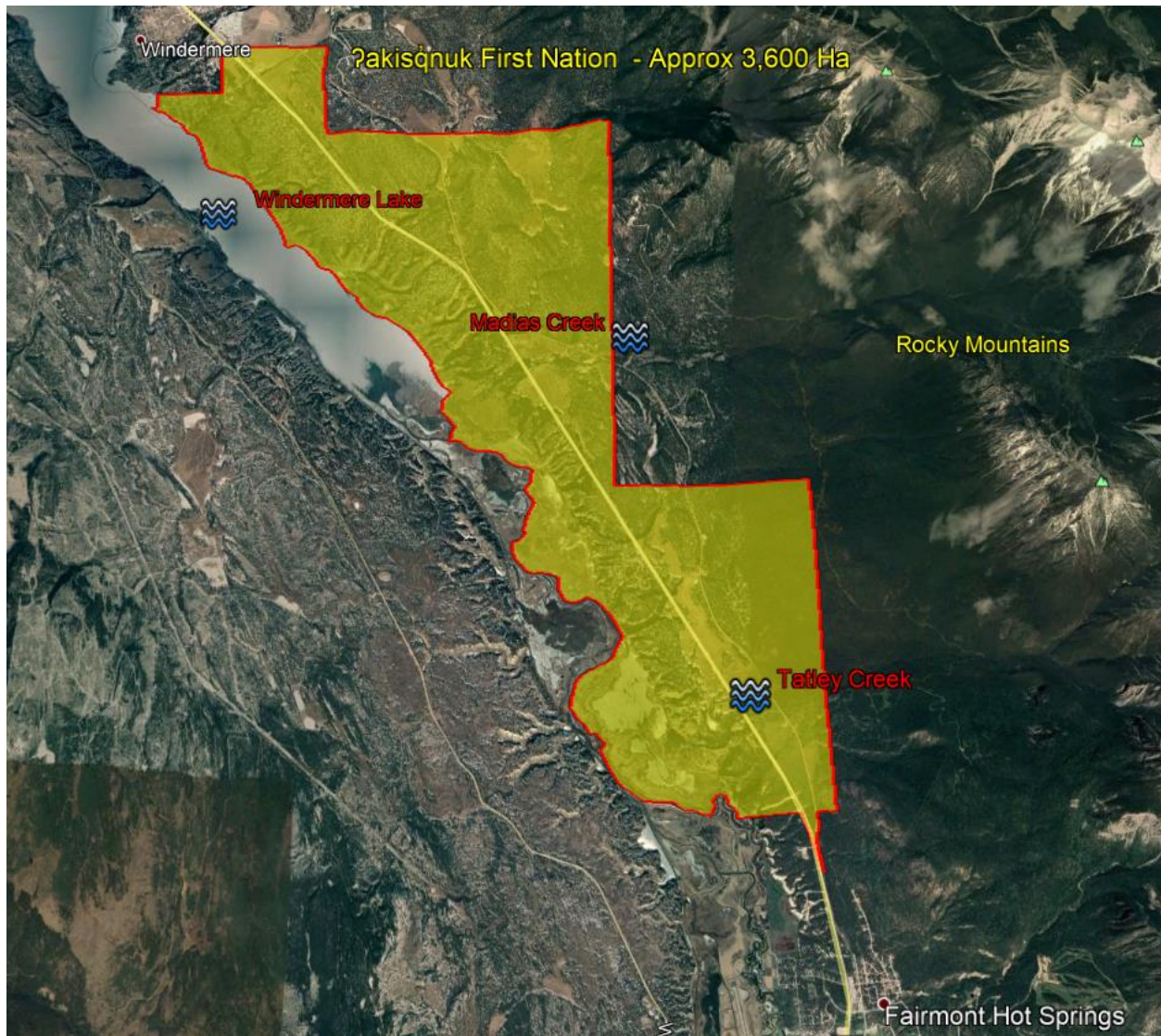
This project does not include the unceded traditional territories of the ʔakisq̓nuk First Nation or Ktunaxa Nation, but ʔakisq̓nuk is a project partner in a similar and concurrent Regional District of East Kootenay study that covers much of this traditional and unceded territory.

