



Town of Pagosa Springs
551 Hot Springs Boulevard
Post Office Box 1859
Pagosa Springs, CO 81147
Phone: 970.264.4152

**REQUEST FOR QUALIFICATIONS 2024-CD-01
TOWN-TO-LAKES TRAIL: 10TH STREET TO GREAT WEST
AVENUE ENGINEERING CONSULTANT SERVICES**

CDOT Project Code #: 25791

Responses Due By 4 p.m. on April 26th, 2024

The Town of Pagosa Springs (Town) is seeking to qualify firms or individuals to develop the Engineered Design Plan for the **“Town-to-Lakes Trail: 10th Street to Great West Avenue Project”**. The project involves preliminary and final design for a multi-use, non-motorized 10-foot-wide concrete trail that will be located south of U.S. Highway 160 between 10th Street and Great West Avenue. The contract will include labor, engineering design, surveying, and environmental services for a Colorado Department of Transportation (CDOT) funded, ADA compliant paved trail for the Town of Pagosa Springs.

I. Project Background

The project area lies within the Pagosa Springs Town limits, where currently, there is a lack of pedestrian connections linking the existing multi—use , non-motorized network from 10th Street and Pagosa Elementary School to Uptown and the west end of Pagosa Springs. Several Town and County planning documents, including the Downtown Master Plan; The Parks, Recreation, Open Space and Trails Plan (PROST); and the Pagosa Springs Comprehensive Plan, have been formulated over the years with considerable public input from open work sessions. These documents have consistently highlighted the need for improved pedestrian facilities in this vicinity.

The Town-to-Lakes Trail Master Plan, endorsed by the Archuleta County Board of Commissioners and the Pagosa Springs Town Council in 2011, outlines a comprehensive strategy to establish a commuter trail that links the existing pedestrian facilities in uptown and downtown Pagosa Springs. Following the adoption of the Master Plan, two segments of the trail have been constructed: one on the east end and one on the west end of Town.

The segment of the Town-to-Lakes Trail outlined in this RFQ will stretch from 10th Street to Great West Avenue (refer to **Exhibit A** for a project map). This segment aims to enhance connectivity between the existing pedestrian network in downtown and the business district at Great West Avenue. Additionally, this segment will traverse the property of a proposed housing development known as Pagosa Views. The Pagosa Springs Land Use Development Code (LUDC) mandates that property developers construct previously planned Town sidewalks and trails as part of their development obligations. A substantial portion of this trail segment falls within this development boundary, thereby mitigating the need for the Town to allocate funds for the construction of the portion of trail passing through the Pagosa Views property (refer to **Exhibit A** for trail boundaries). However, the Town will design this portion of the trail.

In 2019, the Town commissioned a conceptual alignment for the trail segment extending from 10th Street to Great West Avenue (refer to **Exhibit B** for the conceptual plan). This conceptual alignment has proven to be pivotal for the Town in its strategic planning initiatives, however, this concept alignment does not represent a final determined trail alignment. The selected consultant shall propose alignment options that integrate with the Pagosa Views Planned Development (refer to **Exhibit C** for Pagosa Views Conceptual Plan) for the Town's approval.

II. General Information

The project is funded by the State of Colorado Congestion Mitigation & Air Quality (CMAQ) fund for engineered design and construction, **with \$95,000 applied to the Engineering Design Phase and \$695,000 allocated towards the Construction Phase**. However, this RFQ is specific to the Engineered Design phase only. There are Federal Funds awarded for this project, thus there are Davis Bacon Wage requirements. The design Disadvantaged Business Enterprise (DBE) goal requirements is 0%.

A required pre-proposal meeting is scheduled for **Tuesday, April 9th, 2024 at 10am** at the Town of Pagosa Springs-Town Hall located at 551 Hot Springs Blvd, Pagosa Springs, Co, 81147. A virtual option will be available via the Zoom Meeting Platform for those who are not able to attend in-person. The Zoom meeting invitation will be available upon request. An optional site visit may follow the meeting pending weather conditions. **Please contact David Hilborn, Project Manager, at dhilborn@pagosasprings.co.gov if attendance is planned.**

RFQ responses must be received no later than 4 p.m. on April 26th, 2024 to be considered. Proposals received after the deadline will not be reviewed.

The Town will evaluate and rank each proposal received by the submittal deadline, using the criteria set forth herein. The Town reserves the right to reject any and all proposals, to waive any and all formalities and to negotiate contract terms with the successful proposal, and the right to disregard all nonconforming, non-responsive or conditional proposals.

III. Project Schedule

The following represents the schedule for this RFQ. Any change in the scheduled dates for the Proposal Submission Deadline will be advertised in the form of an addendum to this RFQ and posted to the Town's website <http://www.pagosasprings.co.gov/>, under the Bids & RFP's tab. The following schedule for the evaluation process and other future dates may be adjusted without notice.

| Task | Date Complete |
|--------------------------------|--------------------------------|
| RFQ Advertised | March 21, 2024 |
| Required Pre-Proposal Meeting | April 9, 2024 at 10am |
| Deadline for RFQ Questions | April 24, 2024 at 4pm |
| Proposal Submission Deadline | April 26, 2024 at 4pm |
| Proposal review and interviews | April 29, 2024, to May 2, 2024 |
| Contract Execution | May 14, 2024 |
| Notice to Proceed | May 17, 2024 |
| Design Plan Project Completion | February 1, 2025 |

IV. Scope of Work:

Responsibilities: The selected contractor will work with Town Staff for providing the following:

- Professional Engineering design services, advice, and technical assistance to the Town of Pagosa Springs.

- Land surveying to identify property, ROW boundaries and other survey data as needed.
- Provide utility location information and determine and resolve utility conflicts.
- Provide geotechnical investigation required for design.
- Provide roadside and trailside cross drainage studies and design.
- Provide connectivity to the existing trail at 10th Street and to Great West Avenue.
- Design that accommodates future extension of the Town-to-Lakes Trail at Great West Avenue.
- Preliminary Field Inspection Review (FIR) level plans for CDOT review.
- Final Office Review (FOR) level plan set for CDOT review.
- Engineers' opinion of probable construction costs.
- Final construction plans and construction Bid documents and technical specifications and construction Request for Proposals (RFP) documents for advertisement.
- Attendance and participation for construction RFP response review.
- Maps, exhibits, and conceptual illustrations.
- Provide a plan narrative for construction management option.
- Report payments to subconsultants using B2GNow software.
- **Do not include consultant rate sheets design cost estimates at this time. The evaluation will be determined on a qualification-based process only.**
- Consultant shall also provide an alternative consideration for providing Construction Management Services with their RFQ Submission.

Design Criteria: The Engineered Design Plan shall consider the following:

1. The conceptual multi-use, non-motorized trail typical section shall include a 10-foot-wide concrete surface with 1 to 2-foot-wide shoulders running parallel on both sides of the trail, retaining walls or fill/cut slopes, drainage features and culvert extensions (as applicable), and trail lighting. Optional typical section(s) and alignments will then be decided upon to present to the public at a conceptual design (pre-FIR) open house meeting. Adjustments to the design may be required after this meeting before finalizing the preliminary (FIR) plans.
2. Crosswalks and traffic signs shall be incorporated at each road crossing and vehicle point of access to ensure the highest level of pedestrian safety.
3. Design shall incorporate the environmental analysis and report in accordance with the required CDOT Clearances (attached as **Exhibit D**).

