

**Request for Proposals:** The Lummi Nation is requesting proposals from qualified consulting firms to provide wind energy development feasibility assessment services. Please contact Monika Lange (360-384-2396 or [monikal@lummi-nsn.gov](mailto:monikal@lummi-nsn.gov)) for further information. Women and/or minority owned businesses are encouraged to apply. All proposals must be received by 12:00 p.m. on July 23, 2010.

## **REQUEST FOR PROPOSALS – WIND ENERGY DEVELOPMENT FEASIBILITY ASSESSMENT SERVICES**

Lummi Indian Business Council (Lummi Nation)  
Lummi Reservation, Whatcom County Area, Washington State  
**Proposals Due:** 12:00 p.m. (noon) on July 23, 2010

**Summary:** Wind power assessments developed by the National Renewable Energy Laboratory (NREL 2002) indicate that the large tideland and floodplain areas of the Lummi Indian Reservation (Reservation) are in Wind Power Class 3, having Fair wind power potential at 50 meters. Although the available mapping and general observations indicate that wind power generation is feasible on the Reservation, site-specific wind measurements are needed to ensure a reasonable economic return prior to making the substantial capital investments associated with installing wind turbines and associated transmission infrastructure. Numerous other factors, such as cultural, socio-economic, natural resources, noise, aesthetics, and adjacent land uses also affect the feasibility of a wind energy project on the Reservation.

The overall goal of the Lummi Indian Reservation Wind Energy Development Feasibility Assessment Project, which is funded through a grant from the U.S. Department of Energy, is to determine if and at what cost wind energy development on the Reservation can help achieve the tribal goal of energy self-sufficiency. The primary questions that will be addressed in this renewable energy assessment project are the following:

1. Is there enough wind on the Reservation to justify further pursuit of developing wind generation capabilities on the Reservation?
2. What are likely wildlife impacts associated with installing one or more wind turbines on the Reservation and what are practicable mitigation measures if there are unavoidable impacts.
3. What are the likely noise impacts associated with installing one or more wind turbines on the Reservation and what are practicable mitigation measures if there are unavoidable impacts.

Although all three of these questions must be answered, and a consulting firm may have all of the needed expertise in-house to address all three of these questions, proposals that only address one of the three questions will be accepted in response to this request for proposals (RFP). We understand that the responses to the three questions are interdependent and will require that each of the selected firms will work together to answer the questions. Please specify which specific questions your proposal intends to address and how your firm will work with the other consulting firms to provide a coordinated but independent assessment.

Although some of the related impacts may need to be addressed at this stage (e.g., geotechnical), other specific impacts (e.g., cultural and archeological, transportation, storm water, wetlands, floodplain, environmental justice, cumulative effects) of a wind generation development project will need to be formally addressed as part of the National Environmental Policy Act (NEPA) and tribal permitting process if a determination is

made that wind energy development on the Reservation is practicable. The more formal environmental impact assessment is beyond the scope of this current feasibility assessment. **For consideration, two (2) copies of the proposals must be submitted to the Lummi Water Resources Division, Attention: Monika Lange, 2616 Kwina Road, Bellingham, WA 98226 prior to 12:00 p.m. on July 23, 2010.**

## **Background**

The Lummi Nation is a federally recognized Tribe of Indians; the Lummi Indian Business Council (LIBC) is the governing body of the Lummi Nation. The LIBC provides social, economic, and political services for the community members of the Lummi Nation. The LIBC is administratively organized into a number of departments including the Natural Resources Department, the Planning Department, the Reservation Attorney's Office, and the Lummi Commercial Company. The mission of the Lummi Natural Resources Department is to enhance, manage, and protect the Lummi Nation's natural resources into perpetuity for the benefit of the Lummi people in accordance with the policy and procedures of the Lummi Nation.

The Lummi Natural Resources Department (LNR) will manage the Lummi Indian Reservation Wind Energy Development Feasibility Assessment Project. Because of the relatively short duration and specialized nature of the wind energy development feasibility study, qualified consultants will be selected and hired rather than creating a new staff position within the Lummi Natural Resources Department. The LNR Executive Director (Merle Jefferson) has designated the Water Resources Division Manager (Jeremy Freimund) as the Technical Point of Contact and Project Manager for this assessment. At least two other LNR staff members will support Mr. Freimund: the Shellfish Hatchery Manager (Lizzie Oberlander) and a Fisheries Biologist (Ryan Vasak).

