



MEMORANDUM

TO: Brown's Creek Watershed District Board
FROM: Karen Kill
RE: Biennial Request for Qualifications
DATE: November 13, 2024

Background:

Watershed law requires BCWD to solicit proposals every two years for consulting services. The last request for proposals was for 2023-2024 services at the end of 2022.

Issue:

Requests for qualifications for auditing, accounting, engineering, and legal services for 2025-26 are attached.

Equity Policy compliance: In August 2024, the BCWD board of managers approved a Diversity, Equity, Inclusion and Accessibility Policy, which states:

Brown's Creek Watershed District is a special-purpose unit of government established under Minnesota Statutes chapters 103B and 103D to mitigate damage from flooding and improve Brown's Creek and the wetlands, lakes and streams in the watershed. As a public entity working on fundamental water issues that affect everyone in the watershed, BCWD is obligated to ensure its expenditure of tax funds accrues to the benefit of all. In pursuit of this goal, BCWD will ensure diversity, equity, inclusion and accessibility influences its development and implementation its programs and projects, and will work toward addressing current and historical inequities in how land and waters have been managed and improved in the watershed. BCWD will incorporate diverse views in its decision-making, robustly communicate and engage with historically underserved communities, provide equitable access to information and resources, and use social vulnerability and related indices in developing and implementing its programs and projects.

A recent proposal for maintenance services included the following language that could be used similarly in these proposals:

BCWD encourages participation by minority, women, and veteran-owned businesses as prime contractors, and encourages all prime contractors to make a significant commitment to use minority, women, veteran owned and other disadvantaged business entities as subcontractors and suppliers. If applicable, please list any information regarding how these categories of disadvantaged business entities are included in your submission.

Project Pool: In addition to the baseline consultant engineering services, new for consideration is a separate request for engineering, natural resources design and planning, project management and related services project pool request. The goal is to develop a pool of additional consultants who can provide various additional technical experience and expertise in a variety of areas. This separate solicitation seeks consulting services to supplement and enhance the work of the BCWD engineer. This RFQ seeks to familiarize the BCWD managers and staff with the capabilities and strengths of

Managers:

Klayton Eckles, President • Celia Wirth, Vice-President • Debra Sahulka, Secretary • Larry Odebrecht • Chuck LeRoux



various natural-resources consultants in the upper Midwest, and seeks to be consistent with the equity policy recently adopted by BCWD by providing more opportunities for disadvantaged businesses to work with BCWD.

Requested Actions:

1. Provide feedback on equity policy language to be included in the requests for qualifications for all services.
2. Consider the use of a project pool and give direction.
3. Authorize the Administrator to publish the requests for qualifications on website and a summary/website links in the Stillwater Gazette.
4. Authorize the Administrator to publish the request for engineering qualifications in the State Register.
5. Establish a subcommittee of two Board managers to review all submittals and provide a recommendation for the full Board at the January 2025 Board meeting.

Managers:

Klayton Eckles, President • Celia Wirth, Vice-President • Debra Sahulka, Secretary • Larry Odebrecht • Chuck LeRoux

**REQUEST FOR QUALIFICATIONS
FOR
ACCOUNTING SERVICES**

**ISSUED BY
THE BROWN’S CREEK WATERSHED DISTRICT
FOR CALENDAR YEARS 2025-2026**

November 17, 2024

1. Introduction

The Brown’s Creek Watershed District (BCWD) is the governmental unit with primary responsibility for protecting the water resources of the Brown’s Creek Watershed. The District was established in 1997 under the Minnesota Watershed District Act.

The District covers approximately 18,000 acres that drain into Brown’s Creek, which then enters the St. Croix River. The watershed includes Brown’s Creek; a DNR designated trout stream and several small tributaries. The watershed includes twelve major lakes and numerous wetlands. The District includes portions of the Cities of Oak Park Heights, Grant, Hugo, Lake Elmo, and Stillwater along with May and Stillwater Townships.