Design and Construction Standards: All design and construction shall be done in accordance with the latest edition of applicable standards including but not limited to:

- Americans with Disabilities Act (ADA).
- AASHTO Roadside Design
- Public Right-of-Way Accessibility Guidelines (PROWAG)
- Manual on Uniform Traffic Control Devices (MUTCD)
- CDOT Standard Specifications for Road and Bridge Construction
- CDOT Standard Special Provisions
- CDOT Project Special Provisions
- Urban Area Storm Drainage Criteria Manuals

Attachments:

- **Exhibit A:** Town-to-Lakes Trail: 10th to Great West Avenue Project Map
- **Exhibit B:** Town-to-Lakes Trail: 10th Street to Great West Avenue Conceptual Alignment
- **Exhibit C:** Pagosa Views Conceptual Plan
- **Exhibit D:** CDOT Scoping and Clearances

V. Submittal Requirements:

Submittals should be formatted to correspond exactly to the following information requirements. ***Clear and concise responses are appreciated.*** The total page limit is 20 pages, single sided (8.5x11).

1. PROJECT TEAM EXPERIENCE

- a. Identify the proposed consultant team including the Project Manager, Engineering staff Surveying staff, Environmental consultant, and any Subcontractors.
- b. Present a brief narrative regarding the experience, qualifications, of the team and subcontractors working on similar projects together.
- c. Provide a brief description of Construction Management experience.

2. FIRM CAPABILITIES/ PAST PERFORMANCE/ EXPERIENCE

- a. List five similar projects by your firm, which have been completed within the past five (5) years with other municipalities. This information should be included for all members of the team. This information should include project name, owner, size, completion date, estimated budget, actual project cost and summary of work performed on the project.
- b. Provide a narrative description to show familiarity with CDOT design specifications.
- c. Provide a narrative description demonstrating familiarity and experience with CDOT funded projects.
- d. Provide a statement concerning any pending litigation for the team members concerning projects within the last five (5) years.

3. PROJECT APPROACH AND SCHEDULE

- a. Describe your firm's understanding of the project and your approach to comprehensively addressing all planning, engineering design, and CDOT required clearances for this project.
- b. Provide a schedule of general project activities including duration of each activity and of the total project. The schedule should provide realistic durations for each activity.

4. REFERENCES

- a. Three (3) client references for whom the firm has performed similar work. Include project name, total project cost, owner, and contact information. If the original contact is not available, please provide an alternate contact that had direct involvement with the project.

VI. Selection Process and Criteria

Respondents will be evaluated not only on their past experience for the type of work involved, but also on their proposed methodology and ability to successfully complete the project. The Town shall review all proposals for quality and thoroughness and shall conduct interviews with the top three candidates. Proposals will be reviewed by a selection committee. In accordance with Colorado Revised Statutes (CRS) 24-30-1403, prior to execution of any contract, the firm shall provide "an audited indirect rate approved by a cognizant agency". The selection will be based on the following evaluation factors:

The short list is based on the following evaluation factors:

- Qualifications of respondent and proposed consultants. (Including previous relative experience) (25 points)
- Approach to accomplish the project. (Proposed methodology for addressing the scope of work for completing Final construction plans and bid documents). (25 points)
- Ability to furnish professional services. (Demonstrated competence and experience of firm's personnel responsible for performing work and providing services) (10 points)

- Anticipated master plan design concepts. (25 points)
- Alternative methods of approach for furnishing professional services. (10 points)
- Construction Management Services Alternative (not part of the initial scope). The Town is interested in considering the consult for these additional services. (5 points)

Evaluation factors for the final selection of the consultants:

- Ability of your firm and proposed professional personnel. (25 points)
- Past performance (and experience working on CDOT and TOPS projects). (25 points)
- Philosophy, project approach and schedule. (25 points)
- Current and projected workload. (10 points)
- Volume of previously awarded projects by CDOT. (10 points)
- Construction Management Services Alternative. (5 points)

Town will review the proposals by a committee assigned by the Town Manager or designee. The committee may select a respondent's statements received and/or may elect to shortlist prospective Firms for an interview. The Town will select the most qualified Firm, in its opinion, and then conduct negotiations for the fee.

Should the Town and the first selected Firm not come to terms on the fee, the Town will continue fee negotiations with the next most-qualified Firm whose price is fair and reasonable. The Firm selected for the award will be chosen on the basis of qualifications and experience and the apparent greatest benefit to the Town and not on the basis of the lowest cost.

The Town reserves the right to withdraw this invitation at any time without prior notice and to reject any and all proposals without cause or reason. All responses shall become property of the Town and will be retained or disposed of accordingly.

The Town shall not be liable for any expenses incurred by any contractor including, but not limited to, costs and expenses incurred responding to the Invitation.

The type of compensation on this contract will be the Cost-Plus Fixed Fee / Specific Rate of Pay method of compensation.

VII. General Conditions

Contract terms The Town anticipates the awarded proposal will start work in **May 2024**. The Town expects the Town-to-Lakes Trial: 10th Street to Great West Avenue Project - Engineered Design Plan to be completed prior to **February 1, 2025**.

Certificates of insurance will be required at the time of contract signing following selection to serve as the Design and Engineering Consultants.

- Worker's Compensation — Meet the minimum requirements of Colorado's Labor & Employment criteria for worker's compensation insurance.
- General Liability — Maintain general business liability insurance in the amounts of \$1,093,000 per occurrence; \$2,000,000 aggregate.
- Automobile Liability — Maintain automobile liability insurance in the amounts of \$1,000,000 per occurrence; \$2,000,000 aggregate.
- Professional Liability — Maintain professional errors and omissions liability insurance in the amounts of \$1,000,000 per occurrence; \$2,000,000 aggregate.
- Additional Insured – The "Colorado Department of Transportation" and the "Town of Pagosa Springs" shall be named as additional insured on all commercial general liability policies (leases and construction contracts require additional insured coverage for completed operations)

required of Local Agency and Subcontractors. In the event of cancellation of any commercial general liability policy, the carrier shall provide at least 10 days' prior written notice to CDOT and the Town.

VIII. Project Inquiries

Any requests for clarification or additional information deemed necessary by any respondent to present a proper proposal shall be submitted **in writing to David Hilborn, Project Manager, at dhilborn@pagosasprings.co.gov**, referencing this Request for Qualifications. **Do not contact any other Town employee.** Written requests for information must be received a minimum of three (3) business days prior to the proposal submission deadline. Any request received after the above stated deadline will not be considered. All requests received prior to the above deadline will be responded to in writing by the Town in the form of an addendum addressed to all prospective respondents.

