



The Confederated Tribes of the Colville Reservation
P.O. Box 150, Nespelem, WA 99155

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4/6/2023

REQUEST FOR BIDS
For
Devils Elbow Fire Herbicide Invasive Species Control

Scope of Work: The Colville Tribe is requesting bids for herbicide treatments on 110 miles of roadside, for control of invasive species within the Devils Elbow Fire. A detailed Scope of Work is attached as Exhibit B.

Location Description: See attached map

If problems have occurred with previous contracts held with the Tribes, the contractor may not be considered for selection for this contract. Contractor must also demonstrate prior experience and knowledge with invasive noxious weed identification and knowledge of appropriate timing of herbicides to properly control invasive noxious weeds.

***Award of contract shall be made to the responsive bidder based upon Indian Preference and Title 10 Certification according to Tribal Code 10-3-7(a) subpart (2). This Request for Bid is open to all bidders.**

Contractor must bid on the entire project to be considered. The contractor shall comply with all regulations and provisions of the Tribal Employment Rights Ordinance (TERO).

- **If contractor is not a Native Owned Business and a Title 10 Certified Business the following TERO Employee Rights Fee will apply** (so keep this in mind while bidding on this project): The TERO shall assess a Contract Fee equal to 5% of the total gross contract price, on all contracts in the sum of \$5,000.00 or more where the majority of the work under the contract is to be performed within the Reservation or lands owned by the Tribes. The Contract Fee shall be assessed on the entity receiving the contract award. Where a construction or other type of contract involves subcontracting, the entity acting as prime contractor or awarding the subcontracts shall be responsible for paying the Contract Fee, including those attributable to the subcontractors. The Contract Fee shall be due in full prior to commencement of any work under the contract. However, where good cause is shown, the Director may authorize a covered employer to pay the Contract Fee in installments over the course of the contract.

To qualify for consideration all bid packets submitted must include the following documents:

- Exhibit "A" Bid Sheet (dollar amount of proposal)

- Copy of Blue Card – to qualify for consideration as an Indian preference contractor the business owner must provide a copy of the individuals blue card.
- Copy of Title 10 Certification – to qualify as a Title 10 Certified contractor.
- Provide proof of Contractors Liability Insurance applicable to Contractor’s obligations under this Contract.
- List of References (second page of Exhibit “A” or on a separate sheet) that demonstrates that the contractor has successfully completed similar work.
- Contractor must have an Environmental Protection Agency (EPA) pesticide applicator certification if using restricted use pesticides on the reservation.

If a contract is not entered into within a reasonable time after selecting the proposal, the Tribes may elect to cancel the contract or award the contract to the next highest ranked Bidder. The Tribes shall not be bound or in any way obligated until both parties have executed a contract. No party may incur any chargeable cost to the Tribes prior to the execution of a final contract.

After opening and ranking, an award may be made, and a contract may be issued on the basis of the proposals initially submitted without discussion, clarification or modification. The Tribes may discuss cost reduction and other elements of the Bidder’s proposal with the selected Bidder. If the Tribes determines that it is unable to reach a contract satisfactory with the selected Bidder, then the Tribes will terminate discussions and proceed to the next Bidder in order of selection ranking until a contract is reached, the Tribes has rejected all proposals, or the Tribes determines that it is in its interest to re-open the bid or temporarily or permanently abandon the procurement.

The Tribes reserves the right to award a contract for all or any portion of the requirements proposed by reason of this request, to award multiple contracts, or to reject any and all proposals if deemed to be in the best interests of the Tribes. The Tribes additionally reserves the right to re-solicit for proposals or to reject any and all proposals if deemed to be in the best interests of the Tribes, and to temporarily or permanently abandon the procurement.

For additional information concerning this Request for Bids, please contact Tyrone Rock at (509) 634-9780.

The Contractor will:

Ensure herbicides are approved by the Contracting Officer Representative (COR) prior to conducting any treatments. All pesticides used must be listed in the Colville Confederated Tribes (CCT) Land Operations /Range Integrated Weed Management Plan. The CONTRACTOR is required to inform COR before starting any pesticide treatments.

Ensure that all necessary and required safety equipment is on site and in use. All personnel must be properly trained in the use of safety equipment based on requirements from Tribal Occupational Safety and Health Administration (TOSHA), Tribal Safety Offices, United States

Department of Agriculture (USDA), COR and Land Operations/Range Department. In addition, **ALL PRODUCT LABELS MUST BE FOLLOWED!**

No work shall take place until a TERO Compliance and Utilization Plan has been signed, approved, and filed with the TERO Office.