2. Solicitation

Minnesota Statutes, Section 103B.277, Subdivision 5, require BCWD to solicit proposals every two years to provide consulting services. The current accounting services provided to the district include, but are not limited to; 1) preparing monthly checks and financial statements using QuickBooks Accounting software; 2) assist District auditor in preparation of certified audit; 3) preparing other financial reports as the District may require.

3. General Instructions

Firms interested in providing services to BCWD shall submit electronic qualifications. The Brown’s Creek Watershed District on or before 3:00 P.M., December 31, 2024, will accept qualification statements.

Submittals should be sent to: Brown’s Creek Watershed District
 Attention: Karen Kill
 Karen.kill@mnwcd.org

Qualification statements received after this time will not be considered. Prospective responders who have any questions regarding this “Request for Qualifications”, may contact Karen Kill, (651) 330-8220 x26.

4. Qualification Statement Content

Firms are requested to include in their qualification statement, the following information in the order listed:

- a. A brief summary of the firm's qualifications.
- b. Name and phone number of the person designated to answer questions about the qualification statement.
- c. A specific list of the individuals who would be assigned to work and manage BCWD projects, their proposed responsibilities, background, years of experience, and their previous experience in servicing watersheds.
- d. Fee schedules
- e. Submittals may not exceed 10 pages in length. Submittals that exceed 10 pages in length may not be considered.
- f. [Equity Policy language]

5. Selection Process

The BCWD Board of Managers anticipates making a decision, within 30 days, based upon the submittals. However, at their discretion, they may choose to conduct interviews after reviewing the proposals.

4. Qualification Statement Content

Firms are requested to include in their qualification statement, the following information in the order listed:

- a. A brief summary of the firm's qualifications.
- b. Name and phone number of the person designated to answer questions about the qualification statement.
- c. A specific list of the individuals who would be assigned to work and manage BCWD projects, their proposed responsibilities, background, years of experience, and their previous experience in servicing watersheds.
- d. Fee schedules
- e. Submittals may not exceed 10 pages in length. Submittals that exceed 10 pages in length may not be considered.
- f. [Equity Policy language]

5. Selection Process

The BCWD Board of Managers anticipates making a decision, within 30 days, based upon the submittals. However, at their discretion, they may choose to conduct interviews after reviewing the proposals.

**REQUEST FOR QUALIFICATIONS
FOR
LEGAL SERVICES

ISSUED BY
THE BROWN'S CREEK WATERSHED DISTRICT
FOR CALENDAR YEARS 2025-2026**

November 17, 2024

1. Introduction

The Brown's Creek Watershed District (BCWD) is the governmental unit with primary responsibility for protecting the water resources of the Brown's Creek Watershed. The District was established in 1997 under the Minnesota Watershed District Act.

The District covers approximately 18,000 acres that drain into Brown's Creek, which then enters the St. Croix River. The watershed includes Brown's Creek; a DNR designated trout stream and several small tributaries. The watershed includes twelve major lakes and numerous wetlands. The District includes portions of the Cities of Oak Park Heights, Grant, Hugo, Lake Elmo, and Stillwater along with May and Stillwater Townships.

2. Solicitation

Minnesota Statutes, Section 103B.227, Subdivision 5, require BCWD to solicit proposals every two years to provide consulting services. The current legal services provided to the district include, but are not limited to; 1) assistance with the implementation of the approved 2017-2026 watershed management plan and updates, 2) the implementation of a permitting and plan review program and 3) advising managers of legal options for various projects and studies as requested by the managers.

3. General Instructions

Firms interested in providing services to BCWD shall submit electronic qualifications. The Brown's Creek Watershed District on or before 3:00 P.M., December 31, 2024, will accept qualification statements.

Submittals should be sent to:

Brown's Creek Watershed District
Attention: Karen Kill
Karen.kill@mnwcd.org

Qualification statements received after this time will not be considered. Prospective responders who have any questions regarding this "Request for Qualifications", may contact Karen Kill, (651) 330-8220 x26.