IX. Submission Deadline and Requirements

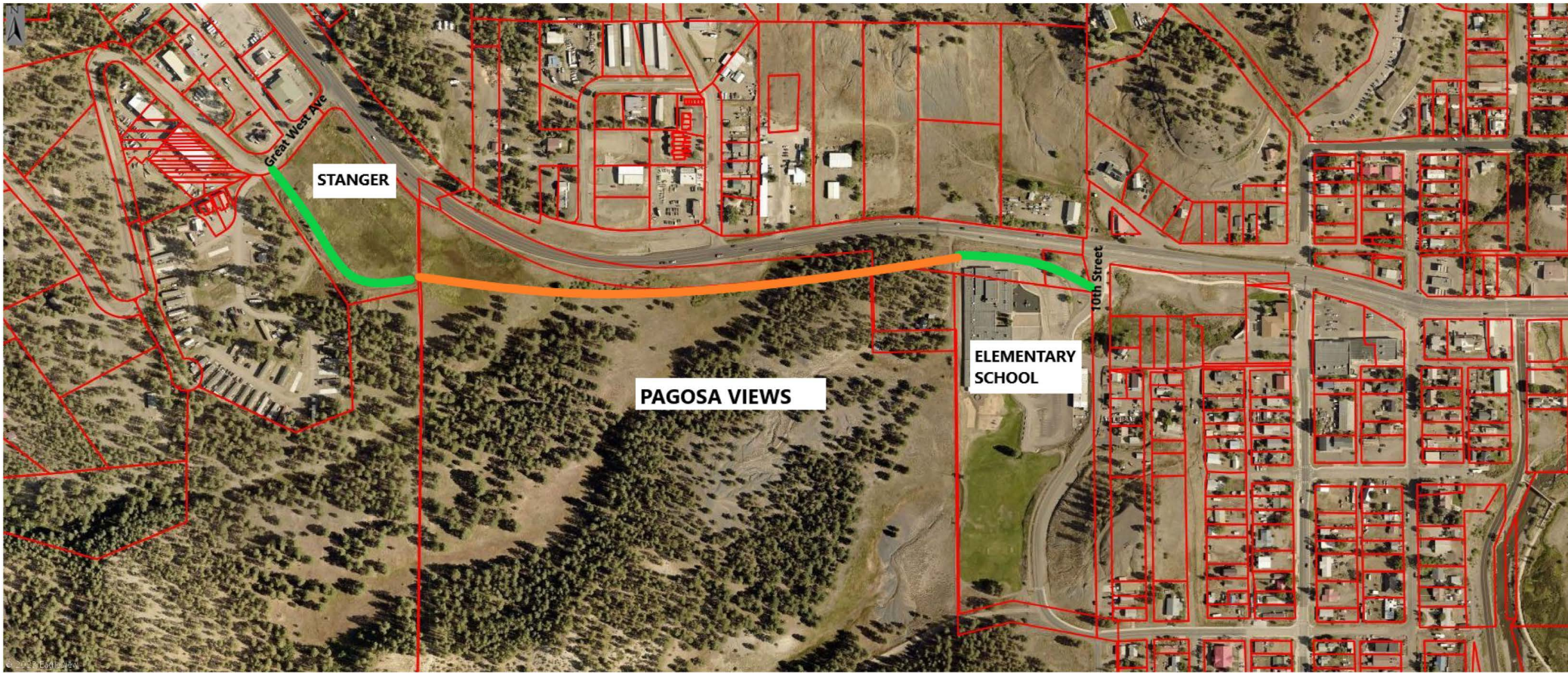
- A. **Submission Deadline:** The deadline for proposals is **4p.m. on April 26th, 2024** at the Town of Pagosa Springs Town Hall, 551 Hot Springs Blvd, Pagosa Springs, CO 81147. Candidates will be notified in writing by email or by phone if selected to be interviewed. Late proposals will not be accepted.
- B. **Submittal Requirements:** Proposals shall be submitted via email to David Hilborn, Town Project Manager, at dhilborn@pagosasprings.co.gov

With prior approval, hard copies may be sent to Town of Pagosa Springs, 551 Hot Springs Boulevard, PO Box 1859, Pagosa Springs, CO 81147. Proposals shall be submitted in a single sealed envelope marked in the lower left-hand corner **"Town-to-Lakes Trial: 10th Street to Great West Avenue Project.**

