



LOWER MINNESOTA RIVER WATERSHED DISTRICT

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting
Wednesday, December 20, 2023

Agenda Item

Item 10. A. – Biennial Solicitation for Letters of Interest for Legal, Professional and Technical Consultant Services

Prepared By

Linda Loomis, Administrator

Summary

President Barisonzi asked that the Board be provided with information regarding the Biennial Solicitation for Letters of Interest for Legal, Profession and Technical Consultant Services ahead of being asked to authorize said solicitation. He requested that the following information be addressed in the December Administrator's Report with discussion to follow at the January 17, 2024 Board meeting:

- **Legal Obligations:** Discuss the legal requirements mandating the procurement and bidding process for our vendor contracts to ensure our compliance and commitment to fairness.
- **Request for Proposals (RFPs):** Review and discuss the RFPs for each of the upcoming contract renewals, ensuring clarity, inclusivity, and alignment with our agency's needs and objectives.
- **Evaluation Criteria:** Delve into the evaluation rubric for each position, emphasizing the criteria that will guide our assessment of proposals to ensure a transparent and fair decision-making process.
- **Process and Timeline:** Outline the proposed process for the evaluation and consideration of proposals, including specific milestones, deadlines, and communication protocols to maintain transparency and equal opportunities for all potential vendors.

Additionally, President Barisonzi encourages a robust discussion on the following aspects:

- **Conflict of Interest:** Emphasize the importance of full disclosure regarding any potential conflicts of interest among involved parties, promoting transparency and ethical conduct throughout the process.
- **Budgetary Considerations:** Consider any financial implications or constraints that might influence our decisions, ensuring fiscal responsibility while selecting the best-suited vendors.

Traditionally, the LMRWD has requested letters of interest for Legal Counsel and Technical/Engineering services. Additional services may be requested as the Board of Managers determines. In 2022, the LMRWD requested letters of interest from Technical Consultants interested in being included in a pool of firms. Staff recommend requesting a Technical Consulting Pool again.

LMRWD staff requests the Board of Managers to authorize solicitation in January of even numbered years. Advertisements are posted in the State Register for two consecutive weeks. Notice is also posted on the LMRWD website on the "[Bids & RFPs](#)" page. Interested parties are given 30 days to provide letters of interest. Letters are assembled and included in meeting materials for the Board of Managers meeting following the 30-day deadline. This is usually the March meeting.

Preliminary information is included here in preparation for discussion in January. This biennial solicitation is required by MN Statute § 103B.227, Subdivision 5. Uniform Municipal Contracting Law, Minn. Stat. § 471.345, subd. 3 and 412.311 do not apply to this solicitation as 471.345, defines as follows: A "contract" means an agreement entered into by a municipality (as defined in Subdivision 1 of said statute) for the sale or purchase of supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property. This solicitation is for ongoing services and not for the sale or purchase of supplies, materials, equipment, or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property. Construction projects bids of the LMRWD do follow the Uniform Municipal Contracting Law.

The scope of work for Legal, Professional and Technical Consultant services to be provided does not vary much across watershed districts. Language that was used in the 2022 LMRWD solicitations is attached. Few water management organizations are as detailed with the solicitation as the LMRWD.

In 2018, the LMRWD solicited proposals for an Education and Outreach coordinator without success. In 2020, the Education and Outreach coordinator was included in the solicitation for Technical Consultants. Young Environmental Consulting Group, LLC, (YECG) included Education and Outreach services to the LMRWD in 2020 when Jen Dullum joined the YECG team. The Request for Proposals for Education & Outreach Services is also attached for the Board's Information.

A matrix for evaluating proposals has not been developed, as there were never many proposals received. It has been my experience that few firms respond to the biennial solicitations unless a watershed district makes it known that they are looking for change. It is timely and costly to prepare proposals without some indication that change is being considered by a watershed management organization.

Additional information will be provided with the January 17, 2024.

Attachments

MN Statute § 103B.227

Language published in State Register for Legal Services in 2022

Language published in State Register for Technical Consultant Services in 2022

Language published in State Register for Engineering Pool

Language for Education & Outreach Coordinator from 2018

Recommended Action

No action recommended

103B.227 WATERSHED MANAGEMENT ORGANIZATIONS.

Subdivision 1. **Appointing members.** Watershed management organizations shall notify the Board of Water and Soil Resources of member appointments and vacancies in member positions within 30 days. Appointing authorities shall fill vacant positions by 90 days after the vacancy occurs.

