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DEPARTMENT OF  
PUBLIC WORKS

CITY OF SACRAMENTO  
CALIFORNIA

1391-35TH AVENUE  
SACRAMENTO, CA  
95822-2911

DIVISION OF  
FLOOD CONTROL AND SEWERS

July 25, 1989  
89085:CC:ldc

916-449-5271

Budget and Finance Committee  
Sacramento, California

Honorable Members In Session:

**SUBJECT:** "NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER PROGRAM CONSULTANT AGREEMENT" - ESTABLISHMENT OF A NEW CIP, AUTHORIZATION TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH BROWN & CALDWELL CONSULTING ENGINEERS, AND APPROPRIATION OF FUNDS TO CONDUCT PLANNING FOR FEDERAL & STATE PERMITTING OF URBAN RUNOFF.

**SUMMARY**

Beginning in approximately April 1990, the City of Sacramento will be under the jurisdiction of a new permitting program under requirements of the Federal Clean Water Act. It is requested that the City Council approve the attached resolution establishing a new capital improvement project - "NPDES Stormwater Program Consultant Agreement" authorizing:

- 1) the City Manager and City Clerk to negotiate and execute agreements with Brown & Caldwell Consulting Engineers (and failing agreement, with first alternate Woodward-Clyde Consulting Engineers), and
- 2) appropriation of funds for the first fiscal year of studies and program compliance.

**BACKGROUND**

Need for Project

For nearly two decades, federal pollution control activities under the 1972 amendments to the Clean Water Act have focused upon major point sources of pollution, such as sewage or industrial

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outfalls. Now, the Environmental Protection Agency (EPA) is finaling details of a federal program of permitting and compliance targeting the quality of storm drain discharges. Under the stormwater regulations to be issued in April 1990, the City must obtain a National Pollutant Discharge Elimination System (NPDES) permit for all of its stormwater outfalls to the waters of the United States. This permit will define the City's plan to control stormwater quality. The permit will also require that industrial dischargers certify to the City the quality of their site runoff.

Although many details of the program are undefined, EPA has emphasized that immediate progress towards compliance will be required of Sacramento and all other municipalities with populations over 250,000. The NPDES application must be submitted in two parts; Part I will be due April, 1991, one year after issuance of the final regulations. No federal or state funding has been authorized or proposed to support this and other new water quality regulatory requirements.

Phase I of the 3-phase NPDES stormwater program proposed by City staff will:

- 1) define early-on (and influence, if possible) the requirements of the program as it is applied by EPA and the State of California,
- 2) inform and assist local industries in preparing to certify discharges, to minimize impacts upon them,
- 3) define the scope and costs of a 2-year plan for City compliance with state/federal water quality regulations, and
- 4) propose funding mechanisms and enforcement ordinances to support these efforts.

Phases II and III will include preparation and submission of Part I and Part II, respectively, of the NPDES stormwater permit application.

Consultant Selection

During the week of February 8-15, 1989, the Department of Public Works, Flood Control and Sewer Division, requested letters of qualifications from consultants demonstrating their ability to develop a program for urban stormwater runoff permitting and water quality protection. To solicit interest, the Division advertised in local newspapers and sent letters to local and regional consulting firms. The request for qualifications was distributed to more than twenty engineering firms, of which twelve firms

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responded. On March 10, 1989, requests for proposals were sent to the six firms judged to be best qualified. Five of these firms submitted proposals and were invited to the oral interviews conducted on April 11 and 13, 1989. The firm of Brown and Caldwell Consulting Engineers was selected by the review panel as first choice, with the firm of Woodward-Clyde Consultants as first alternate.

Selection Procedure

The Department of Public Works formed a consultant selection panel to review the five written proposals and interview the consultants. The selection panel included:

- o Donald M. Dodge, Deputy Director of Public Works, City of Sacramento
- o Keith DeVore, Senior Engineer, Water Resources Board, County of Sacramento
- o Ray Santin, Acting Operations & Maintenance Superintendent, Flood Control and Sewer Division, City of Sacramento
- o Craig Crouch, Senior Engineer, Flood Control and Sewer Division, City of Sacramento

The five firms invited to an oral interview were:

- o Brown and Caldwell Consulting Engineers
- o CH2M Hill Engineers
- o Metcalf & Eddy Engineers
- o Kennedy/Jenks/Chilton Engineers
- o Woodward-Clyde Consultants/James M. Montgomery Consulting Engineers

The primary criteria used to evaluate each firm's qualifications included:

1. Understanding of the project, including the intent and non-structural emphasis of the federal program.
2. Experience of the firm on similar projects.
3. Overall qualifications of the organization.
4. Clarity and balance of the written proposal, and its completeness in providing requested data.
5. Clarity of the oral presentation.
6. Staffing for and prior experience with:
  - o EPA & Central Valley Regional Water Quality Control Board (RWQCB) regulatory programs.
  - o past stormwater quality characterization studies.
  - o Best Management Practices and other water quality control measures.
  - o hydrologic analyses and storm sewer hydraulics.