Exhibit A: Town to Lakes Trail: 10th to Greatwest Project Map

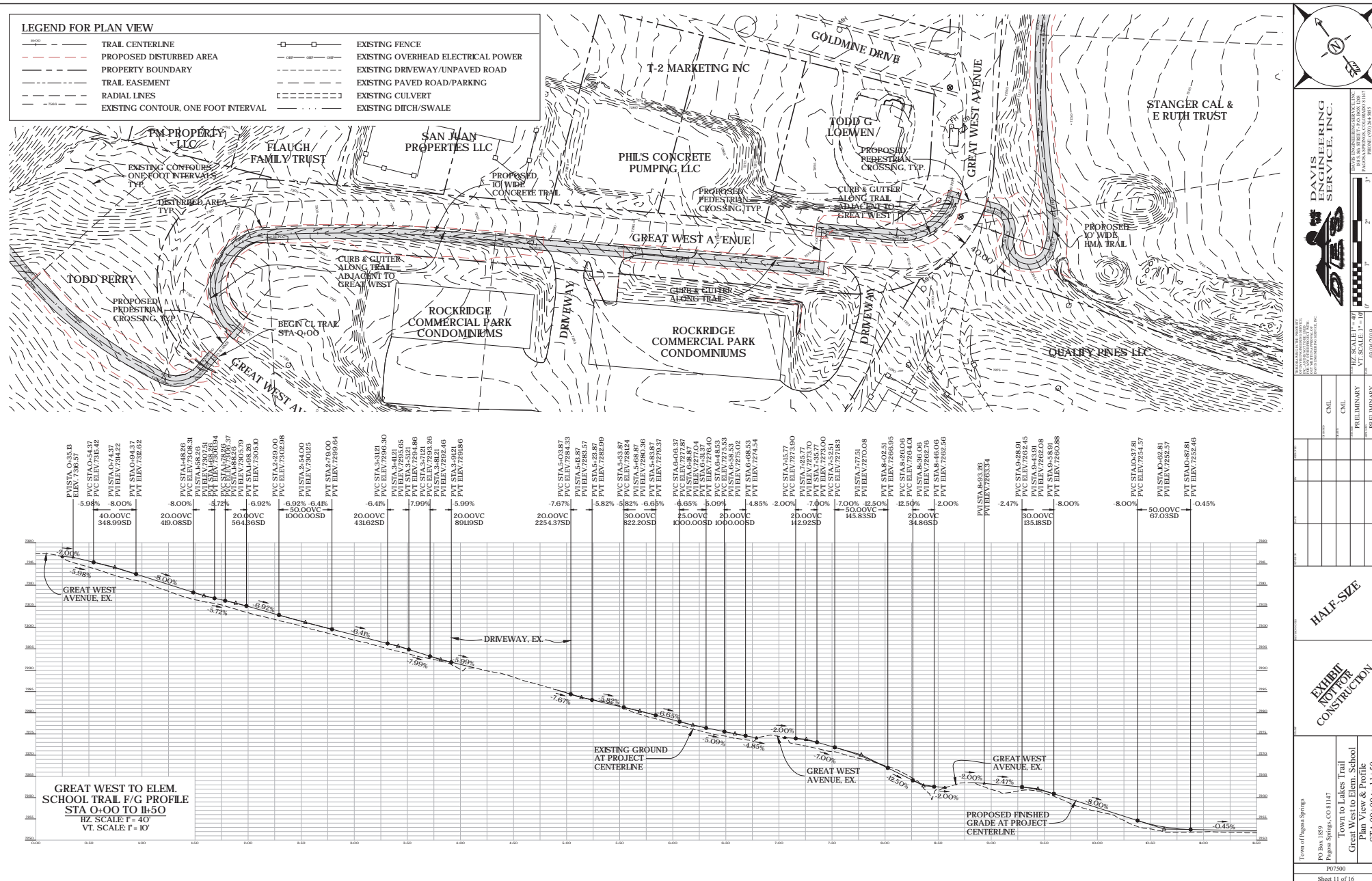
 = Town's portion of Trail

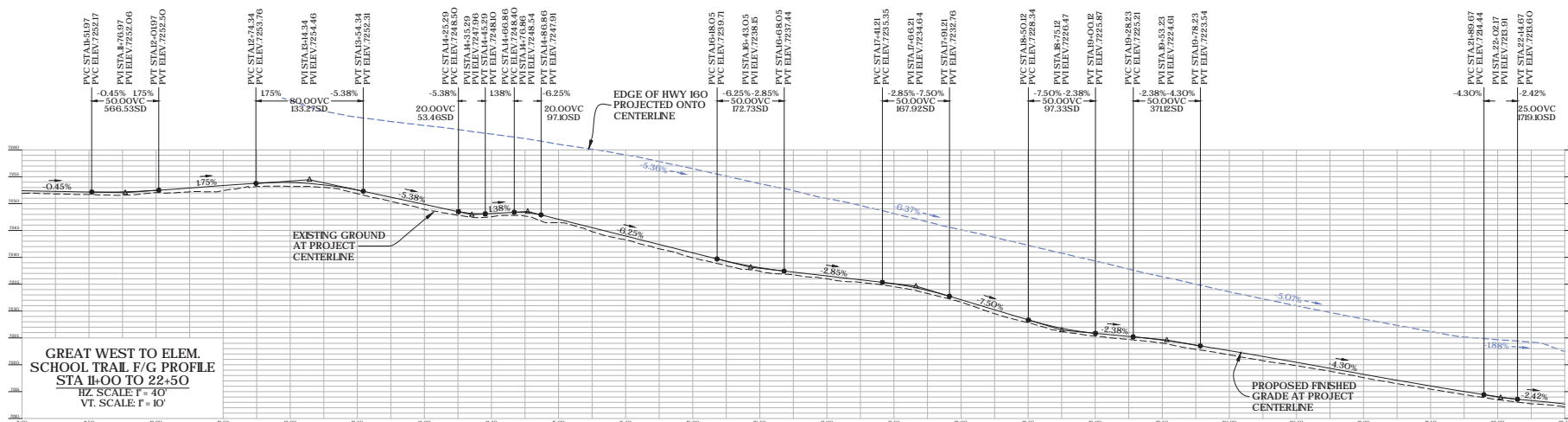
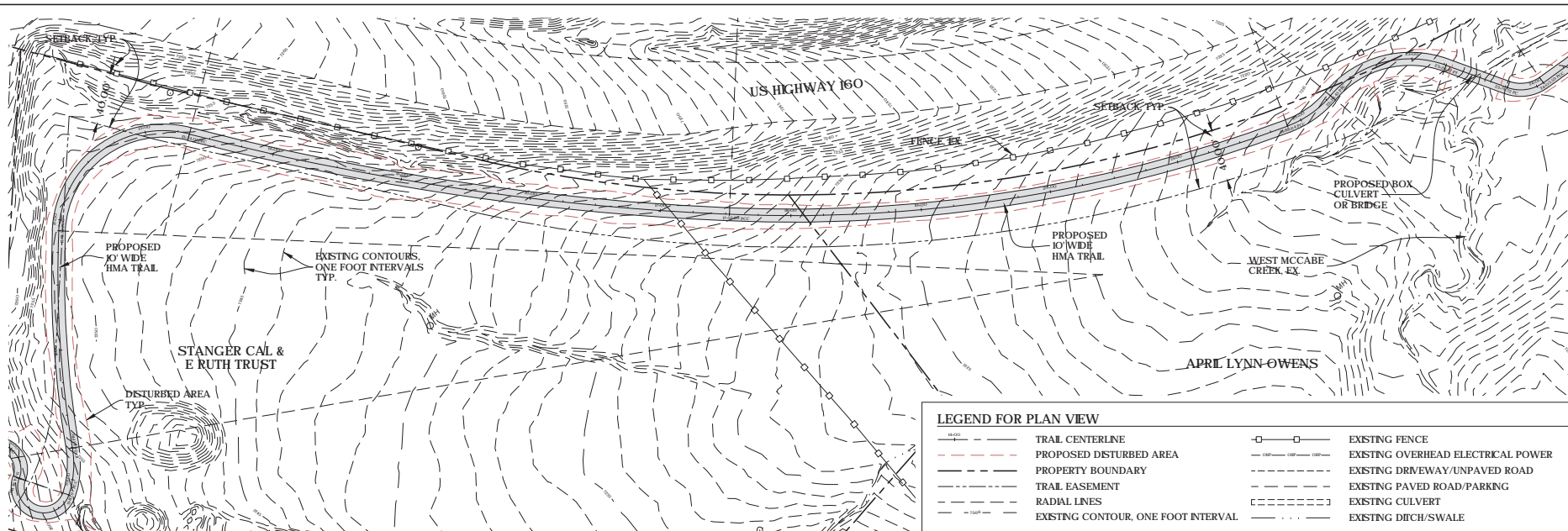
 = Pagosa Views portion of Trail



Trail alignment is for illustration puposes only

Exhibit B: Town to Lakes Trail: 10th to Great West Conceptual Alignment





DAVIS ENGINEERING SERVICE, INC.

1000 N. 100th St., Suite 100
 P.O. Box 1859
 Piquette, MI 48675

DATE: 08/04/2019
 PROJECT: GREAT WEST TO ELEM. SCHOOL TRAIL F/G PROFILE STA 11+00 TO 22+50

1" = 40'
 1" = 10'

0 10 20 30 40 50 60 70 80 90 100

ELEVATION BASE ASSUMED

| | |
|----------|---|
| DATE | 08/04/2019 |
| PROJECT | GREAT WEST TO ELEM. SCHOOL TRAIL F/G PROFILE STA 11+00 TO 22+50 |
| DESIGNER | CML |
| CHECKER | CML |
| DATE | 08/04/2019 |
| PROJECT | GREAT WEST TO ELEM. SCHOOL TRAIL F/G PROFILE STA 11+00 TO 22+50 |
| DESIGNER | CML |
| CHECKER | CML |

