

**APPROVED**  
BY THE CITY COUNCIL

**DEC 16 1997**

OFFICE OF THE  
CITY CLERK



1.2

AG97-191

DEPARTMENT OF  
UTILITIES  
  
ENGINEERING SERVICES

CITY OF SACRAMENTO  
CALIFORNIA

5770 FREEPORT BLVD.  
SUITE 100  
SACRAMENTO, CA  
95822-2911

PH 916-433-6318  
FAX 916-433-6652

November 24, 1997

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: AUTHORIZATION TO EXECUTE A CONSULTANT SERVICES AGREEMENT FOR A SANITARY SURVEY UPDATE FOR THE AMERICAN RIVER WATERSHED AREA FOR AN AMOUNT NOT TO EXCEED \$129,267 (PN:ZF61) AND AMENDING CAPITAL GRANTS REVENUE AND EXPENSE BUDGETS**

**LOCATION AND COUNCIL DISTRICT:** City-wide (See attached map)

**RECOMMENDATION:**

Staff recommends that the City Council approve the attached resolution authorizing the City Manager and City Clerk to execute a Consultant Services Agreements with Archibald and Wallberg Consultants for preparation of the American River Watershed Sanitary Survey Update Report for an amount not to exceed \$129,267. The City's share will be \$40,719, under the terms of the Memorandum of Understanding (MOU) between the City of Sacramento, San Juan Water District, East Bay Municipal Utility District, the City of Roseville, El Dorado Irrigation District, the City of Folsom, Carmichael Water District, Arden-Cordova Water Service, California State Prison at Folsom, Placer County Water Agency, and Arcade Water District.

**CONTACT PERSON:** Larry Nash, Senior Engineer, 433-4015  
Gary Reents, Engineering Services Manager, 433-6633

**FOR COUNCIL MEETING OF:** December 16, 1997

**SUMMARY**

The California Surface Water Treatment Rule requires communities that divert and treat surface waters for domestic water supplies, such as Sacramento, to perform sanitary surveys within their respective watersheds every five years. The purpose of the sanitary surveys is to evaluate the sources of waterborne contaminants and to determine the level of treatment required to assure

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the supply of safe drinking water. In response to this requirement, on July 29, 1997, City Council approved a resolution (Resolution No. 97-428) that adopted a Memorandum of Understanding (MOU) with ten other municipal water purveyors for the purpose of completing an American River Watershed Sanitary Survey Update (See Exhibit 1). The MOU included terms for sharing of consultant costs based on (1) each participating current water diverter's share of the sum of total deliveries of American River water in 1996 and (2) EBMUD's minimum water need averaged over a three year period.

This City Council report requests that the City Council approve a resolution that authorizes a Consultant Services Agreement with Archibald and Wallberg Consultants to prepare the American River Watershed Sanitary Survey Update Report for an amount not to exceed \$129,267. Under the terms of the MOU between the participating agencies, the City's share will be \$40,719.

#### **COMMITTEE/COMMISSION ACTION**

None.

#### **BACKGROUND INFORMATION**

The California Code of Regulations, Title 22, Chapter 17 establishes the California Surface Water Treatment Rule (SWTR) which requires that all surface water suppliers conduct a sanitary survey of their watershed(s) at least once every five years. The main purpose of the sanitary survey requirement is to determine the degree of treatment required to assure to the greatest degree possible that water supplies are free of microbial and other types of contamination. To comply with this requirement and obtain the necessary information to determine required levels of treatment, sanitary surveys must provide a description of the source waters' watershed, identify potential sources of contamination within the watershed, describe watershed management practices, and assess the microbial contaminant load at the point where the raw water is diverted to the treatment plant.

In August 1993, the City and ten other municipal water purveyors in the American River watershed submitted a sanitary survey of the American River watershed to DHS. In the spring of 1997, City staff started discussions with DHS staff to discuss the scope of a sanitary survey update for the Fairbairn Water Treatment Plant to meet the SWTR requirements. City staff then met with representatives of San Juan Water District, East Bay Municipal Utility District, the City of Roseville, El Dorado Irrigation District, the City of Folsom, Carmichael Water District, Arden-Cordova Water Service, California State Prison at Folsom, Placer County Water Agency, and Arcade Water District to consider whether the SWTR sanitary survey requirements for the Fairbairn Water Treatment Plant and the other agencies' facilities can best be met through a jointly administered and financed project. This effort resulted in the preparation of a

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Memorandum of Understanding (MOU) providing for the formation of a Technical Committee for consultant selection, a cost sharing arrangement, and for the City to be the lead agency in administration of the Consultant Services Agreement. City Council approved a resolution (Resolution No. 97-428) on July 29, 1997 adopting the MOU. The other participating agencies have also adopted the MOU.