Subd. 2. **Notice of board vacancies.** Appointing authorities for watershed management organization board members shall publish a notice of vacancies resulting from expiration of members' terms and other reasons. The notices must be published at least once in a newspaper of general circulation in the watershed management organization area. The notices must state that persons interested in being appointed to serve on the watershed management organization board may submit their names to the appointing authority for consideration. After December 31, 1999, staff of local units of government that are members of the watershed management organization are not eligible to be appointed to the board. Published notice of the vacancy must be given at least 15 days before an appointment or reappointment is made.

Subd. 3. **Removal.** Appointing authorities may remove members of watershed management organization boards for just cause. The Board of Water and Soil Resources shall adopt rules prescribing standards and procedures for removing members of watershed management organization boards for just cause.

Subd. 4. **Newsletter.** A watershed management organization shall publish and distribute at least one newsletter or other appropriate written communication each year to residents. The newsletter or other communication must explain the organization's water management programs and list the officers and telephone numbers.

Subd. 5. **Requests for proposals for services.** A watershed management organization shall at least every two years solicit interest proposals for legal, professional, or technical consultant services before retaining the services of an attorney or consultant or extending an annual services agreement.

Subd. 6. [Repealed, 1995 c 184 s 32]

Subd. 7. **Drainage systems.** Watershed management organizations may accept transfer of drainage systems under sections 103B.205 to 103B.255.

History: 1990 c 601 s 9; 1999 c 231 s 126

**Pursuant to MSA 103B.227, Subdivision 5, Lower Minnesota River
Watershed District hereby solicits proposals for a Legal Consultant,
and an Engineering Consultant.**

PUBLIC NOTICE
OF
LOWER MINNESOTA RIVER WATERSHED DISTRICT
REQUEST FOR PROPOSALS:

FOR LEGAL SERVICES

Pursuant to MSA 103B.227, Subdivision 5, the Lower Minnesota River Watershed District hereby solicits proposals for a legal consultant for the 2022 through 2024.

Electronic proposals setting forth the experience of the company/individual(s) who would be interested in providing legal services for the Lower Minnesota River Watershed District should be sent to:

Lower Minnesota River Watershed District
Attention: Linda Loomis, District Administrator at
naiadconsulting@gmail.com

Proposals shall be submitted on or before the close of business Wednesday, March 16, 2022.

Please set forth in your written proposal company experience and the experience of the individual(s) who proposes to perform services for the District and the resumes of staff who would assist in providing the contractual services. Rates of individuals should be provided. The Board will review all proposals received and reserves the right to request additional information from any and all proposers, to conduct interviews of the proposers, specifically lead staff proposed to provide services, to reject any and all proposals, and to otherwise take such action as it deems in the best interest of Lower Minnesota River Watershed District.

For answers to questions regarding this request contact Linda Loomis at 763-545-4659 or naiadconsulting@gmail.com. Additional information may be found on the District's website <http://lowermnriverwd.org/>

The Board of Managers will review all proposals received, and reserves the right to request additional information from any and all proposers, to conduct interviews of the proposers, specifically lead staff proposed to provide services, to reject any and all proposals, and to otherwise take such action as it deems in the best interest of Lower Minnesota River Watershed District.

FOR LMRWD DISTRICT ENGINEER

Pursuant to MSA 103B.227, Subdivision 5, the Lower Minnesota River Watershed District hereby solicits proposals for consulting engineering services for 2022 through 2024.

Lower Minnesota River Watershed District (LMRWD) is looking for an engineering and technical service provider to assist in an ongoing process of setting and implementing the water management parameters within which the District will operate by:

- Identifying the technical consequences of choices;
- Discuss alternative solutions;
- Educate the Board and staff about the technical and regulatory issues involved; and
- Inform the District Administrator or project managers of the consequences of decisions that may affect natural resources within the District.

In this function, District Engineer shall routinely review and assess District water management plans, studies, capital programs and procedures to consider, among other things, whether they are 1) consistent with acceptable engineering practices, 2) achieve District goals, and 3) likely to produce positive, cost effective outcomes.

Electronic proposals setting forth the experience of the company/individual(s) who would be interested in providing legal services for the Lower Minnesota River Watershed District should be sent to:

Lower Minnesota River Watershed District
Attention: Linda Loomis, District Administrator at
naiadconsulting@gmail.com

Proposals shall be submitted on or before the close of business Wednesday, March 16, 2022.

Proposals should provide general information about the company and include a list of related work/projects/clients, a list of key personnel who propose to perform services for the District and their qualifications, qualifications of other staff who would assist in providing contractual services and a current fee schedule. Please include other services or specialties that may be pertinent.