Town of Piquette Springs
 P.O. Box 1859
 Piquette Springs, CO 81147

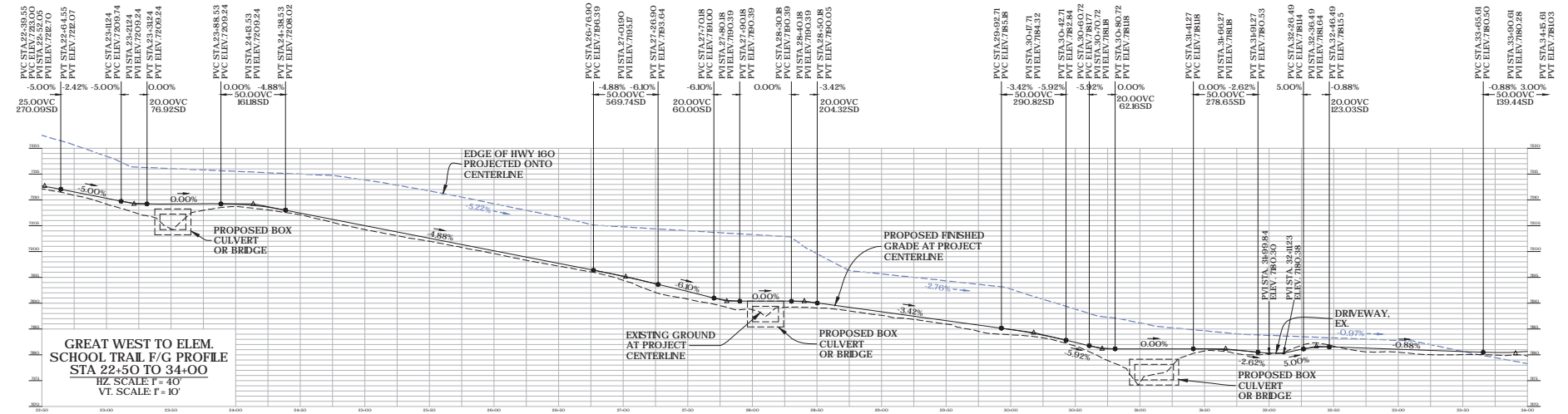
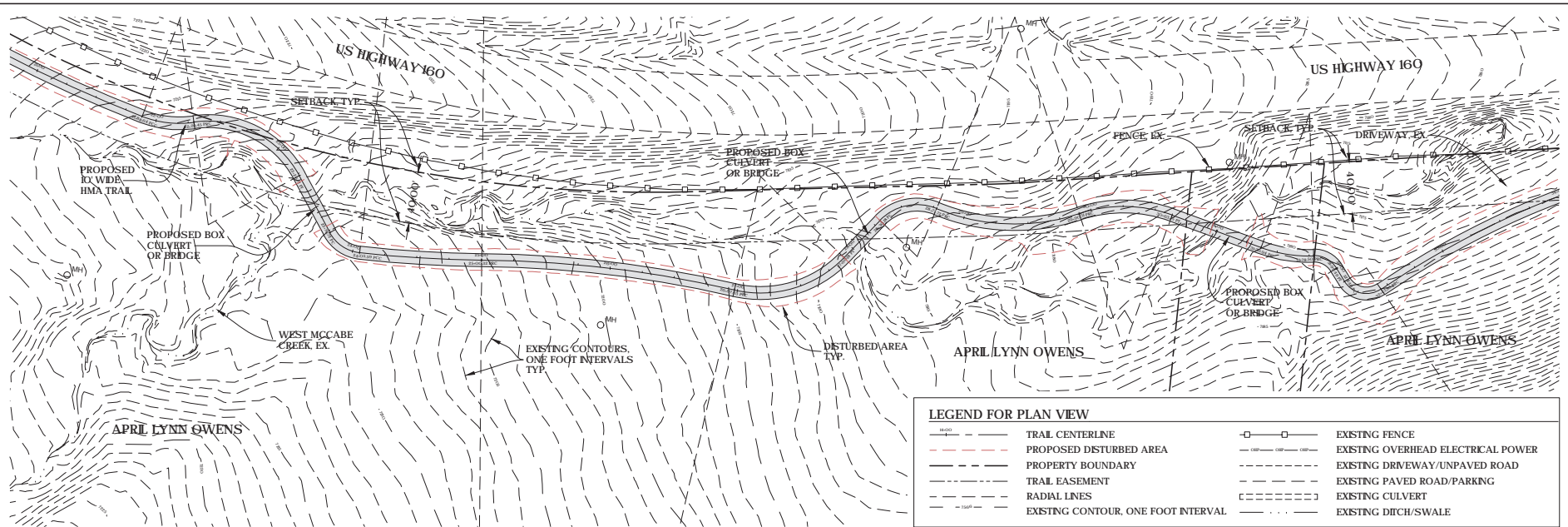
HALF-SIZE

EXHIBIT NOT FOR CONSTRUCTION

Town of Piquette Springs
 P.O. Box 1859
 Piquette Springs, CO 81147

Page View & Profile
 STA 11+00 to 22+50

Sheet 12 of 16



DAVIS ENGINEERING SERVICE, INC.

DAVIS ENGINEERING SERVICE, INC.
 1000 N. W. 10th Ave., Suite 100
 Fort Lauderdale, FL 33304
 PHONE: (954) 576-8800
 FAX: (954) 576-8801

| | | |
|---|---|-----------------------------|
| DATE: 08/06/2019 | SCALE: HZ SCALE 1" = 40' VT SCALE 1" = 10' | ELEVATION BASE ASSUMED: 100 |
| PROJECT: TOWN OF PAGAS SPRINGS TOWN OF PAGAS SPRINGS, CO 81417 PAGAS SPRINGS, CO 81417 GREAT WEST TO ELEM. SCHOOL TRAIL F/G PROFILE STA 22+50 TO 34+00 | DESIGNER: CML | PREPARED BY: CML |
| DATE: 08/06/2019 | SCALE: HZ SCALE 1" = 40' VT SCALE 1" = 10' | ELEVATION BASE ASSUMED: 100 |
| PROJECT: TOWN OF PAGAS SPRINGS TOWN OF PAGAS SPRINGS, CO 81417 PAGAS SPRINGS, CO 81417 GREAT WEST TO ELEM. SCHOOL TRAIL F/G PROFILE STA 22+50 TO 34+00 | DESIGNER: CML | PREPARED BY: CML |

HALF-SIZE

EXHIBIT NOT FOR CONSTRUCTION

Town of Pagas Springs
 PO Box 1859
 Pagas Springs, CO 81417
 PVT 7500
 Sheet 13 of 16