Flood hazards along the western and eastern slopes of the Columbia and Rocky Mountains in this area have caused much hardship and damage to assets in recent years. Major flood events and debris flows along Dutch, Coldspring and Fairmont Creeks have caused significant issues for residents in those areas and for the Regional District of East Kootenay. On reserve lands, Tatley, Madias and Windermere Creeks have caused damage to reserve infrastructure and homes, and Ministry of Transportation and Infrastructure assets (flooding of Highway 93). ʔakisq̓nuk is also concerned about the loss of traditional fishing locations where creeks enter Windermere Lake.

Severe weather and climate change are having an impact on reserve lands, with sudden severe precipitation events becoming more common. Earlier and wetter spring melt is occurring, and more rain on snow and rapid winter warming events have been noted. This, combined with the topography, soil composition and vegetation typical of the East Kootenays, is leading to more frequent, sudden and potentially impactful emergency flood events for East Kootenay communities.

The area of interest is noted in the following Google Earth graphic.

Figure 1. The reserve parcel and area of interest overlaid on a topographic image.



Project Work Plan

Proponents are expected to identify tasks that are necessary to provide ʔakisq̓nuk with adequate professional services to achieve the purpose. The Proponent should develop a detailed project methodology that includes, at a minimum, the tasks listed below and identify additional tasks or components necessary for the successful completion of all components of the assignment.

Project Management

- Manage the project and maintain ongoing communication with the ʔakisq̓nuk. Concerns or deviations in the scope, schedule or budget must be identified and reported to and approved by the client as early as possible and before additional work is undertaken.

Data Review

- Review relevant reports, mapping and site conditions
- Review, understand and incorporate all information provided by the RDEK and project partners

Methodology

- Systematically characterize clear-water flood hazards and elements at risk across the area of interest in a format amenable to risk assessment.
- Complete the various components of risk prioritization including hazard identification and characterization, and estimation of relative hazard likelihood, vulnerability and consequences, in order to inform risk management priorities, including policy, regulation, emergency management, and mitigation planning.
- Traditional knowledge must be considered where appropriate. Local knowledge holders should be included in onsite assessments where possible.

Communication

- Include regular progress reports
- Allow for attendance at one ʔakisq̓nuk First Nation Chief and Council meeting
- Attendance at an ʔakisq̓nuk First Nation town hall style meeting to explain the project and findings to ʔakisq̓nuk community members

Budget

- Budget must be considered throughout the process to ensure the overall project success and must not exceed \$150,000.

Deliverables

Project deliverables include the following components.

- A project summary report explaining the flood hazard risk for the area of interest
- Riverine flood hazard maps for Tatley, Madias and Windermere Creek
- Lake Flood Hazard Scenario Maps for Windermere Lake
- Digital and printed maps for the use of ʔakisq̓nuk First Nation
- Attendance at one ʔakisq̓nuk First Nation Chief and Council meeting, and attendance at an ʔakisq̓nuk First Nation town hall style meeting to explain the project and findings to ʔakisq̓nuk community members

Additional Work

- Include any additional necessary or optional items to improve this project for ʔakisq̓nuk to consider.
- Where possible, attempts should be made to increase the technical knowledge of the local community and identify opportunities to include community members or ʔakisq̓nuk staff to orient them to flood hazard and risk assessment processes and knowledge.

Schedule and Communication

The contract is expected to be awarded following the closure of the RFP process and Chief and Council approval. The successful proponent must be available to begin work immediately upon contract award.

A condition of the UBCM CEPF funding program is that the project must be completed by July 29, 2022. The Proponent must provide a schedule including the general sequence, milestones, and timing of the project.

The Proponent, ʔakisq̓nuk and project partners will need to work together in order for this project to be successful. Where responses from ʔakisq̓nuk and project partners are required, please indicate when responses must be received in order to maintain the schedule.

