

1. In the RFQ, there is mention of 4 different possible contract types and that the consultant acknowledges and agrees to those contracts. This is problematic from a legal standpoint because an example of the terms and conditions have not been provided for review or comment. Can you provide an example contract with the expected terms and conditions? **The contract types are those required by law for design build services. They have nothing to do with contract terms but rather the physical format the contracts will be in. You are agreeing by submitting your qualifications that should a contract be signed between you and BCSWCD, it will be in the format of one of those four options and not to any specific contract terms and conditions. Potential contract terms and conditions will not be provided at this time with the RFQ.**
2. Is it correct to assume that the bonding requirements only apply to the construction services? Typically, performance and payment bonds apply to construction services of projects and not the engineering services. **This solicitation is to secure a design-build contract. The performance bond which is required prior to the execution of a contract would pertain to both the engineering and construction aspects of this contract as both are expected to be completed by the winning bidder. The payment bond would apply to construction services as it is required by law for design-build contracts to ensure payment of subcontractors should a dispute arise between the design-build awardee and its subcontractors.**
3. Is the Statement of Interest included in the 3-page maximum submittal? **Yes, the Statement of Interest and Qualifications is part of the 3-page limit. To clarify, the qualifications statement must not exceed three pages, **excluding** resumes, letters of reference, certificates of insurance, and workers' compensation certificates.**
4. Can a copy of the Agreement that will be used to contract this project be provided at this time? If not, can you clarify when this might be provided for offerors to review? **At this stage, a sample Agreement is not available for distribution. However, we anticipate providing a draft version of the Agreement to the selected consultant during the contract negotiation phase.**
5. Can you explain references to 'Criteria Engineer' - Is this intended to be a separate, predetermined firm or is a separate RFQ being solicited for this role?
The term "Criteria Engineer" refers to a separate role independently contracted from this RFQ. Environmental Solutions AQ (ENSOAQ) serves as the Criteria Engineer for this project.
The ENSOAQ is responsible for developing design criteria and providing oversight to ensure consistency with project goals, but will not be part of the design-build or implementation team selected through this solicitation.
6. We note that Environmental Solutions AQ has been instrumental to developing the 9-Element NSIS Plan for the Acton Lake–Four Mile Creek watershed, which has allowed this project to received H2Ohio funding. Is Environmental Solutions AQ also being invited as an offeror on this RFQ?

Environmental Solutions AQ is not being invited to submit a proposal for this RFQ. As the Criteria Engineer, ENSO AQ is serving in an oversight and advisory role to support project implementation and ensure alignment with the 9-Element Plan and H2Ohio program goals. To avoid any conflict of interest, ENSO AQ will not be participating as a consultant or subcontractor on the project team selected through this RFQ.

7. Can a copy of the H2Ohio Grant Application that is funding this project be provided for our review at this time?

This project was funded by H2Ohio Rivers Program. Butler SWCD met with ODNR H2Ohio staff to share project information and designs (Attachment A).

8. In June 2023, the Butler SWCD sent a “Request for Qualifications for Stream and Wetland Restoration Projects” for potential projects that “may take place from 2023-2025.” It was not clear whether Butler SWCD selected multiple qualified firms or completed a ranking of all qualifications that were received at that time. Can you explain if the current (June 2025) RFQ supersedes all prior requests for qualifications, or if the previous June 2023 request for qualifications is still being used or considered in any way?

The current June 2025 RFQ is specific to the Four Mile Creek Dam Removal Project and supersedes all prior RFQs, including the June 2023 request. Firms interested in being considered for this project must respond to the current solicitation, regardless of whether they submitted qualifications in response to earlier RFQs. Prior qualifications will not be carried over or considered in the evaluation of this project-specific RFQ.

9. There is a section of the RFQ on prequalification of subcontractors. Is the selected design-build team required to competitively bid work, including any self-performed work, or to just establish prequalification standards for any subcontractors? The section of the RFQ on prequalification of subcontractors is just to establish prequalification standards of any subcontractors.
10. Are project description sheets of past projects included in the 3-page limit or can they be included in the additional pages not counted towards the 3-page limit? Project description sheets of past projects **can be excluded** from the three-page limit for the qualifications statement. Resumes, Letters of Reference, Certifications of Insurance, and Workers' Compensation Certificates are also excluded from the page count.
11. Has sediment sampling behind the dam been performed or are we to assume we are to sample the sediment for permitting? Sediment sampling behind the dam has not been performed. Therefore, firms should assume that sediment sampling will be required as part of the permitting process and should include this task in their scope of work if selected to submit a proposal for this project.