

Selecting a Contractor for Lake Planning Grant Projects

The Wisconsin Lake Management Planning, Protection and Aquatic Invasive Species Grant program provides a wonderful opportunity to begin taking charge of your lake's future. Proper lake management entails gathering accurate information about your lake, its watershed, and the water quality goals of the local community.

The Lake Planning Grant applicant usually hires a contractor such as a private consulting firm, regional planning commission, U.S. Geological Survey, county land conservation department or local university to collect data and/or make management recommendations. It is important to realize that qualifications to perform some or all of the aspects of lake management planning vary among contractors. For example, some consulting firms may have excellent track records designing sewers but may not have experience conducting water quality monitoring or watershed assessments.

Qualifications vary among contractors, but the requirements depend on the lake and its planning needs.

A wise consumer shops around to evaluate the quality and price of a product to get the best buy for their money. The same process should be followed when selecting a contractor to conduct your lake work. It may be useful to contact several contractors before you decide which one to hire. You may decide to hire two or more contractors to conduct separate components of your project.

Use the following suggestions to help you select a contractor qualified to perform the work you want...

Determine the contractor's previous experience conducting the tasks you would like them to perform.

1. Check the background, education, affiliations, and references of the contractor and their staff.
2. Talk with members of other lake organizations who have hired the contractor to perform similar work. Prospective contractors should be eager to provide you with a list of previous clients.
3. Find out if previous clients were happy with the contractor's performance.
 - Was the contractor easy to work with?
 - Was the client kept informed on the progress of the work and problems encountered?
 - Was the work completed thoroughly and on time?
 - Was the final product written in a manner that was easily understood?
 - Were clear and practical conclusions and recommendations provided?
 - Did the contractor help with education activities to inform the lake membership?
 - Did the contractor stay within budget or were there cost overruns?
 - If overruns occurred, what were the reasons?

Taking time to carefully select your contractor(s) may ultimately be the difference between success and failure of your Lake Planning Grant Project.

1. Make sure that you take the lead role in determining the scope and goals of the project. The contractor should work with you to determine what tasks need to be performed to collect the information necessary to meet your project's goals. It may be unwise to give a contractor independent responsibility for determining what information you need. Remember, contractors have differing areas of expertise. If you feel that a particular contractor may not meet your needs, select another before signing any contracts or agreements.
2. If the contractor has completed previous Lake Planning Grant applications, contact the Department of Natural Resources to see how they ranked before you authorize them to complete your application.
3. Consider naming someone other than the contractor's representative as the project contact person even if the contractor fills out the Lake Planning Grant application for you. This allows the DNR to maintain direct contact with you, the grant recipient, on issues regarding the planning project.
4. Make sure that the contractor will not be duplicating previous work or collecting data that already exists. Check with the regional planning commission, county land conservation department, U.S. Geological Survey, and Department of Natural Resources to determine what information already exists for your lake and watershed. This helps ensure that your money only goes toward the collection of necessary information. Don't pay your contractor to do work that has already been done.
5. Be aware that the lake organization is ultimately responsible for costs incurred during the study period. Request paid receipts before reimbursing consultants for the final grant payment.
6. The lake organization – project sponsor or grantee – should have a written contract with the consultant they hire. In that contract the products should be itemized just like the specific deliverables are listed in the grant agreement scope. It is not enough for the state and the project sponsor to have a grant agreement (sometimes referred to as a contract). The grant agreement does not tie the consultant to any specific work, the grant agreement only ties the grantee to specific work. To tie a consultant to specific items in the grant agreement, a *third-party contract* needs to be developed between the grantee and the consultant. Begin by copying word-for-word, the grant project scope, deliverables, etc. into the third party contract to get specifics in writing that tie the consultant to the work product. If the lake organization does not have a contract with the consultant to do the work identified in the grant, the lake organization has no recourse with the consultant if the DNR rejects the final product.

Consider having several contractors offer proposals for the project and propose a package of services to meet your needs.

Since Lake Planning Grants can be used for a variety of purposes, you may want to break your project into several pieces and ask several contractors to indicate the specific work items they can perform and an estimate of the associated cost.

Be sure to conform to your organization's bylaws when soliciting proposals.