Proposals should also include a summary of qualifications and unique expertise in the following areas:

- 1) Watershed, Subwatershed and Water Resource Management and Planning
- 2) Lake, Wetland and Stream Restoration and Management
- 3) Hydrologic, Hydraulic, and Water Quality Modeling and Analysis
- 4) Urban Stormwater BMO Design and Construction Management
- 5) Water Resource Permitting

For answers to questions regarding this request contact Linda Loomis at 763-545-4659 or naiadconsulting@gmail.com. Additional information may be found on the District's website <http://lowermnriverwd.org/>

The Board of Managers will review all proposals received and reserves the right to request additional information from any and all proposers, to conduct interviews of the proposers, specifically lead staff proposed to provide services, to reject any and all proposals, and to otherwise take such action as it deems in the best interest of Lower Minnesota River Watershed District.

PUBLIC NOTICE
OF
LOWER MINNESOTA RIVER WATERSHED DISTRICT
STATEMENT OF QUALIFICATIONS:

FROM ENGINEERING FIRMS INTERESTED IN BEING INCLUDED IN A POOL

Pursuant to MSA 103B.227, Subdivision 5, the Lower Minnesota River Watershed District (LMRWD) is soliciting Statements of Qualifications (SOQ) from firms interested in in being included in a pool of firms that will be called on to provide services for specific types of projects.

Submitted SOQs must have two sections as follows:

Section 1. General Firm Information and Qualifications

This section will include a letter of interest, general information about the company, a list of related work, projects, clients, a fee schedule for 2022-2023, and a list of key personnel who would perform services for the LMRWD and their qualifications. Please include other services or specialties that may be pertinent.

Section 2. Service Area Qualifications

This section should provide a summary of your qualifications and unique expertise in each of the following service areas you wish to be considered for future work. Each service area qualification may not exceed two (2) pages.

- 1) Watershed, Sub-watershed and Water Resource Management and Planning
- 2) Lake, Wetland and Stream Restoration and Management
- 3) Hydrologic, Hydraulic and Water Quality Modeling Analysis
- 4) Groundwater and Hydrogeological Modeling, Monitoring and Analysis
- 5) Natural Resources Management (e.g., wetlands, fens)
- 6) Slope Stability and Geotechnical Services
- 7) Urban Stormwater BMP Design and Construction Management
- 8) Water Resource Permitting
- 9) Land Surveying
- 10) Geographic Information Systems

The SOQ should be no longer than 10 pages, including the letter of interest and any other content the firm desires to the SOQ. The cover, table of content and resumes are not included in the page limit.

Review Process

The LMRWD Board of Managers will review all submittals and determine which firms are qualified in each of the areas listed above. Those firms qualified in each respective service area will be placed in a pool of professional service firms for calendar years 2022-2023. The LMRWD will request proposals or quotations for projects from the pool within a service area, as needed.

LMRWD Policy Relating to Member Communities and Other Governmental Jurisdictions

From time to time, it is possible that LMRWD Consultants may represent governmental jurisdiction fully or partially located with the LMRWD. This may provide a conflict of interest for that consultant. Please layout how your firm would address possible conflicts of interest that may arise.

Submittals

Please provide SOQs in electronic (.pdf) format on or before the close of business Wednesday, March 30, 2022 to:

Lower Minnesota River Watershed District
Linda Loomis, District Administrator
naiadconsulting@gmail.com

The Board of Managers will review all SOQs received and reserves the right to request additional information from any and all proposers, to conduct interviews with select proposers, to reject any and all SOQs, and to otherwise take such action as it deems in the best interest LMRWD.

For answers to questions regarding this request contact Linda Loomis at 763-545-4659 or naiadconsulting@gmail.com. Additional information may be found on the District's website <http://lowermnriverwd.org/>

DRAFT 12-20-2017

Job Title: Education and Outreach Coordinator
Organization: Lower Minnesota River Watershed District
Job Location:
Duration: Part-Time - Permanent
Application Deadline: 2018

Hiring Statement

The Lower Minnesota River Watershed District (LMRWD) invites applications for a consulting Outreach & Education Coordinator who will lead education and community outreach efforts in accordance with the LMRWD Watershed Management Plan, as amended. The LMRWD is a special purpose unit of government, organized under MN Statutes Chapters 103B and 103D, with an office located in Chaska, MN. The LMRWD is responsible for managing water resource within the District and is the local sponsor for the US Army Corps of Engineers maintenance of the Minnesota River 9 foot navigation channel. This is a contracted position and is anticipated to be part-time. *All qualified applicants will receive consideration without regard to race, color, national origin, sex, religion, age, disability, political belief, sexual orientation, gender identity, veteran or military status, genetic information and marital or familial status.*