Exhibit C: Pagosa Views Conceptual Plan

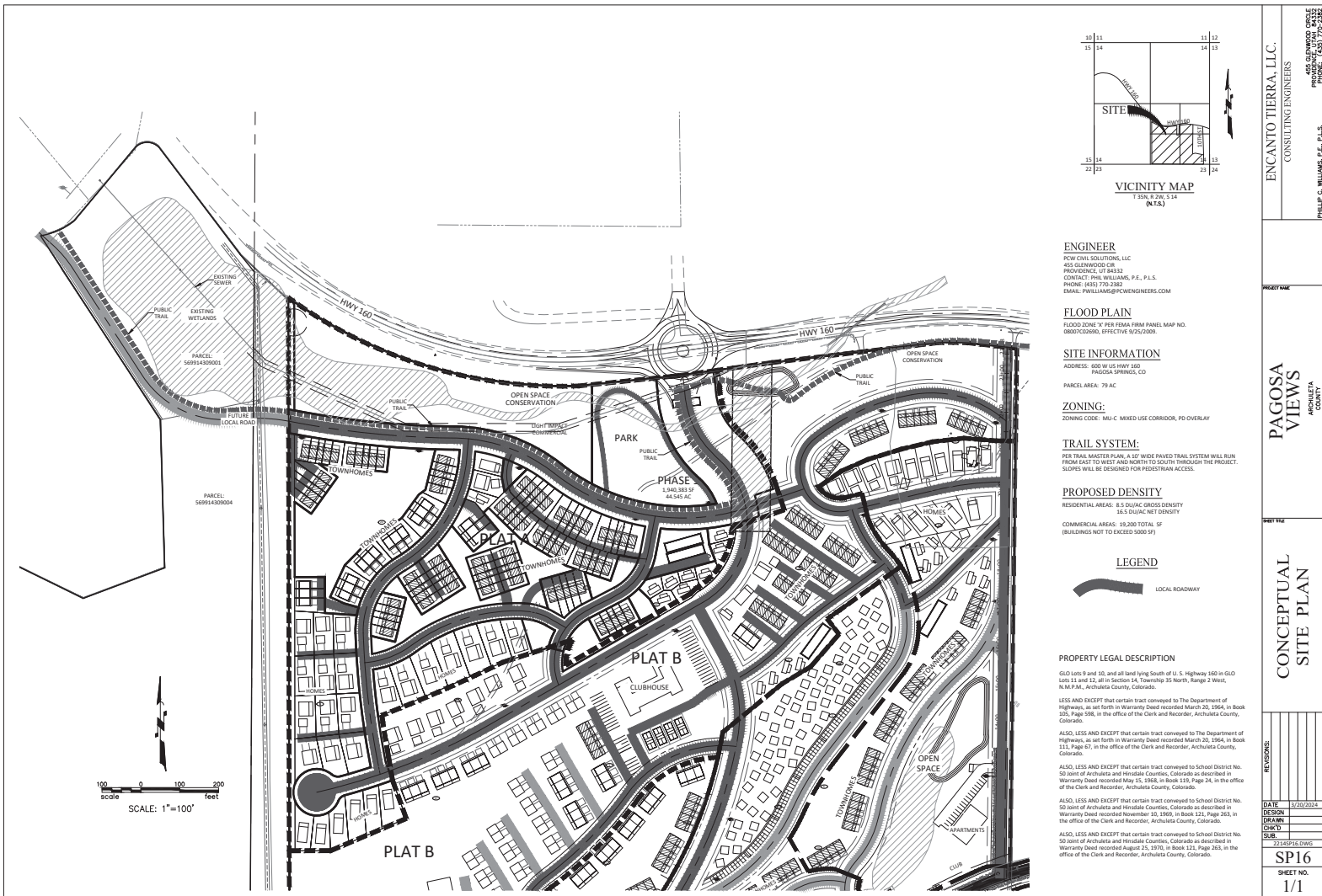


Exhibit D: CDOT Scoping and Clearance Letter



COLORADO

Department of Transportation

Region 5

Traffic & Safety
3803 N. Main Avenue, Suite 100
Durango, CO 81301

October 04, 2023

Project #: M016-045

Subaccount #: 25791

Name: Pagosa Town to Lakes TRL CMAQ

VIA EMAIL

James Dickhoff
Community Development Manager
Town of Pagosa Springs
PO Box 1859
Pagosa Springs, CO 81147

RE: Scoping and Clearance Letter for the Pagosa Town to Lakes TRL CMAQ

Dear Mr. Dickhoff:

Below is a description of the clearance requirements necessary for the proposed Pagosa Town to Lakes TRL CMAQ Project based upon the scoping meeting held on June 20, 2023. Attendees at that meeting were:

Tommy Swimmer – CDOT Region 5 Local Agency EIT
Aimee Way – CDOT Region 5 Environmental Specialist
David Seiler – CDOT Region 5 Survey
Juan Garcia – CDOT Region 5 Utilities
David Peyton – CDOT Region 5 Traffic & Safety
James Dickhoff – Community Development Director
Andrea Phillips – Town Manager
Darren Lewis – Parks and Recreation Director
Richard Bechtolt – Bechtolt Engineering
Victoria Curry – Bechtolt Engineering

Revision #1 Changes: Removed language related to funding only being used for Construction.

1. Project Scope and Funding:

The Town of Pagosa Springs has been awarded CDOT Funding a new non-motorized/multi-use Commuter Trail. The funding award is as follows:

| | |
|---|-----------|
| FY 19, FY 20, FY 21 CMAQ Federal Funds: | \$662,320 |
| Town of Pagosa Local Matching Funds: | \$137,680 |
| Total Construction Phase Budget: | \$800,000 |

All clearance work shall be conducted by qualified personnel.

This project involves design and construction for a ten-foot-wide asphalt or concrete shared use path from 10th Street to Great West Ave. There is currently no existing pathway on either side of US 160 in this location for pedestrian traffic.

The project will be designed and constructed to meet PROWAG, ADA, AASHTO, and MUTCD requirements, as well as any other applicable design standards, including CDOT design and construction standards and policies.

Any changes to the scope of work may affect the clearance requirements. Please alert us as soon as possible to allow for the assessment and authorization of any changes in the character of the work.

For additional information on the project development process, the CDOT Local Agency Project Desk Reference can be found at the following link:

https://www.codot.gov/business/designsupport/bulletins_manuals/2022-local-agency-project-desk-reference

1. Environmental Clearance Requirements:

Projects with federal funding, authorizations, or permits require National Environmental Policy Act (NEPA) compliance. CDOT follows the environmental procedures established by the Federal Highways Administration (FHWA). This project will be reviewed as a Programmatic Categorical Exclusion (CatEx).

CDOT Region 5 **Environmental Specialist Aimee Way (970-799-5722; aimee.way@state.co.us)** conducted a high-level review of the project to identify likely environmental clearances that will be needed based on the scope of work reviewed at the scoping meeting on June 20, 2023. If the scope of work changes, the environmental clearances that will be needed and documentation prepared may change as well.

Early coordination with Ms. Way is strongly encouraged to assure that appropriate resources are addressed within the environmental reports. As part of the CatEx process, a NEPA Determination/Form 128 will be prepared by CDOT staff. The environmental clearance reports listed in Section B, Clearance Actions, on the Form 128 must be completed and approved by CDOT prior to the acquisition of Right of Way. The environmental reports should be started in advance of the Field Inspection Review (FIR-30% design) plan submission whenever possible. Completion of environmental reports typically occurs between FIR and Final Office Review (FOR-90% design) plan submission when details of the project are known. Prior to construction, environmental permits listed in Section C on the Form 128 must be obtained and additional environmental obligations need to be included in the plans and specifications. This must be completed prior to CDOT's approval for advertisement of the project. Permit applications are typically submitted after the FOR submission, where plans are sufficiently developed to define impacts without major revisions.

All environmental reports shall be submitted to **Bridget McDougall and Aimee Way**. Reports should not be submitted directly to the resource agencies (i.e. State Historic Preservation Office (SHPO) or US Fish and Wildlife Service (USFWS)) because consultation with these agencies will be done by CDOT per agreements with federal agencies.

For this project, CDOT will conduct the clearances for paleontology. The Town of Pagosa Springs and their consultants will be responsible for other environmental clearances and documentation and providing them to CDOT.

Environmental Clearances

Hazardous Waste –An Initial Site Assessment (ISA) is required for this project based on the need for subsurface excavation and the nearby presence of commercial facilities (e.g. gas stations and businesses). The ISA is completed by conducting a hazardous waste database review to identify existing concerns and filling out CDOT Form #881. The ISA shall be modified to address worker safety, protection of water quality, potential presence of asbestos containing materials, heavy metal-based paint and final disposition containing hazardous materials. Guidelines for preparing the assessment can be viewed on CDOT’s web page at:

<https://www.codot.gov/programs/environmental/hazardous-materials>

The Hazardous Materials Guidance Manual, Appendix F has an example of a completed ISA Form #881 and supplemental information. The potential presence of identified or confirmed contamination may require a revision of CDOT Standard Specifications (Section 250 Environmental Health and Safety Management) to direct the contractor’s work, including pay items for monitoring and waste disposal.