Lake organizations may need a specific resolution from the annual meeting to include contractor services in their budget package:

For Lake Management Districts, Ch. 33.22(1) Wis. Stat.s requires that whenever a Lake District enters into a contract for the performance of any work or the purchase of any materials that exceeds \$2,500, contracts for the work must be let through a public bidding process. The board is required to award the work to the lowest responsible bidder. Although the statutes do not specify the procedure for soliciting bids, most lake organizations typically prepare a written request for proposals, specifying the work or material required and prescribing a deadline for bids. These notices are typically published in local newspapers and distributed to contractors or vendors. More formal bidding procedures should be followed for large-scale projects, including detailed plans and specifications for the work and the use of specially prepared bidding documents.

For Lake Districts, Ch. 33.30(3)(b) requires that the district's budget specify any item with a cost to the district in excess of \$10,000 and separately identify capital costs and costs of operation of the district.

Checklist:

Evaluating, choosing and working with a lake consultant

Request in advance the training, background, certifications, memberships, affiliations, and committees of those you plan to interview for the project.

- Interview a minimum of three consultants.
- Find out what data already exists for your lake or river.
- Contact all references and get a credit report before signing any contract.
- Be involved in writing the application and be the contact person with the DNR.
- Be involved in the study design.
- Expect to communicate with the consultant AND the DNR regularly during the application process.
- Tap into all available resources for background information and assistance – your county Land Conservation District (LCD or LWRD), UW Extension, Wisconsin Association of Lakes (WAL), North American Lake Management Society (NALMS). If you allow adequate time before the application deadline, other agencies will be happy to review the project scope.

Use these resources:

Lake List. A partial list of contractors and their areas of expertise are online at <http://www.uwsp.edu/cnr/uwexlakes/lakelist/default.asp>. The information contained in the directory is provided by the businesses and is designed to be used as contact information. Inclusion does not constitute an endorsement of the businesses nor the individuals listed. Questions about the Lake List may be directed to uwexlakes@uwsp.edu or by calling 715-346-2116.

The North American Lake Management Society (NALMS) maintains a Certified Lake Manager and Certified Lake Professional Program. Visit the NALMS website at <http://www.nalms.org/clms/clms.htm> to learn about the program and search by state for certified vendors.

DNR staff are willing to work with lake grants applicants and their contractors to enhance project proposals. Prepare your study proposal and grant application several weeks in advance of the February 1 or August 1 deadline and submit it to the DNR for review. Doing so will provide valuable feedback and a well-scoring grant during final review and ranking.

Wisconsin Association of Lakes WAL provides training opportunities to help lake organizations plan good projects, write and manage successful grants and wisely choose contractors for projects. Contact WAL at 608-662-0923 or email info@wisconsinlakes.org.

- Decide on one contact person to be a liaison between your lake organization and consultant.
- Establish a committee for water quality and aquatic plant management to be involved in the project study. Create special communications to get involvement from residents.
- Choose a consultant that will not be involved in implementing the end management recommendations to avoid slanting the results of your study.
- Educate and involve all board and committee members and shoreland residents.

Use these resources:

Wisconsin Circuit Court
(<http://wcca.wicourts.gov>)

Better Business Bureau
(www.bbb.org)

Department of Agriculture, Trade &
Consumer Protection
(www.datcp.state.wi.us)

Here are some questions to ask of lake consultants:

- Does your organization have a person whose primary responsibility is _____?
- How many plans have you completed of this type?
- How does your organization closely monitor new laws in APM and lake management?
- What are your current or on-going projects?
- What types of lake management tools have you utilized/employed? How would you rate their success?
 - Herbicide application
 - Harvesting
 - Aeration
 - Alum
 - Copper sulfate
 - Artificial mixing
 - Biomanipulation
 - Dredging
 - Stormwater management
 - Shoreline restoration
- Do you have the necessary expertise on staff or do you sub-contract? If subcontract, to whom? Which of your staff members would be working on the project?
- What technical requirements are required to complete an APM/lake management plan? Do you have these qualifications?
- What would you call a “successful” APM plan?
- What type of education strategies do you use?
 - What do you do to educate the public on the study AND lake issues?
- What is a typical budget you work with for lake or plant management?
 - Do you often incur extra costs? How do you handle that?
- How much time is involved in a project, start to finish?
- What sources do you utilize for reference or management strategies?
- How many of your plans have been accepted or approved by the DNR?
- Do you regularly apply for grant extensions? For what reason?
- How many of your grants/applications have been denied?
- Do you collaborate with government on other projects (ACOE, FWS, DNR, EPA)?
If yes, which agencies have you worked with and on what projects?