Archibald and Wallberg Consultants has been recommended to prepare the American River Watershed Sanitary Survey Update Report by a Consultant Selection Committee. This committee was comprised of representatives of the six participating agencies with the largest percent cost distribution, including the City of Sacramento. Archibald and Wallberg Consultants was selected through a Request for Proposal process, in which proposals were solicited from fourteen firms and only two firms responded with proposals. All of the participating agencies concur with the consultant selection, scope of work, and budget and have provided written documentation; a form was sent to the participating agencies to facilitate this documentation (See Exhibit 2). Archibald and Wallberg Consultants was selected based on their proposed approach to accomplish the work, experience, and proven technical abilities.

#### **ENVIRONMENTAL DETERMINATION**

The Environmental Services Division has determined that the American River Watershed Sanitary Survey Update is a planning study, which does not require CEQA review.

#### **FINANCIAL CONSIDERATIONS**

The estimated cost for the Consultant Services Agreement is \$129,267. The City's share is \$40,719 and will be funded in the American River Watershed Sanitary Survey Project (413-500-ZF61-4802), which has an unobligated balance of \$115,246 as of December 1, 1997. The table below displays the distribution of costs between the City and the other participating agencies, which is apportioned according to the MOU based on (1) each participating current water diverter's share of the sum of total deliveries of American River water in 1996 and (2) EBMUD's minimum water need averaged over a three year period.

**COST DISTRIBUTION SUMMARY**

<b>Participants</b>	<b>% Share</b>	<b>Expenses</b>
City of Sacramento	31.5%	\$40,719
Other Participating Agencies	68.5%	\$88,548
<b>Totals:</b>		<b>\$129,267</b>

As the lead agency in this agreement, the City will invoice the other participating agencies. Therefore, staff requests that the FY98 Capital Improvement Program be amended to add \$88,548 to the Capital Grants Fund (248-500-ZF61-4802) and that the FY98 Revenue Budget be amended to recognize additional revenue in the Capital Grants Fund of \$88,548 (248-500-ZF61-3599).

**POLICY CONSIDERATIONS**

The State Surface Water Treatment Rule requires that a sanitary survey be conducted between the Fairbairn Water Treatment Plant intake and upstream municipal water diverters. Approval of the Consultant Services Agreement provides the opportunity for the City and other municipal water purveyors to work together in a cooperative manner and share the costs of this study, which otherwise would need to be performed individually.

**MBE/WBE**

This project included MBE and WBE participation goals of 10.57% and 9.5% respectively, as required by Resolution 93-619 relating to MBE/WBE participation goals and policies, adopted by the City Council on November 2, 1993. Archibald and Wallberg Consultants is a WBE firm. The Consultant is providing 3% MBE and 37% WBE participation. Archibald and Wallberg Consultants performed a good faith effort through the following:

- obtaining a listing of current City-certified MBE and WBE firms from the City's Office of Minority, Women, and Small Business.

City Council  
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American River Sanitary Survey Update

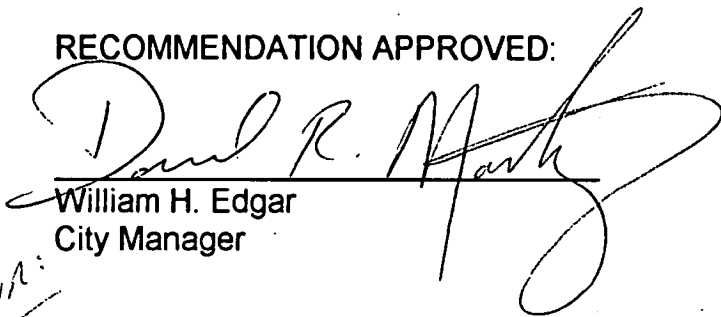
- identifying areas in the proposal to include MBE/WBE participation. Archibald and Wallberg Consultants teamed up with two major subcontractors, Montgomery Watson and McGuire Environmental Consultants, Inc., for the technical portion of the work, based on these firms' unique technical expertise and experience; neither of these firms is a MBE or WBE firm. The Consultant identified word processing and graphics as areas to investigate MBE and WBE firms for participation, interviewed various firms, and incorporated Sandoval Word Processing into the consultant team, which provides 3% MBE participation. The graphics subconsultant is a WBE firm, but is not City-certified. The cumulative departmental MBE/WBE participation to date is 18.99% MBE and 16.16% WBE.