4. Qualification Statement Content

Firms are requested to include in their qualification statement, the following information in the order listed:

- a. A brief summary of the firm's qualifications.
- b. Name and phone number of the person designated to answer questions about the qualification statement.
- c. A specific list of the individuals who would be assigned to work and manage BCWD projects, their proposed responsibilities, background, years of experience, and their previous experience in servicing watersheds.
- d. Hourly fee schedules by labor category and an estimated monthly blended retainer fee based upon 7 hours of typical services per month.
- e. Submittals may not exceed 10 pages in length. Submittals that exceed 10 pages in length may not be considered.
- f. [Equity Policy language]

5. Selection Process

Because the BCWD is charged with managing a DNR Designated Trout Stream and many other unique resources, selection will emphasize criteria that indicate a firm's experience and knowledge of integrated resource management approaches to watershed management.

Qualification statements will be evaluated by the Board of Managers and ranked based on the following criteria:

1. Experience with watershed management organization law.
2. Ability to work with the public, regulatory agencies (including DNR) and other stakeholders and the ability to communicate effectively with the BCWD Board of Managers, Watershed District Engineer and SWCD staff.
3. Permitting, plan review and environmental assessment experience.
4. Locally based firm with the ability to respond to emergency situations in the watershed or situations that would require immediate attention.
5. Experience with watershed management organizations within the metropolitan area.
6. The BCWD Board of Managers anticipates making a decision, within 30 days, based upon the submittals. However, at their discretion, they may choose to conduct interviews after reviewing the proposals.

**REQUEST FOR QUALIFICATIONS
FOR
ENGINEERING CONSULTING SERVICES
ISSUED BY
THE BROWN'S CREEK WATERSHED DISTRICT
FOR CALENDAR YEARS 2024-2025**

November 17, 2024

1. Introduction

The Brown's Creek Watershed District (BCWD) is the governmental unit with primary responsibility for protecting the water resources of the Brown's Creek Watershed. The District was established in 1997 under the Minnesota Watershed District Act.

The District covers approximately 18,000 acres that drain into Brown's Creek, which then enters the St. Croix River. The watershed includes Brown's Creek; a DNR designated trout stream and several small tributaries. The watershed includes twelve major lakes and numerous wetlands. The District includes portions of the Cities of Oak Park Heights, Grant, Hugo, Lake Elmo, and Stillwater along with May and Stillwater Townships.

2. Solicitation

Minnesota Statutes, Section 103B.227, Subdivision 5, require BCWD to solicit proposals every two years to provide consulting services. The current engineering consulting services include, but are not limited to; 1) assistance with the implementation of the approved 2017-2026 watershed management plan and updated 2026-2035 plan, 2) assistance with a rule revision process, 3) the implementation of a permitting and plan review program and, 4) advising managers of technical options and various projects and studies as requested by the managers.

3. General Instructions

Firms interested in providing services to BCWD shall submit electronic qualifications. The Brown's Creek Watershed District on or before 3:00 P.M., December 31, 2024, will accept qualification statements.

Submittals should be sent to:

Brown's Creek Watershed District
Attention: Karen Kill
Karen.kill@mnwcd.org

Qualification statements received after this time will not be considered. Prospective responders who have any questions regarding this "Request for Qualifications", may contact Karen Kill, (651) 330-8220 x26.

4. Qualification Statement Content

Firms are requested to include in their qualification statement, the following information in the order listed:

- a. A brief summary of the firm's qualifications.
- b. Name and phone number of the person designated to answer questions about the qualification statement.

- c. A specific list of the individuals who would be assigned to work and manage BCWD projects, their proposed responsibilities, technical background, years of experience, and their previous experience in servicing watersheds.
- d. Hourly fee schedules by labor category and an estimated monthly blended retainer fee based upon 66 hours of typical services.
- e. Submittals may not exceed 10 pages in length. Submittals that exceed 10 pages in length may not be considered.
- f. [Equity policy language]

5. Selection Process

Because the BCWD is charged with managing a DNR Designated Trout Stream and many other unique resources, selection will emphasize criteria that indicate a firm's experience and knowledge of integrated resource management approaches to watershed management.