Although not formally stated in the form of a Lummi Nation Energy Plan, tribal energy self-sufficiency has been a goal of the Lummi Nation since at least 1993. Regional energy demand is expected to grow steadily until at least 2020 and regional generation output is needed to keep up with this demand. Considering global climate change and the long-recognized need to shift energy generation capacity from hydrocarbon-based to renewable sources, a feasibility study of wind energy development on the Reservation is a critical step in planning for the future. Once the feasibility of developing this renewable resource is better understood, and if the LIBC makes a decision to proceed, development partners can be identified to obtain the financing, power purchase agreements, and transmission agreements necessary to implement the wind generation project.

## Scope of Services

The Lummi Nation is seeking proposals to achieve the following three objectives:

1. By December 31, 2011, determine whether or not there is enough wind on the Reservation to justify further pursuit of developing wind generation capabilities on the Reservation.
2. By December 31, 2011, determine the likely wildlife impacts associated with installing one or more wind turbines on the Reservation and practicable mitigation measures if there are unavoidable impacts.
3. By December 31, 2011, determine the likely noise impacts associated with installing one or more wind turbines on the Reservation and practicable mitigation measures if there are unavoidable impacts.

The LNR staff assigned to this project will be responsible for the following tasks:

1. Advertise and select qualified consultants.
2. Ensure that the consultants perform the project tasks on-time and on-budget and that the grant administration obligations (e.g., progress and financial reporting) and work products (e.g., final comprehensive report) are achieved.
3. Work with the Lummi Planning Department and the Lummi Nation Tribal Historic Preservation Office to coordinate the siting and land use-permitting tasks of the selected consulting firm.
4. Work with the selected consultant to purchase two 60-meter tall meteorological towers each equipped with a modem that allows for daily downloads of collected data.
5. Work with the Lummi Planning Department to conduct a load analysis to determine current and potential future energy demand on the Reservation.
6. Work with the National Renewable Energy Laboratory (NREL) to obtain technical assistance in the form of a pre-feasibility transmission assessment.
7. Present the results of the Lummi Indian Reservation Wind Energy Development Feasibility Assessment to tribal decision makers and obtain a decision on whether or not to proceed with developing a wind generation project on the Reservation.

**Objective 1:** Determine whether or not there is enough wind on the Reservation to justify further pursuit of developing wind generation capabilities on the Reservation, at least the following tasks are anticipated to be performed by the selected firm:

Task 1            Conduct a wind monitoring equipment siting survey and obtain Lummi land use permits in coordination with LNR staff.

Task 2            Coordinate the purchase by LNR staff of two continuously recording, 60-meter tall meteorological towers that are each equipped with a modem that allows for daily downloads of collected data. This coordination will consist of identifying equipment options and specific equipment needs, obtaining price estimates from at least three vendors, and identifying in the form of a written memorandum to the LNR Project Manager the recommended

specific equipment needs and specific vendor. The memorandum must include the documentation (e.g., price quotes from at least three vendors) sufficient to comply with the Lummi Nation procurement policies. The LNR project staff will be responsible for the actual equipment purchase.

- Task 3 Correctly and securely install the two meteorological towers and any associated equipment at the locations identified in the wind monitoring siting survey.
- Task 4 Operate and maintain the meteorological towers for a period of at least one year, check the meteorological stations weekly and prepare monthly data summary reports.
- Task 5 Rent or otherwise provide a SODAR unit and, following a two-week long calibration period at the meteorological station sites, measure wind at two or more additional sites on the Reservation for two months at each site and then correlate the results to the two meteorological stations.
- Task 6 Correlate wind data collected at the two meteorological station sites with longer term data collected at the Bellingham International Airport and other local stations to develop a reliable data set representative of the long term average wind at the sites.
- Task 7 Complete a summary final report that includes: a wind map for the Reservation developed using the collected and correlated wind data and the WAsP wind modeling or similar software program; a recommended wind turbine for the Reservation conditions that considers the results of the wildlife and noise impacts assessments; an economic analysis that includes the results from the load analysis, the pre-feasibility transmission assessment, the export market, estimated capital costs, maintenance costs, and the variable discount rates plotted against the estimated value of energy in a pro-forma analysis over a 20-year life cycle; an analysis of a single turbine at each site, and a wind farm layout prepared using the Wind Farmer or similar software package and property boundary constraints to estimate wind farm size and potential energy production.