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- o programs for public and industry outreach and involvement.
- o mapping using automated drafting systems.
- 7. Project manager's qualifications and availability.
- 8. Project approach and methodology.

Secondary criteria were given consideration to select from among the highest and clearly qualified firms. These criteria were:

1. The proposed level of MBE/WBE participation.
2. The degree of conformance with the City policy of distributing work fairly among local firms.
3. Estimated cost of the services defined in the proposed scope of work.

Based on the review of the written qualifications and interviews, the selection panel recommends that Brown and Caldwell Consulting Engineers be selected for agreement negotiations, and that Woodward-Clyde Consultants be considered as the first alternate should these negotiations prove non-productive.

**FINANCIAL DATA**

The estimated cost of Phase I consultant services is \$99,500. Recommended initial (Phase I) funding for the project, including contingencies, is \$106,000. An additional funding request is anticipated in early 1990, when funding requirements for Phase II will be better defined.

It is proposed that \$106,000 be appropriated from the Storm Drainage Contingency Reserve (Fund 425) to the new Capital Improvement Project (CIP) - "NPDES Stormwater Program Consultant Agreement" (4-25-500-XXXX-4802). As of July 12, 1989, the current balance of the Storm Drainage Contingency Reserve is \$1,008,000. The new CIP is proposed to identify costs of, and accomplish compliance with, new federal and state programs for water quality regulation.

**POLICY MATTERS**

There are no policy considerations associated with this item.

**MBE/WBE**

All policy guidelines were followed and each proposer was aware of the procedures. Proposals were solicited from MBE/WBE firms, however, none of the five proposing firms on this project qualify as MBE/WBE. During Phase I, the recommended consultant will identify Phase II and

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III tasks which might be accomplished by MBE/WBE firms, and will actively seek participation by such firms.

**RECOMMENDATION**

It is recommended that the Budget and Finance Committee:

- 1) approve the new Capital Improvement Project and the appropriation of funds, and
- 2) forward to the full City Council for adoption the attached Resolution, which authorizes the City Manager to negotiate, and the City Manager and the City Clerk to execute and record, agreements with Brown and Caldwell Consulting Engineers, or with Woodward-Clyde Consultants should these negotiations prove unsuccessful.

Respectfully submitted,

*Albert E. McCollam, Jr.*  
 ALBERT E. MCCOLLAM, JR.  
 Division Manager

Recommendation Approved:

*Jack R. Crist*  
 JACK R. CRIST  
 Deputy City Manager

Approved:

*Melvin H. Johnson*  
 MELVIN H. JOHNSON  
 Director of Public Works

Contact Person to Answer Questions:  
Craig Crouch, Senior Engineer  
449-8559

July 25, 1989  
All Districts

# RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

A RESOLUTION AUTHORIZING A NEW CAPITAL IMPROVEMENT PROJECT "NATIONAL POLLUTANT DISCHARGE ELIMINATION PERMIT (NPDES) STORMWATER PROGRAM CONSULTANT AGREEMENT", AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT AND AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE AN AGREEMENT WITH BROWN & CALDWELL CONSULTING ENGINEERS OR WOODWARD/CLYDE CONSULTANTS, AND APPROPRIATING FUNDS TO PLAN FOR PERMITTING OF URBAN RUNOFF.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THAT:

1. The 1989-90 Capital Improvement Program is amended by the addition of a new project entitled "NPDES Stormwater Program Consultant Agreement."
2. Funds in the amount of \$106,000 are appropriated from the Drainage Fund Contingency Reserve (4-25-710-7012-4999) to the "NPDES Stormwater Program Consultant Agreement" (4-25-500-XXXX-4802).
3. The City Manager is hereby authorized to negotiate, and the City Manager and the City Clerk are hereby authorized to execute, an agreement with Brown and Caldwell Consulting Engineers in an amount not to exceed \$106,000 for conducting a planning study for City compliance with federal Clean Water Act (40 CFR Parts 122-124 and 504), regulating urban stormwater runoff. Should negotiations with Brown and Caldwell prove non-productive, the City Manager is authorized to negotiate an agreement as described above with Woodward-Clyde Consultants.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_