Qualification statements will be evaluated by the Board of Managers and ranked based on the following criteria:

1. Experience with watershed management organizations within the metropolitan area.
2. Experience with innovative and alternative watershed management approaches that integrate water resources engineering with natural resource management.
3. Engineering design and timely construction management and inspection.
4. Locally based firm with the ability to respond to emergency situations in the watershed or situations that would require immediate attention.
5. Ability to work with the public, regulatory agencies (including DNR) and other stakeholders and the ability to communicate effectively with the BCWD Board of Managers, Watershed District Attorney and SWCD staff.
7. Permitting, plan review and environmental assessment experience.
8. Interdisciplinary group of water resources professionals that can provide full range of services to the watershed (i.e., surface water, ground water, natural resources, water quality, engineering, etc.)
9. The BCWD Board of Managers anticipates making a decision, within 30 days, based upon the submittals. However, at their discretion, they may choose to conduct interviews after reviewing the proposals.

**Request for qualifications for engineering, natural resources design and planning,
project management and related services
Project Pool**

Brown's Creek Watershed District

1. Introduction

Brown's Creek Watershed District is the governmental unit with primary responsibility for protecting water resources and reducing risks of flooding in the Brown's Creek watershed. BCWD is a regional unit of government, with purposes and powers under Minnesota Statutes chapters 103B (the Metropolitan Surface Water Management Act) and 103D (the Watershed Law).

BCWD's jurisdiction is approximately 18,000 acres that drain into Brown's Creek, which is tributary to the St. Croix River. The watershed includes Brown's Creek, a state-designated trout stream, and several small tributaries. The watershed has 12 major lakes and numerous wetlands. The watershed is entirely within Washington County, and includes portions of the cities of Oak Park Heights, Grant, Hugo, Lake Elmo and Stillwater, and parts of May Township and Stillwater Township.

2. Solicitation

BCWD is presently soliciting proposals for baseline consulting-engineer services (attendance at board meetings; day-to-day advising on regulatory, project-management and other matters; permit review) in accordance with Minnesota Statutes section 103B.227, subdivision 5. Separately and at the same time, BCWD is seeking to develop a pool of additional consultants who can provide various additional technical experience and expertise in a variety of areas: water-resource project design, flood-risk mitigation, project-implementation oversight, [OTHERS?]. This separate solicitation seeks consulting services to supplement and enhance the work of the BCWD engineer. BCWD anticipates drawing on the pool of engineering and natural-resources expertise developed through this RFQ for specific projects in coming years. For example, BCWD would solicit proposals from its pool of consultants to address a particular resource concern that the district has identified. This RFQ seeks to familiarize the BCWD managers and staff with the capabilities and strengths of various natural-resources consultants in the upper Midwest.

3. Instructions

Firms interested in providing services to BCWD should electronically submit a brief statement of interest and qualifications on or before 3:00 P.M., December 31, 2024. Submittals should be sent to:

Commented [KK1]: Would those that send in larger baseline proposal be automatically considered for the pool too or do they have to submit both?

Commented [KK2]: Leave open to project by project determination if using pool or baseline consulting, or does the board of managers wish to set a threshold, or will it be used for all projects?

Brown's Creek Watershed District
455 Hayward Ave N
Oakdale, MN 55128
Attention: Karen Kill, Karen.kill@mnwcd.org

Beyond the brief statement of interest, submissions should include brief statements of areas of expertise and experience, information on key personnel and past projects that exemplify the kinds of services the consultant could provide to BCWD. Submittals may not exceed 10 pages.

BCWD encourages participation by minority, women, and veteran-owned businesses as prime contractors, and encourages all prime contractors to make a significant commitment to use minority, women, veteran owned and other disadvantaged business entities as subcontractors and suppliers. If applicable, please list any information regarding how these categories of disadvantaged business entities are included in your submission.

Prospective respondents are encouraged to contact Karen Kill at 651-330-8220, ext. 26, to discuss BCWD's interests and this RFQ.

Commented [KK3]: This was language used for CIP maintenance request for proposals...include something consistent with DEIA policy and ask for information on how their mission matches?

DRAFT