**Objective 2:** Determine the impacts of one or more wind turbines on the Reservation wildlife. It is anticipated that the selected firm will have already reviewed the scientific literature about the impacts of different wind turbine designs on wildlife and that the results of this literature review will be incorporated into a final report for this project. At least the following tasks are anticipated to be performed by the selected firm:

- Task 1 Review the available information about wildlife diversity and monthly abundance on the Reservation.
- Task 2 Based on the review of the available information about wildlife diversity

and monthly abundance on the Reservation, conduct any field observation/studies judged to be necessary to reliably determine the wildlife species that could be affected by wind energy development activities on the Reservation. It is anticipated that additional field studies will be required and the consultant should budget for this activity in the proposal.

- Task 3 Based on the assessment of Reservation wildlife and the literature review of the impacts of different wind turbine designs on wildlife, determine the likely wildlife impacts associated with installing one or more wind turbines on the Reservation and practicable mitigation measures if there are unavoidable impacts.
- Task 4 Work with the consulting firm selected to perform the tasks associated with Objective 1 to incorporate the results of the wildlife impact assessment in the summary final report for this study.
- Task 5 Develop a final report on the impacts of one or more wind turbines on the Reservation wildlife and that identifies practicable mitigation measures if there are unavoidable impacts. It is anticipated that this wildlife impact assessment report will appear as an appendix to the summary final report that will be prepared by the consultant selected to achieve Objective 1.

**Objective 3:** Determine the noise impacts of one or more wind turbines on the Reservation. It is anticipated that the selected firm will have already reviewed the scientific literature about the noise impacts of different wind turbine designs and that the results of this literature review will be incorporated into a final report for this project. At least the following tasks are anticipated to be performed by the selected firm:

- Task 1 Review the available information about ambient noise levels on the Reservation including specific noise sources.
- Task 2 Based on the review of the available information about noise on the Reservation, conduct any field observation/studies judged to be necessary to reliably determine ambient noise levels and noise attenuation over the landscape and any changes to the ambient noise levels that could be affected by wind energy development activities on the Reservation.
- Task 3 Based on the assessment of ambient noise levels and sources on the Reservation and the literature review of the impacts of different wind turbine designs on noise, determine the likely noise impacts on surrounding landowners and businesses associated with installing one or more wind turbines on the Reservation and practicable mitigation measures if there are unavoidable impacts.
- Task 4 Work with the consulting firm selected to perform the tasks associated with Objective 1 to incorporate the results of the noise impact assessment in the

summary final report for this study.

- Task 5      Develop a final report on the noise impacts of one or more wind turbines on the Reservation that also identifies practicable mitigation measures if there are unavoidable impacts. It is anticipated that this noise impact assessment report will appear as an appendix to the summary final report that will be prepared by the consultant selected to achieve Objective 1.

### **Required Conditions of Service**

1. The Contractor(s) shall furnish the Lummi Indian Business Council (LIBC) with detailed billing for all activities completed relating to the above Scope of Work.
2. The Contractor(s) shall not enter into subcontracts for any of the work under this contract without obtaining prior written approval from the LIBC.
3. Any modifications to this contract including any increase in the amount of compensation or to the time required for the contract's performance or any changes in the description of work must be incorporated in a written approved format amendment or change order to this contract.
4. The Contractor(s) shall be an independent contractor and not an employee.
5. The Contractor(s) shall be responsible for all taxes, social security payment, state disability insurance and other similar payments both for Contractor and Contractor's employees. The Lummi Indian Business Council will be filing a 1099 with the IRS at the end of the fiscal year under the official name of your business.
6. The Contractor(s) shall hold LIBC and its officers, agents and employees, harmless from all suits, claims or liabilities of any nature, including costs and expenses, for or on account of injuries or damages sustained by any persons or property resulting in whole or in part from activities of the Contractor(s), its agents or employees pursuant to this contract, or on account of any unpaid wages, materials or other remuneration for services.
7. The Contractor(s) must provide proof of general liability or professional liability insurance naming Lummi Indian Business Council as an additional insured in the amount not less than \$1,000,000 per claim. The insurance shall be with insurers with a Best's rating of at least VII. Certificates of insurance, including all of these requirements, are required prior to signature of the contract.