Prior to commencing work the Contractor will provide proof of Workers Compensation Insurance.

Prior to commencing work the Contractor will inform the Land Operations/Range Program and COR when beginning work, so a Start Work Order may be issued.

Complete the work within 30 days of the start work order being signed by the Contracting Officer Representative, unless otherwise specified.

The Contractor shall comply with TOSHA regulations.

The Contractor shall supply **ALL OF THE FOLLOWING:** materials (including herbicide, surfactant, dye, etc.), equipment, tools, transportation, supervision, operating supplies, safety measures and labor to successfully complete the contract. All materials and equipment must be hauled to the work site by the Contractor.

The Contractor is required to supervise his employees on the job, provide transportation, and ensure that safety measures are met.

Contractor shall comply with Industrial Fire Precaution requirements as administered by Mt. Tolman Fire Center. Failure to do so could result in the Contractor being held liable for any fire directly related to equipment operation or operator negligence.

The Land Operations/Range Program will:

Provide a pre-treatment tour of the project site if requested.

The Land Operations/Range Program or COR will arrange, at the contractor's request, to have a technical representative present on site to offer technical assistance and answer questions concerning contract specifications through the course of the project. Requests for technical assistance must be scheduled in advance. Technical representative would be staff from the Land Operations/Range program or other qualified CCT representative.

Ensure that the Contractor has secured any and all necessary permits and documentation required by the CCT for project implementation on the site.

Conditions:

CONTRACTOR must have demonstrated prior experience treating most invasive noxious weeds located in Okanogan and Ferry County be willing to demonstrate knowledge to COR prior to awarding of bid.

No start-up advances, capital or materials will be granted to the Contractor for the project. Partial payments for completed and approved work at the agreed upon contract amount will be paid to the contractor periodically.

No change orders will be granted for the project due to misjudgment or errors in initial bid price.

A debris disposal plan must be attached to the initial proposal before acceptance. This should include how the contractor will dispose of any materials that are required to be removed from the worksite if applicable.

TERO and Indian Preference:

The Contractor shall comply with all regulations and provisions of the TERO and Title 10.

Start of Work:

Once the contract is approved the start date will be coordinated between the Contractor and the COR, but work must be completed by the end of the spraying season or November 1st.

Stop Work Orders:

Will be issued if any concerns arise during the duration of the contract such as, changes in weather conditions, which may include but are not limited to erosion, increased fire danger, windy conditions, very wet conditions, heat, shutting down the woods, too much snow on the ground, and/or an inability to access the project site. The COR may adjust the contract length to compensate for these situations.

Conditions for Default and Cancellations of Contract:

- *Failure to meet completion date:* The Tribes may declare the contract in default if the Contractor fails to complete work by the specified completion date. Requests for extension of time limits must be in writing from the Contractor and must be received by the Land Operations/Range Program five (5) days prior to specified completion date.
- *Contract specifications not met:* Work not performed according to the contract specifications shall be grounds for default.
- *Loss of eligibility for future contracts:* If a Contractor defaults on a contract, he/she will not be eligible for future Land Operations/Range Program contracts for a period of one year. His/her eligibility will be reconsidered upon application to the contracting officer.
- *Relationship to other contracts:* If the Contractor holds more than two Land Operations/Range Program contracts and fails to meet the schedule outlined in the work plan submitted, the COR may at his/her absolute discretion declare all contracts in default.

EXHIBIT "A"
REQUEST FOR BID

for

Devils Elbow Fire Herbicide Invasive Species Control

PROGRAM: Land Operations/Range

CLOSING DATE: Thursday April 20th, 2023, By close of business at 4:00 PM

PROJECT DESCRIPTION:

Contractor Name:	
Contractor Address:	
Washington state pesticide license/ EPA license	_____yes _____no License # (s) _____
Do you claim Indian Preference?	_____yes _____no
ARE YOU TITLE 10 CERTIFIED?	_____yes _____no
WHAT TRIBE ARE YOU AFFILIATED WITH?	
ENROLLMENT NUMBER	
PHONE NUMBER	
MESSAGE NUMBER	

I hereby submit my bid in the amount of (a **detailed budget breakdown for your bid is REQUIRED** and should be attached to your bid packet):

Bid \$ for roadsides _____
TOTAL BID \$ for all tasks _____

Prior experience in similar projects _____year's _____ months.