Respectfully submitted,



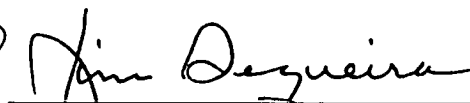
Gary A. Reents  
Engineering Services Manager

RECOMMENDATION APPROVED:



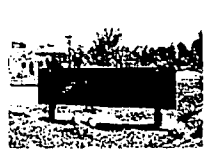
William H. Edgar  
City Manager

APPROVED:



James G. Sequeira  
Director of Utilities

for:



**Placer County Water Agency**



**San Juan Water District  
City of Folsom  
City of Roseville**



**Carmichael Water District**



**EBMUD**



**City of Sacramento**



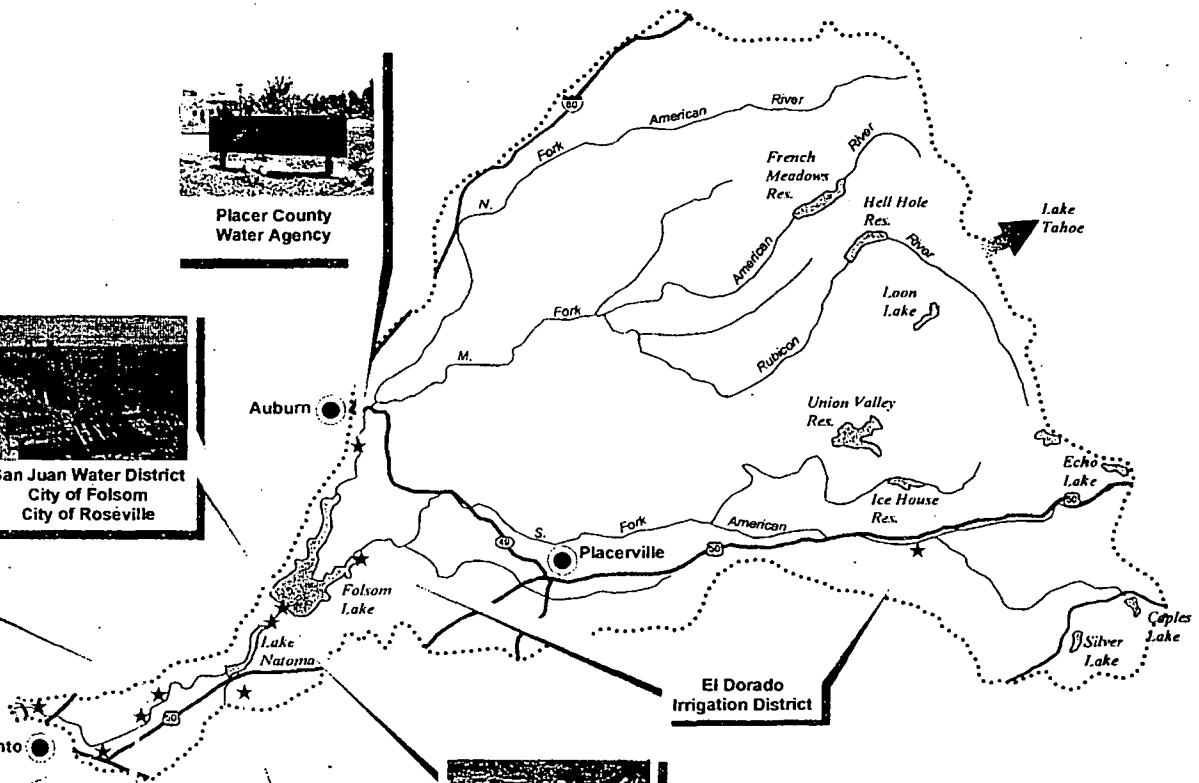
**Arcade Water District**



**Arden Cordova Water Service**



**California State Prison Folsom**



**AMERICAN RIVER WATERSHED**

EXHIBIT 1

MEMORANDUM OF UNDERSTANDING  
REGARDING CONTRACTING FOR  
A SANITARY SURVEY UPDATE OF  
THE AMERICAN RIVER WATERSHED AREA