### **Proposal Format and Content**

In submitting a proposal, each firm acknowledges that the Lummi Nation shall not be liable to any person, company, or representative for any costs incurred therein or in connection with costs incurred by any proposer in anticipation of Lummi Nation action approving or disapproving any proposed agreement. The Lummi Nation may accept or reject any proposal or proposed agreement without limitation. Nothing in the Request for Proposals or in subsequent negotiations creates any vested rights in any person, company or representative.

Proposals that do not address the items listed in this section will be considered incomplete and will be deemed non-responsive by the Lummi Nation.

- A. Letter of Transmittal signed by Authorized Representative that identifies which of the Wind Energy Development Feasibility Assessment Project objectives are addressed by the proposal (1 page).
- B. Narrative
  - a. Brief resumes of the “Principal In-Charge” and any key technical personnel to be assigned to this project. Discuss the experience of these person(s) and relate that experience to this project. Include what portion of this contract would be assigned to each person (maximum 4 pages).
  - b. Hourly rates and other charges (e.g., travel, equipment usage fees)
- C. Prior work
  - a. A summary of work from previous similar projects completed by your firm shall be included with the proposal along with contact information for the project clients. (maximum 4 pages)
- D. References
  - a. Provide names and telephone numbers of three references that will attest to your firm’s ability to complete this project on time and within budget.
- E. Confirmation of Business Organization
  - a. On the last page of the proposal, the proposer shall identify the business organization under which it operates. Partnerships and joint ventures will list each member’s name, address, business license, tax ID, telephone and fax numbers on a separate sheet of paper attached to the proposal.

### **Evaluation Criteria**

The contract award will be based on the respondent receiving the most points based on the following criteria and the results from a pre-selection interview:

1. Qualifications (education and experience) of the consultant. (Maximum 30 Points Available)
2. Familiarity with the Lummi Indian Reservation. (Maximum 15 Points Available)
3. Past Performances/References. (Maximum 20 Points Available)
4. Budget (Maximum 15 Points Available)
5. Women and/or minority owned businesses (Maximum 10 points Available)
6. Indian Preference (Maximum 10 points Available)

Native Preference will apply to this invitation and all Native Americans will be afforded full opportunity to submit bids in consideration of the award.

Minority-owned business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, religion or national origin in consideration for an award.

### **Selection Process**

A selection committee comprised of at least four staff members of the Lummi Natural Resources Department will review the submitted proposals and rank them based on the identified criteria. Interviews of the top scoring firms for each of the three objectives will be performed. The firms with the highest cumulative score for each of the three objectives will be invited to enter into contract negotiations. If an agreement cannot be reached, the second highest scored firm may be contacted for negotiations. The Lummi Nation reserves the right to award the contract to the highest ranked firm without further discussion. The Lummi Nation reserves the right to reject all proposals received. If interviews are conducted, they will occur on or around **August 19 and/or 20, 2010**. If interviews are conducted, selected firms will be contacted with specific information as to date, location, and time of the interviews.

### **Prohibition Statement**

To implement requirements of Section 106 of the Trafficking Victims Protection Act of 2000, the contractor(s), contractor employees, subrecipients under this award, and subrecipients employees may not engage in severe forms of trafficking in persons during the period of time that the award is in effect; procure a commercial sex act during the period of time that the award is in effect; or use forced labor in the performance of the award or any subawards under this contract.

### **Submittal**

Proposals signed by authorized agents may be hand-delivered or sent by courier. **Two (2) copies of the proposals must be received by the Lummi Water Resources Division, 2616 Kwina Road, Bellingham, WA prior to 12:00 p.m. on July 23, 2010.**

Submittal Address:

Attention: Monika Lange  
Lummi Water Resources Division  
2616 Kwina Road  
Bellingham, WA 98226  
(360) 384-2396 Office  
(360) 384-4737 Fax

Hand Delivery:

Attention: Monika Lange  
Lummi Natural Resources Department  
2616 Kwina Road  
Bellingham, WA 98226

Inquiries regarding the RFP can be directed to Monika Lange (360-384-2396 or [monikal@lummi-nsn.gov](mailto:monikal@lummi-nsn.gov)) or the address listed above.