INSURANCE _____yes_____no BONDED _____yes_____no

Please list contacts of previous supervisors, contractors, and private clients who can give a critical evaluation of your prior work. A minimum of three REQUIRED, five or more preferred.

	NAME	ADDRESS	PHONE #
1.			
2.			
3.			

4.			
5.			

TARGETED COMPLETION DATE: _____

COMMENTS: _____

Signature of Proposed Bidder

Date

Prospective Bidders: Please examine the included contract, attachments, and maps. In addition, you should visit the sites described prior to bidding. Contact Tyrone Rock of the Land Operations Program of the Colville Confederated Tribes at (509)-634-2242 with any questions.

SUBMIT BIDS IN A SEALED ENVELOPE LABELED: *Devils Elbow Herbicide Invasive Species Control*

Sealed Bids for this project may be submitted by mail to:

*Confederated Tribes of the Colville Reservation
 Land Operations/ Range Program
 Devils Elbow Herbicide Invasive Species Control
 Attn: Tyrone Rock
 PO Box 111
 Nespelem, WA 99155*

BIDS WILL BE RECEIVED OR POSTMARKED BY 4:00 PM on Thursday, April 20th, 2023.

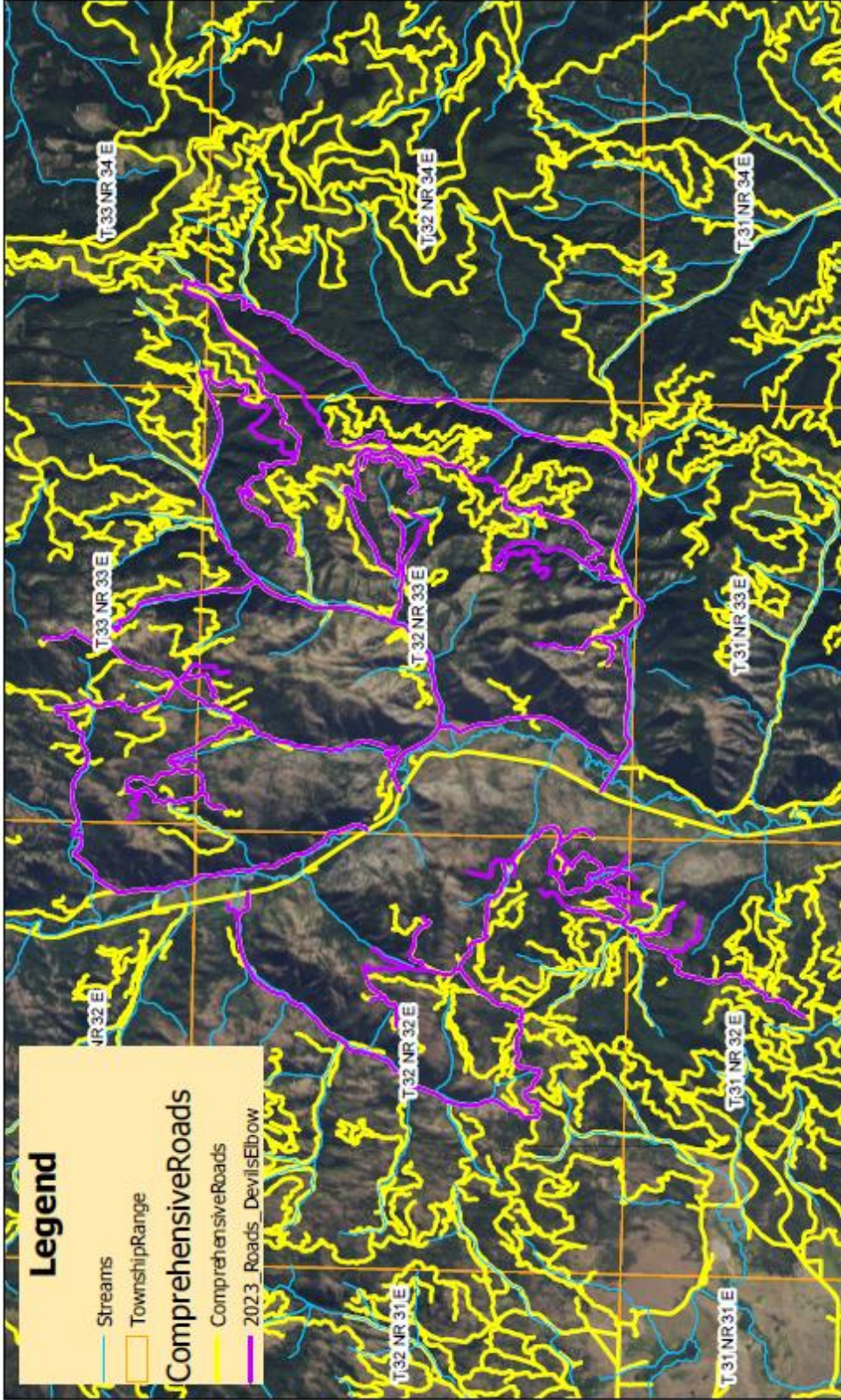
EXHIBIT B – Scope of Work

CONTRACTOR will control noxious weeds along 110 miles of single and double-lane unpaved roadways within and adjacent to an area known as the **Devils Elbow Fire**, said roads and trails to be specified on maps supplied by the CCT COR that will have GPS locations embedded in the maps (see attached general maps. In consideration the CCT will pay CONTRACTOR per single- and two-lane road miles, for driving, surveying for weeds, and treating noxious weeds with approved herbicides where found along said roads. The CCT will also pay CONTRACTOR per acre surveyed and treated for noxious weeds found in and around the fire camp and drop points with approved herbicides. The CONTRACTOR shall maintain and deliver to the CCT COR, daily mileage logs and spray records (section 9 should be properly filled out with an address or exact location of application specified so it can be properly located for inspection and reporting). The CONTRACTOR shall provide pictures of treatment applications before, during, and after treatments are made. The two-lane roads will be treated with herbicides specified to a distance of 8 feet unless noxious/invasive weeds are not present or a barrier/obstacle (ie; sensitive crop, waterway, etc.) prevents application. The 2-lane roads will be treated from each road edge of the traveled road surface extending out to the edge of all turnouts. The single lane (dirt/gravel) roads will be treated in an area of 6-9 feet in width