Threatened, Endangered, and Sensitive (TES) Species Report - The proposed project area should be assessed for *federal* and *state* listed Threatened, Endangered, Candidate, Proposed, and Special Concern species, including plants and fish species. CDOT requires a determination of effect analysis and, where necessary, mitigation/conservation measures to avoid adverse effects on TES species. A “may affect” determination requires concurrence from the USFWS whereas a “no effect” determination can be cleared by CDOT Specialists. CDOT Specialists will consult with the USFWS, if needed. The report should provide a list of species considered and the basis for effects determination including measures included in the project plans (e.g. seasonal restrictions, pre-construction surveys, and/or avoidance measures, where appropriate) to reduce impacts to a “no effect” determination, if possible. Development of a federal species list should be conducted through use of the USFWS IPAC website (<https://ecos.fws.gov/ipac/>). Habitat for all TES species should be evaluated; however, based on the site visit, there could be potential for the Pagosa skyrocket, New Mexico meadow jumping mouse, monarch butterfly, and the silverspot butterfly in the project area. For guidelines on what should be included in a TES Species Report, please refer to CDOT’s web page, Biological Assessment Contents, at the following link:

<https://www.codot.gov/programs/environmental/wildlife/guidelines>

State-listed species can be found on the following website:

<https://cpw.state.co.us/learn/pages/soc-threatenedendangeredlist.aspx>

A refined list of state-listed species for the county can be obtained by contacting Ms. Way. Compliance with the Migratory Bird Treaty Act (MBTA) shall be addressed in the biological report. Removal of active nests is not permitted under MBTA and seasonal restrictions within a buffer from active nests may be required. Nests may be removed outside the nesting season (April 1 through August 31) and hazing or netting may be required to restrict further nesting during active construction. Alternatively, the construction can be conducted outside the nesting season. In addition, special protection should be given to raptors under MBTA according to Colorado Parks and Wildlife (CPW) Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors (2020):

<https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/Raptor-Buffer-Guidelines.pdf>

Wetland Delineation – A wetland delineation is required on all projects with aquatic resources within the project area. Potential wetland areas were identified in the scoping review, associated with a waterway and wet meadow. The wetland delineation shall identify the physical boundaries of wetlands (both jurisdictional and non-jurisdictional) and waters of the US. The delineation shall follow the US Army Corps of Engineers (Corps) Delineation Manual and the appropriate Regional Supplement. Based on the findings, a Wetland Delineation Report shall be prepared following the Corps Minimum Standards. If the project proponent wishes to assert that any delineated aquatic resources are not jurisdictional, the report should be submitted to the Corps for a jurisdictional determination.

Wetland Impact Assessment – The wetland boundaries should be overlaid on the project plans to quantify impacts associated with the proposed project and/or show avoidance of wetland and water resources. A plan sheet shall be prepared that clearly depicts and quantifies the areas proposed for impacts as well as areas that will be avoided.

Cultural Resources (History and Archaeology) – The proposed project area should be evaluated for historic resources (over 50 years old) that could be impacted during construction, including historic ditches. Cultural resources, including archaeology, should be evaluated for their eligibility on the National Register of Historic Places (NRHP) and whether the project directly or indirectly impacts the historic significance of these features. If new Right of Way or Temporary Easements are needed, the level of documentation for historic resources will be greater.

Depending on the scope of work for the project, the consultant may be required to prepare a report and draft a cover letter to SHPO which outlines the eligibility and effects for CDOT to submit to the SHPO. All coordination with SHPO and other parties must be facilitated by CDOT. It is highly recommended that the consultant contacts the CDOT Historian/Archaeologist early in the process to discuss the level of effort for the project. Ms. Way will assist with communications to CDOT Historians/Archaeologists. If the project does not have a defined scope and there are no preliminary plans available, the consultant should wait to contact the CDOT Historian/Archaeologist to discuss the level of effort for cultural resources. A file and literature review should be conducted by a qualified historian/archaeologist as the first step in the review. The need for field review or additional documentation will be determined in coordination with CDOT Historians/Archaeologists.

Paleontology – The project will require a paleontological clearance based on the need for subsurface excavation in the project area. CDOT's staff paleontologist will conduct a desktop review to determine if any additional paleontological review is needed by a State Permitted Paleontologist. If significant paleontological resources are present and being disturbed by the project, recording, salvage, or avoidance of these areas may be required.

Permits and Additional Requirements:

Section 404 Permit – A Section 404 permit authorization is required from the Corps for proposed activities requiring the discharge of dredge and fill within wetlands and other Waters of the US. The need for an Individual or Nationwide Permit will be based on the level of impacts to waters of the US. The above referenced Wetland Delineation, Cultural, and TES Species Report are required components of the 404 Permit application. An authorized 404 Permit will include a Corps approved Compensatory Mitigation Plan which will be incorporated into the Project Plans, if needed.

Stormwater Permit (CDPS SCP) – According to CDPHE, coverage under the Colorado Discharge Permit System Stormwater Construction Permit (CDPS SCP) is required if the anticipated disturbance area is greater than 1 acre. The Permit requires preparation of a Stormwater Management Plan (SWMP), implementation of best management practices/control measures throughout construction, regular inspections until reclamation of the disturbance is complete, and final permit inactivation. CDOT requires a SWMP regardless of whether the project is under or over 1.0 acre. The SWMP templates are located here:

<https://www.codot.gov/programs/environmental/landscape-architecture/swmp/stormwater-management-plan-swmp>

Wetland Findings Report – For projects seeking to qualify for a CatEx under NEPA, if permanent wetland impacts (jurisdictional and non-jurisdictional) exceed 500 ft² or any combination of permanent and temporary wetland impacts exceed 1,000 ft², a Wetland Finding Report is required by FHWA. Depending on the project, the Wetland Finding will either be programmatic (approved by CDOT) or non-programmatic (requiring FHWA signature). The Wetland Finding must state how impacts are to be mitigated. For projects with 0.1 acre or more of permanent impacts, a Functional Assessment of Colorado Wetlands (FACWet) analysis must be included with all Wetland Finding Reports. Guidelines and forms for the Wetland Finding Report and FACWet are available at:

<https://www.codot.gov/programs/environmental/wetlands>

Construction Dewatering/Discharge Permit – Pumping of groundwater or surface water may require a Construction Dewatering or Minimal Discharge Permit from CDPHE. This will be the Contractor's responsibility if specific methods are not specified in the project plans.

Clearance of Advertisement Set: The CDOT Region 5 Environmental Unit will provide a project clearance once the reporting and permit conditions are incorporated into the plans and specifications are included to assure compliance and payment for environmental obligations.

2. Hydraulic Clearance Requirements:

A hydraulic study will be required to demonstrate the proposed improvements will meet or exceed the drainage requirements listed in the CDOT Drainage Design Manual, 2019, as well as all applicable FHWA hydraulic publications. The study shall include, at minimum, an existing vs. proposed condition analysis. A hydraulic report with this information will be required as a submittal.

https://www.fhwa.dot.gov/engineering/hydraulics/library_listing.cfm

The CDOT Hydraulics Engineer will be part of the plan review process and will provide comments, as needed.

Please contact **Brian Campbell at 970-844-4001** for specific hydraulics questions.