Once the project is underway, the Proponent shall provide communication of the project status and schedule every two weeks to the ʔakisq̓nuk designated contact by email or other method as agreed upon.

Project Budget

ʔakisq̓nuk was successful in obtaining \$150,000 in grant funding from the Union of BC Municipalities Community Emergency Preparedness Fund. All project activities must be completed within this budget. Note, the ʔakisq̓nuk First Nation does not pay GST.

Consultant Selection Process

The intent of the consultant selection process is to engage a consulting team that will lead the entire project from start to finish.

Submission Guidelines

Electronic submissions only will be accepted for this project. In order to assist the review process by receiving similar and relevant information, the following information should be included in the order listed 10.1 Cover Letter

A cover letter should be signed by the company Principal and include their name, title, address, telephone number and email address of the principal. The cover letter should also name and provide contact information for the individual who will serve as the primary contact for the project. This individual should be identified in the "Form A Key Team Members list".

Conflict of Interest

Proponents are asked to provide a letter of disclosure which identifies any relationships with the ʔakisq̓nuk First Nation, partner municipalities, elected officials or employees or whether or not any potential conflicts of interest may arise as a result of their response to this Request for Proposals and/or subsequent award of contract.

Non-disclosure of any potential conflicts of interest may be sufficient cause to disqualify the Proponent or terminate any subsequent contract.

Firm Information

A short summary of the firm, including its history and specialties, should be included. The summary may include a brief description of the project management approach, communication standards, conflict resolution techniques, quality and cost controls, innovative practices, risk management, safety programs and any special resources or techniques that will be used to ensure that critical deadlines are met.

Key Team Members

Identify the Project Manager and other key team members using the included “Form A”. If a sub-consultant is a key team member, the individual and their firm should be identified in “Form A”.

It is understood that the key team members listed shall work on the project for the duration of the project in the capacity as indicated. These team members will be directly responsible for their roles and will be the individuals directly undertaking the majority of their work as it is defined. The Consultant shall not replace or substitute any member of the Project Team without prior approval in writing from ʔakisq̓nuk. ʔakisq̓nuk will require any replacement or substitute to be of equal experience and ability to its own satisfaction.

Demonstrated Team Experience & References

List similar projects undertaken by your key project team members using “Form B”. Limit one (1) page for each project, up to a maximum of four (4) projects. The listed project owners may be contacted as references for the project team.

Proposed Work Plan & Schedule

Describe the proposed work program, including methodology, schedule, milestones, and deliverables. The methodology should detail the tasks to be performed and resources assigned to the project. The proposed methodology should also identify any potential options, or changes to the outlined approach that could be advantageous to ʔakisq̓nuk. Any such optional work should be identified specifically or outlined in a separate section. below. The forms included in **Appendix A** are to be used as indicated.

Additional Information

Provide any additional information that would further clarify your interest, expertise, and capabilities relevant to this project.

Fees

Fees quoted are to be in Canadian dollars and exclusive of all taxes. The Fee Proposal should include:

- A fee structure detailing the proposed fees for each activity, including any optional/add-on work proposed;
- The contract price (taxes excluded), taxes and total contract price;
- Disbursement estimate, to be included in the total fees; and
- Sub-consultant fees markup percentage.

All assumptions and constraints should be clearly provided in the Proposed Work Plan and Schedule.

Scoring of Proposals

Proposals will be reviewed by representatives or designates of ʔakisq̓nuk. During the evaluation process, any or all of the Proponents may be invited to participate in interviews.

Proposals will be evaluated based on the criteria below. Points will be assigned based on the information provided in the Proposal. The intent is to enter into a Contract with the Proponent who has the highest overall ranking.

ʔakisq̓nuk may in its sole discretion check Proponent and subcontractor references without first notifying the Proponent or its subcontractors. ʔakisq̓nuk reserves the right to seek additional references independent of those supplied by the Proponent, including internal references in relation to the Proponent’s and any subcontractor’s performance under any past or current contracts with ʔakisq̓nuk or other verifications as are deemed necessary by it to verify the information contained in the proposal and to confirm suitability of the Proponent.