from each road edge, if treatments are needed within the road prism, then treatments will be made 6-9 feet from the center line extending out on each side depending on the total lane width. Herbicides will only need to be applied to areas with noxious/invasive weed species present, targeted applications should be made whenever feasible. CONTRACTOR will be required to post signs along treatment areas, these will be supplied by the COR.

CONTRACTOR will comply with U.S. Department of Interior (DOI), United States Department of Agriculture (USDA), and Animal and Plant Health Inspection Service (APHIS) regulations, guidelines, Environmental Impact Statements (EIS's), and Environmental Assessments (EA's) concerning weed, insect or pest management on trust lands of the CCT. CONTRACTOR will maintain a valid Commercial Applicator License according to the regulations of the Washington State Department of Agriculture (WSDA). CONTRACTOR shall also have an EPA license for spraying federally restricted use pesticides sprayed in Indian Country. The CONTRACTOR shall take care not to allow chemical drift outside the work area and will maintain proper daily pesticide application records, as well as following all other law and requirements of the WSDA and EPA.

Timing of herbicide applications will be made in spring and or fall months. CONTRACTOR will need to work closely with the COR to develop a more specific timeframe for applications. Herbicides and application rates will need to be agreed upon by the COR prior to any herbicide applications. Herbicides used should be a broadleaf spectrum mixture that targets the following noxious weed species and leaves a residual to control future anticipated growth; diffuse/spotted knapweeds, hoary alyssum, common St. Johnswort, sulphur cinquefoil, Canadian thistle, etc. Additional Washington State listed noxious weeds may be found in the project area, CONTRACTOR is required to treat all Washington State listed noxious weed species found within the project area.

CONTRACTOR shall not apply herbicides within 100 feet of perennial waters, nor within 150 feet of any alfalfa or other sensitive crop. The CONTRACTOR will not spray herbicide onto the channel of intermittent or perennial streams.



Legend

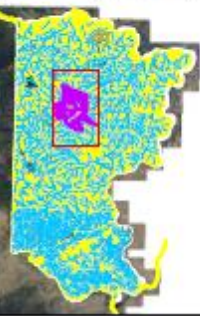
Streams

TownshipRange

ComprehensiveRoads

ComprehensiveRoads

2023_Roads_DevilsElbow



Devils Elbow Fire Road Treatments

Treatment will take place along purple marked roadsides shown in the map above where noxious weeds are present.

2023

Coordinate System: NAD 1983 2011 UTM Zone 11N