CERTIFIED AS TRUE COPY

OF MOU Ag. 97-120

DATE CERTIFIED 10-29-97

*Patricia A. Burrows*  
CITY CLERK, CITY OF SACRAMENTO

This Memorandum of Understanding (hereinafter "MOU") is entered into on July 29, 1997, by and between the City of Sacramento (hereinafter "Sacramento"), San Juan Water District, (hereinafter "SJWD"), East Bay Municipal Utility District (hereinafter "EBMUD"), the City of Roseville (hereinafter "Roseville"), El Dorado Irrigation District (hereinafter "EID"), the City of Folsom (hereinafter "Folsom"), Carmichael Water District (hereinafter "CWD"), Arden-Cordova Water Service (hereinafter "ACWS"), California State Prison at Folsom (hereinafter "CSPF"), Placer County Water Agency (hereinafter "PWCA"), and Arcade Water District, (hereinafter "AWD").

RECITALS

- A. The purpose of this MOU is to memorialize an agreement and understanding of the parties (hereafter referred to as the "parties") with respect to the contracting for a sanitary survey update of the American River Watershed Area.
- B. The parties each are required by the State of California Department of Health Services, Office of Drinking Water to comply with regulations passed in June 1991 requiring all water suppliers using surface water sources to complete a sanitary survey of their respective watershed(s) and to provide an update report every five years.
- C. The parties believe it to be in their best interest, as well as the public's best interest, to enter into a contract with a consultant to conduct the sanitary survey update and to cooperatively and jointly share in the cost of this report.

NOW THEREFORE, in consideration of the mutual obligations set forth herein, the parties agree as follows:

- 1. Technical Committee: The parties hereby form a Technical Committee consisting of one representative of each of the parties, as identified on the list titled "American River Watershed Sanitary Survey-Percentage of Cost Sharing", attached hereto as Exhibit "A" and fully incorporated herein by this reference. A representative named herein may, from time to time or permanently, designate an individual to act on the representative's behalf. Meetings of the Technical Committee may be attended by anyone authorized by any representative. The purpose of the Technical Committee will be: a) to develop the scope of work to be included in the request for proposal/qualifications in a timely fashion; b) to assist in the solicitation of one or more individuals or firms to prepare a sanitary survey update on the American River Watershed area; c) to share information related to the contract negotiations for the sanitary survey; d) to take such

City Agreement No. 97-120

other action as the Technical Committee deems appropriate to further the interest of the parties. The Technical Committee shall meet each month, or as needed, at the Fairbairn water Treatment Plant at 7501 College Town Drive, and at other such times and places as the Technical Committee may agree.

2. Decisions of Technical Committee: The parties expect and intend that decisions of the Technical Committee will be made by consensus of representatives present at the meetings. In the event of disagreement over any decision, the representatives present will vote to resolve the disagreement, with each representative having one vote, and the vote of the majority of representatives will be the decision of the committee. Should such voting not result in a majority, then voting will proceed on a weighted basis with each agency representative being assigned a number of votes equal to their cost sharing percentage as defined in Item Number "4" below, and the vote of the majority of the total number of the votes so assigned shall be the decision of the committee.

3. Selection of Consultant: Sacramento will act as the lead agency in contracting with one or more consultants to complete the sanitary survey. The one or more consultants will be selected by a subcommittee of the Technical Committee consisting of the representatives of the six (6) largest participants in the report (Sacramento, SJWD, EBMUD, Roseville, EID and Folsom). Selection will be in accordance with standard City of Sacramento consultant selection procedures.

4. Cost Sharing, Invoices: Sacramento will be responsible for administering the contract(s) for the services of the selected or consultant(s). It is understood and agreed, however, that the contract(s) with the consultant (s) will in part be pass-through agreements, and the parties shall each pay a percentage of the total contract amount(s), as agreed upon and shown below. The percentage share of the total contract amount(s) is as follows:

Sacramento	31.5%
SJWD	25.5%
EBMUD	11.4%
Roseville	10.3%
EID	7.9%
Folsom	6.7%
CWD	3.4%
ACWS	1.6%
CSPF	.7%
PCWA	.6%
AWD	.4%



Sacramento will invoice SJWD, EBMUD, Roseville, EID, Folsom, CWD, ACWS, CSPF, PCWA, and AWD for consultant costs. The parties within 45 days of the receipt of said invoice(s) shall remit their percentage share of said invoice(s), as shown above, to reimburse Sacramento for payment of the consultant(s). Sacramento will make all reasonable efforts to provide said invoices on a quarterly basis. Copies of consultant invoices will be distributed to the Technical Committee representatives on a quarterly basis, or upon request at any time. In the event one or more parties believes an invoice should not be paid in whole or in part, the dispute shall be resolved by the Technical Committee as set forth herein. The parties agree to exercise good faith and diligence in the resolution of any disputed invoice amounts; provided, however, that notwithstanding any provision contained herein, Sacramento shall be reimbursed by each of the other parties for their respective percentage share of any and all money ultimately paid to the consultant(s) by Sacramento.