If the Proponent is deemed unsuitable by ʔakisq̓nuk in its sole discretion due to unsatisfactory references or if the proposal is found to contain material errors, omissions or misrepresentations, the Proponent’s proposal may be rejected.

Technical Criteria	Potential Points
Project Team & Relevant Project Experience	45
Project Understanding & Methodology	35
Subtotal	80
Proposal Fees	20
Total	100

Note that higher marks may be awarded for Proponents in the Relevant Project Experience section who are currently engaged in projects in jurisdictions that border or are neighbours to the ʔakisq̓nuk First Nation. This is to ensure compatibility, transference, and consistency in deliverables with those developed at a regional level.

Proponents who have demonstrated a collaborative working relationship with other First Nation clients, including the sharing of technical knowledge with the local community, and who have identified and implemented opportunities to include community members or First Nations government staff to in flood hazard and risk assessment projects may score higher in applicable categories.

Assessment factors for each evaluation criteria may include but are not limited to:

Project Team and Relevant Project Experience

- Project Manager Experience – the length and quality of the experience of the person named in the proposal as the project manager. The experience does not necessarily have to be all with the same consulting firm, but references must demonstrate that the project manager has comprehensive experience in managing projects of this nature and size.
- Team Experience – the length and quality of the experience of the team members who have been selected to work on this particular project. Projects undertaken with other First Nations governments should be highlighted.
- Firm Experience – the length and quality of the experience of the firm in doing similar work. The systems and measures in place for project management, quality control, cost control, safety, and communication.

- Quality of service and attention to detail
- Ability and effectiveness of project leadership/management, including communication, adherence to schedule and cost control
- Scope of services rendered, project objectives, constraints, deliverables
- References, including past experience with ʔakisq̓nuk, if applicable, and relevant projects within Southeastern British Columbia

Project Understanding & Methodology

- Quality of Proposal – Clarity, conciseness, and organization of submission
- Project Understanding – Understanding of desired project outcomes
- Inclusion – a reflection of understanding by the Proponent that this project must lend itself to increasing the knowledge and capacity of the ʔakisq̓nuk First Nation, through inclusion and cooperation
- Work Program – the thoroughness of the Proponent’s approach to the project, which may include breakdown of project tasks by discipline, deliverables identified for each task, integration of sub-consultants or specialists’ services and/or clear indication of included & excluded services, optional services and services performed by others
- Innovation – allows for discretionary granting of additional points where reasonable innovations that will enhance the project are proposed. This may be in relation to methodology, schedule, budget, quality control or other project facets.
- Schedule – evaluate the schedule for completion of work

Proposal Fees

The Proponent’s fee will be evaluated by multiplying the Potential Points for fees by the ratio of the lowest cost proposal to the Proponent’s proposal cost.

Example: maximum 20 points x ($\$200,000 / \$250,000$) = 16 points

Standard of Service

The Proponent shall undertake and perform all services required with the care, skill and diligence as would be reasonably expected from a consultant qualified to perform services similar in scope, nature, and complexity. The Proponent warrants that they are qualified and have sufficient expertise and experience to perform expeditiously and efficiently all of the services necessary in a proper and professional manner to meet this standard.

Subconsultants & Subcontractors

ʔakisq̓nuk shall approve the Proponent’s qualified subconsultants and subcontractors for the provision of any component of the Services.

Terms and Conditions

Submission of a Proposal in response to this RFP indicates acceptance of all the terms contained herein and that are included in any addenda issued by the ʔakisq̓nuk.

Modification of Terms

ʔakisq̓nuk reserves the right to modify the terms of the RFP at any time at its sole discretion. This includes the right to cancel this RFP at any time without entering a Contract. Such modifications, where applicable, will be communicated through formal addenda posted on website where the original RFP was posted. It is the sole responsibility of the Proponent to check for amendments and additional information on the applicable website.

Changes to Proposal

By submission of a written notice, a Proponent may amend or withdraw its Proposal prior to the closing date and time.