Qualifications

A degree in communication, environmental science or education, or a related field is preferred. A Bachelor's or equivalent experience in any of the above disciplines is the minimum requirement. Three to five years of experience in community outreach, environmental education, or public relations/communications; experience with an environmental or conservation organization is preferred. Experience managing grant awards, contractors, and/or volunteers. Possess a general knowledge of watershed resources. Demonstrated ability to develop and manage programs. Demonstrated experience in the development and production of communication tools and products. The candidate must possess strong interpersonal skills and demonstrated proficiencies in community engagement and the communication of technical information to the general public.

Description of the Position

The Outreach & Education Coordinator (O&EC) works under the direction of the District Administrator to coordinate, with the LMRWD's partners, implementation of the education and outreach goals articulated in the LMRWD's Watershed Management Plan. This individual will be primarily responsible for organizing a Citizen Advisory Committee (CAC) for the LMRWD and developing a program for Citizen Engagement. Additionally, this individual will be responsible for developing and distributing educational information across all media types and tracking the effectiveness of targeted education and outreach campaigns. The O&EC is a strong communicator who is knowledgeable about watershed activities.

The O&EC builds an expanding network of diverse individuals and organizations that understand the importance of the Minnesota River and advocate for its restoration. They inspire the public and decision makers to make choices that improve the Minnesota River; to instill in stakeholders, teachers, students, and decision makers an environmental awareness; to promote watershed education; to produce all forms of educational media, programs, and seminars in cooperation with state agencies, communities, and. The O&EC creates a vibrant and creative media presence through the LMRWD's own print and electronic media, and by providing regular content to and maintaining positive relationships with local and regional media outlets.

Duties and Responsibilities (not listed in order of priority)

- Works with a high degree of independence, while communicating and strategizing regularly with the District Administrator and the Board of Managers.
- Collaborates closely with staff to integrate education and outreach efforts with research, restoration, watershed planning, and fundraising programs.

DRAFT 12-20-2017

- Manages direct reports, and volunteers across multiple functions while building a positive, collaborative and results-driven culture.
- Develops grant proposals to fund programs and projects; manages grants awarded.
- Develop partner-based watershed education plans to support the LMRWD.
- Represents the LMRWD to decision makers, at meetings of governmental agencies, non-profits, and community groups to cultivate participation in the LMRWD.
- Educates decision makers on watershed restoration practices and policies.
- Conduct targeted education campaigns to achieve and document increased understanding of the Lower Minnesota River and the behavior changes in support of its restoration (i.e. reducing fertilizers, managing flows).
- Maintains working relationships with K-12 and university education sectors
- Responsible for the production and distribution of periodic press releases, displays and exhibits, interpretative signage and project reports.
- Oversee the LMRWD's web and social media content.
- Serve as the LMRWD's liaison to its Citizens Advisory Committee.
- Develops detailed annual workplans and budgets.
- Responsible for tracking and reporting on outreach actions and program success.
- Perform other duties as assigned by the District Administrator.

Knowledge, Skills, and Abilities

- Knowledge of leadership techniques and the ability to build and effectively motivate groups to achieve common objectives.
- Ability to establish and maintain relationships with other stakeholders to accomplish goals.
- Ability to learn and translate the technical aspects of watershed science to diverse audiences through expert verbal and written communications.
- Familiarity with educational science standards and outdoor education initiatives.
- Skill in editing the writing of others.
- Skill in project and grant management including budgets.
- Demonstrated experience in the development of communication tools and products
- Strong presentation skills including the ability to persuade and inspire an audience.
- Strong capacity to continue to learn and train in professional proficiencies from management to learning new workplace technologies.

Physical Demands and Work Environment

The LMRWD has an office located in Chaska, MN. Successful applicants will need to provide their own office space. Evening or weekend work to host and attend meetings and events is often required. A flexible schedule is permitted.

Application

Please submit, **as a single PDF document**, a cover letter, curriculum vitae, three references with contact information, and an example of a successful grant application to:

Linda Loomis, Administrator, Lower Minnesota River Watershed District 112 East 4th Street, Suite 102, Chaska MN 55318 naiadconsulting@gmail.com ATTN: Outreach & Education Coordinator Position