3. Right of Way Requirements:

The Town or CDOT ownership of the existing Right of Way is to be provided to CDOT by a Professional Land Surveyor (PLS). Even if the acquisition of Right of Way will not be required for this project:

- a) Temporary Easements (TEs) may be required to perform work on the project. If deemed necessary, TE exhibits will need to be prepared, and submitted, for review pursuant to CDOT Local Agency Right of Way Plan Requirements. The submittal will include copies of vesting deeds for all the properties impacted by proposed TEs.
- b) The Town shall submit a set of plans showing the extent of construction and the limits of the public Right of Way. The level of survey detail contained in these plans shall be sufficient to demonstrate that the limits of the public Right of Way have been retraced according to the Standards and Care of Professional Land Surveyors practicing in the State of Colorado and shall be stamped by the Professional Land Surveyor and that those limits of public Right of Way can be identified on the ground. Please refer to Chapter 2 of the CDOT Right of Way Manual.
- c) Initial indications are that property Right of Way acquisitions will not be required. Should an acquisition other than a TE be required to complete this project, i.e., Right of Way or Permanent Easement, title work, commitments, for each parcel impacted should be ordered and research performed as soon as possible to determine the nature of property ownership in the vicinity of the project, and the information shared with the project surveyor.

Please have the project surveyor contact **David Seiler, CDOT PLS-II at (970) 385-1427** to discuss plan requirements.

Prior to Right of Way Clearance, the Town will also be required to submit a written Right of Way certification on the status of the Right of Way with a request for CDOT Right of Way clearance to **Brian Spain, Region 5 Right of Way Manager (970) 385-1434** per Chapter 8, Section 12 of the CDOT Right of Way Manual (See 2006 Local Agency Manual Appendix B for examples). This Certification and subsequent CDOT Right of Way Clearance is necessary before authorization to advertise for construction.

All Right of Way acquired for this project must be acquired in compliance with CDOT procedures (as stated in CDOT's Right of Way and Local Agency Manuals), state statutes and federal regulations (the Uniform Act). If the final alignment of the facility is determined to require any Right of Way, **please contact this office immediately to discuss specific Right of Way acquisition requirements**, as further information will be needed. With prior CDOT approval, the acquisition of Right of Way may be done in the form of donations from property owners. All Right of Way acquisitions must be negotiated by Right of Way professionals or consultants that have been pre-approved by CDOT. **Do not initiate any property owner contacts regarding Right of Way without CDOT's consent.**

4. Utility Clearance Requirements:

All Utilities must be identified in the area of the project and any known utility conflicts or construction restrictions shall be satisfactorily resolved before advertisement for construction. Subsurface utility engineering plans (SUE) are required for all construction contacts with public entities involving horizontal construction having an excavation footprint exceeding 2' in depth and 1,000 square feet of disturbance or, involving a utility boring, and the project requires the design services of a licensed professional engineer (C.R.S. 9-1.5-102(6.8)). The quality level (QL) of the utility designation in the SUE plans is dependent on the type of work being performed by the project (e.g. QL A = highest accuracy – QL D = lowest accuracy) and should be carefully considered by the design engineer when scoping the project as minimum quality levels are required based upon the type of project work involved absent a reasonable explanation by the professional engineer in responsible charge of the design work (C.R.S. 9-1.5-103). For additional information pertaining to SUE plans, the American Society of Civil Engineers (ASCE) has developed a National Consensus Standard titled ASCE CI 38-02, Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data. The intent of this Standard and the Colorado Statutes is to present a system of classifying the quality level of existing subsurface utility data for the purpose of allowing the project owner, engineer, and contractor to develop strategies to reduce and allocate risk, thereby reducing construction costs, damages, and delays to projects.

The project owner will be required to coordinate the design with all utilities in the area. Utility companies should be kept apprised of the project and should be given the opportunity to comment on the plans. It is recommended that utility owners, especially those impacted by the project, attend design reviews and be given an opportunity to comment on the proposed improvements and scheduling. To be cleared to advertise, the project owner may be required to submit SUE plans as part of the work. A utility project special provision explaining the status of utility relocations required for the project, as well as how the relocation work will be paid for (e.g., at project expense or at no cost to the project) is required. Please contact **Kevin Walters, Region 5 Utilities Engineer**, kevin.walters@state.co.us, (970) 385-1407 for additional information or questions concerning SUE plans, utilities, and relocation work.

5. Survey Requirements:

All associated survey work shall be under the direct responsible charge of a licensed Professional Land Surveyor.

Project Control: A minimum of five control monuments of a reasonably permanent material must be either set, or if utilized from a previous project, verified, and last through the life of the current project. A minimum of two intervisible project control points for each proposed site should be set for construction purposes. Static global positioning system (GPS) observations or a closed traverse using conventional survey equipment is acceptable to establish horizontal control quality (see CDOT Survey Manual). The basis or datum of project elevations is to be agreed upon between the Town of Pagosa Springs and the Professional Land Surveyor. If necessary, the most current elevation datum may be brought on-site by means other than differential leveling (see CDOT Survey Manual), however all intervisible project control shall be determined by differential leveling thereafter.

Topographic data: must be relative to the primary project control network and obtained by a Professional Land Surveyor. The topography survey data and limits are determined by the Design Engineer and must include at a minimum planimetric features such as fences, roads, driveways, utilities (overhead and underground) and pertinent structures to also be sufficient for appraisal needs, if required. Statements supporting design and construction purposes are required on the plans.

The proposed project surface and appurtenant supporting limits of construction based on public right way shall be identified on the ground by a PLS and reflected on the design plans.

Although the determination and verification of ownerships for the proposed work is required, additionally, if permanent Right of Way parcels and/or permanent easements are needed, title commitments for the impacted properties must be obtained. The Professional Land Surveyor shall use title commitment information to determine existing Right of Way lines, property lines, and encumbrances. In such circumstances, the development of a Right of Way plat showing proposed parcels and easements will be required. The Right of Way plat must conform to State deposit plat laws and will incorporate certain minimum standard elements as agreed upon by the Survey Coordinator to reflect the CDOT Right of Way plans format. It may be the case, such that with an acquisition parcel, that a formal CDOT standard Right of Way plans format will be required.

6. Items to Follow:

Following distribution of this letter, I will submit a request to CDOT Contracts to draft an Inter-Governmental Agreement (IGA) between CDOT and the Town. Note that the IGA will be the non-funds encumbering type which will be modified via option letter to encumber the design funds once an accurate design estimate has been established by the Town and submitted to CDOT. At the end of the design phase, once the plans and specifications have been authorized by FHWA the Construction funds will also be encumbered into the IGA.

Please contact me at (970) 692-7839 if you have any questions regarding these requirements. We look forward to your submittals and to working on a successful project with you.

Sincerely,

Bridget McDougall Digitally signed by Bridget
McDougall
Date: 2023.10.04 18:25:54 -06'00'

Bridget McDougall
CDOT R5 Local Agency Engineer

Cc:

Tommy Swimmer – CDOT Local Agency EIT
Aimee Way – CDOT Environmental
Brian Spain – CDOT Right of Way
Kevin Walters – CDOT Utilities
Juan Garcia – CDOT Utilities
David Seiler – CDOT Survey
Brian Campbell – CDOT Hydraulics
Sam Sanders – CDOT Traffic
Jeff Medenwaldt – CDOT Business Manager
Jason Benally – CDOT Civil Rights
Allison/File