Upon closing, all Proposals become irrevocable. The Proponent will not change the wording of its Proposal after closing and no words or comments will be added to the Proposal unless requested by ʔakisq̓nuk for clarification purposes.

Proposal Validity

Proposals must remain open for acceptance for at least 30 days after the Closing.

Proponent Expenses

Proponents are solely responsible for their own expenses in preparing a Proposal. ʔakisq̓nuk will not be liable to any Proponent for any claims for costs or damages incurred by the Proponent in preparing the Proposal, loss of anticipated profit in connection with a final Contract, or any matter whatsoever.

Acceptance of Proposals

ʔakisq̓nuk reserves the right to reject any non-conforming Proposals.

ʔakisq̓nuk reserves the right to modify the terms of the RFP at any time prior to the closing date and time at its sole discretion. This includes the right to cancel this RFP at any time without entering a Contract. Such modifications, where applicable, will be communicated through formal addenda posted on the RFP website. It is the sole responsibility of the Proponent to check for amendments and additional information on said website.

ʔakisq̓nuk reserves the right to enter into negotiations with one or more Proponents concerning the terms and conditions of the services to be provided, and expressly reserves the right through such negotiations to request clarification from the terms of any Proposals received.

The acceptance of any Proposal is subject to approval by the Chief and Council of ʔakisq̓nuk First Nation.

Other than the ʔakisq̓nuk's obligations under Contract A, ʔakisq̓nuk shall not be obligated in any manner to any Proponent whatsoever until a written agreement has been duly executed relating to an approved Quotation.

Neither acceptance of a Proposal nor execution of a Contract will constitute approval of any activity or development contemplated in any Proposal that requires any approval, permit of licence pursuant to any federal, provincial, regional district or municipal statute, regulation, or bylaw.

Definition of Contract

Notice in writing to a Proponent of the acceptance of its Proposal by ʔakisq̓nuk and the subsequent full execution of a written Contract will constitute a Contract for the work, and no Proponent will acquire any legal or equitable rights or privileges relative to the goods or services until the occurrence of both such events.

Ownership of Responses and Freedom of Information

All documents, including Proposals, submitted to ʔakisq̓nuk become the property of ʔakisq̓nuk. Each Proposal should clearly identify any information that is considered to be confidential or proprietary information.

However, ʔakisq̓nuk is subject to the provisions of the Freedom of Information and Protection of Privacy Act. As a result, while section 21 of the Freedom of Information and Protection of Privacy Act does offer some protection for confidential third-party business, financial and proprietary information, ʔakisq̓nuk cannot guarantee that any such information provided to ʔakisq̓nuk will remain confidential if a request for access is made under the Freedom of Information and Protection of Privacy Act.

Confidentiality of Information

Information pertaining to ʔakisq̓nuk obtained by the Proponent as a result of participation in this project is confidential and must not be disclosed without written authorization from ʔakisq̓nuk.

Client/Consultant Agreement

Should a Proposal be accepted, the successful Proponent would enter into a Client/Consultant Agreement with ʔakisq̓nuk. This will include but not limited to WorkSafeBC and general liability insurance requirements.

APPENDIX A:
PROPOSAL SUBMISSION FORMS

FORM B – Example Projects to Illustrate Qualifications

1. Title of Example Project: _____

2. Project Location (City and Province) _____

3. Year Completed & Value* – Professional Services: _____

4. Year Completed & Value* – Construction (if applicable): _____

5. Project Owner’s Information (may be used as a reference):

- Project Owner: _____

- Point of Contact Name: _____

- Point of Contact Telephone Number: _____

- Point of Contact E-Mail Address: _____

6. Brief Description of Project and Relevance (include scope, size, cost, etc.):

7. Relevant experience from this project:

Flood & Steep Creek Hazard & Risk Assessment

Risk Communication

Hazard & Risk Mapping

Risk Evaluation & Prioritization

8. Subconsultants proposed that were involved with this Project, if any:

Firm Name	Firm Location	Support Service

*Value = order of magnitude