5. Price Ceiling: In no case shall the total value of goods or services procured pursuant to this MOU exceed \$175,000, except by Amendment to this MOU.

6. Notices: Any invoice, payment, notice or other written communication related to this MOU will be provided to those representatives identified on Exhibit "A".

7. Term of MOU: This MOU shall be effective as of the first date written above and shall remain in force until all services and contracts covered by this MOU have been completed and performed, and all payments required under this MOU have been made.

8. Amendments: Any amendments to this MOU must be in writing and executed by all parties.

9. Counterparts: This MOU may be executed by the parties in separate counterparts, each of which when so executed and delivered to Sacramento shall be an original, but all such counterparts shall together constitute but one and the same instrument. After signature pages are returned to Sacramento, copies of the complete MOU will be mailed to each party.

10. General Provisions: Each party understands and agrees that there is no agency relationship between the parties. It is further understood and agreed by the parties that notwithstanding anything contained herein, the employees of each party shall continue to be entirely and exclusively under the direction, supervision and control of the employing party.

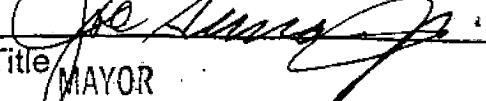
Each party understands and agrees that any internal, in-house or administrative costs or expenses incurred by any party related to that party's obligations under this MOU shall be the sole responsibility of the party incurring said costs and expenses.

This instrument and any attachments hereto constitute the entire MOU between the parties concerning the subject matter hereof.

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CITY OF SACRAMENTO (Sacramento)

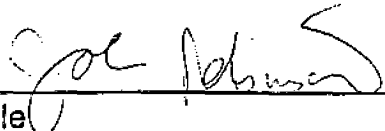
Date: 8-1-97

By:   
Title MAYOR

ATTEST:

APPROVED AS TO FORM:

  
Title

  
Title


SAN JUAN WATER DISTRICT (SJWD)

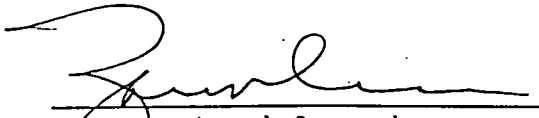
Date: August 18, 1997

By:   
Title General Manager

ATTEST:

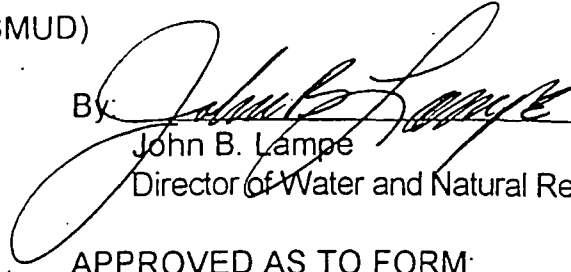
APPROVED AS TO FORM:

  
Title Secretary to the Board of Directors

  
Title Legal Counsel

EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD)

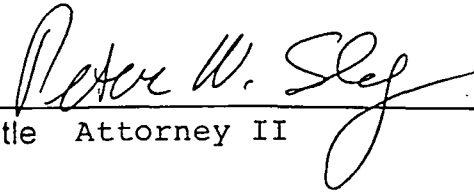
Date: 10.6.97

By:   
John B. Lampe  
Director of Water and Natural Resources

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Title

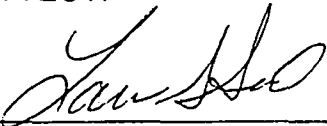
  
Title Attorney II

CITY OF ROSEVILLE (Roseville)

Date: August 6, 1997

By:   
Title City Manager

ATTEST:

  
Title Assistant City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Title

EL DORADO IRRIGATION DISTRICT (EID)

Date: Sept 2, 1997

By: William T. Hetland  
Title William T. Hetland  
General Manager

ATTEST:

APPROVED AS TO FORM:  
[Signature]  
Title Noble Sprunger  
District Counsel

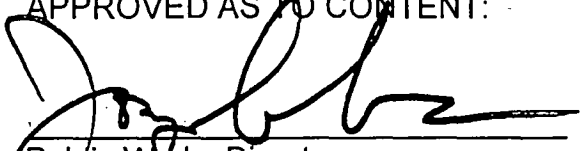
[Signature]  
Title Jeraldine Esquibel  
District Secretary

CITY OF FOLSOM (Folsom)

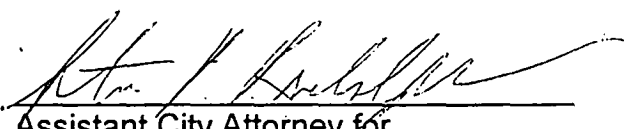
Date: 8/4/97

By:   
City Manager

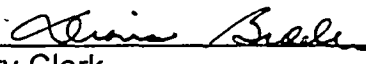
APPROVED AS TO CONTENT:

  
Public Works Director

APPROVED AS TO FORM:

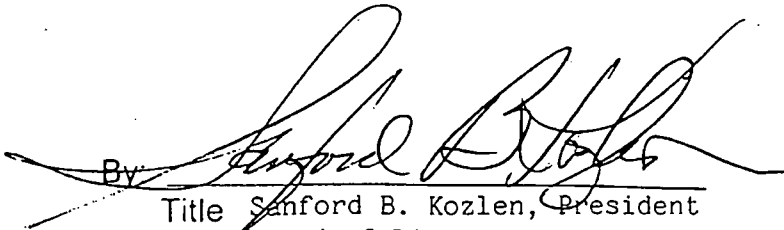
  
Assistant City Attorney for  
City Attorney

ATTESTS:

  
City Clerk

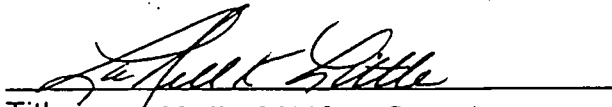
CARMICHAEL WATER DISTRICT (CWD)

Date: August 18, 1997

By   
Title Sanford B. Kozlen, President  
Board of Directors

ATTEST:

APPROVED AS TO FORM:

  
Title LaNell K. Little, Secretary

\_\_\_\_\_  
Title



ARDEN-CORDOVA WATER SERVICES (ARWS)

Date: October 27, 1997

ATTEST:

By: John F. Redding  
Title District Manager  
Arden Cordova Water Serv.  
APPROVED AS TO FORM:

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

CALIFORNIA STATE PRISON AT FOLSOM (CSPF)

Date: September 16, 1997

By: \_\_\_\_\_  
Title

ATTEST:

APPROVED AS TO FORM:

Associate Warden Business Services (A)  
Title

Correctional Plant Manager I  
Title

PLACER COUNTY WATER AGENCY (PCWA)

Date: August 19, 1997

By: Walt E. Smith  
Title Chairman, Board of Directors

ATTEST:

APPROVED AS TO FORM:

Barbara Sloan  
Title Clerk, Board of Directors

\_\_\_\_\_  
Title

ARCADE WATER DISTRICT (AWD)

Date: July 10, 1997

By: Rodney T. Franz  
Title Rodney T. Franz, President

ATTEST:

APPROVED AS TO FORM:

[Signature]  
Title C.J. Di Pitero, Asst. Secretary

[Signature]  
Title William T. Sweigert, Legal Counsel

Exhibit A

American River Watershed Sanitary Survey Update  
PERCENTAGE OF COST SHARING

Mr. C.J. DiPietro  
General Manager  
Arcade Water District  
POB 214009  
Sacramento, CA 95821  
972-7171/FAX 972-7639  
0.4%

Mr. Mike Knowles  
Associate Warden Business Services  
Folsom State Prison  
POB 71  
Repressa, CA 95671  
351-3051/FAX 351-3000  
0.7%

Mr. Michael W. Benbow  
Superintendent  
Arden-Cordova Water Service  
11088 Olsen Dr., Ste D  
Rancho Cordova, CA 95670  
852-0552/FAX 852-6608  
1.6%

Mr. David Breninger  
General Manager  
Placer County Water Agency  
POB 6570  
Auburn, CA 95604  
823-4859/FAX 823-4960  
0.6%

Ms. LaNell Little  
General Manager  
Carmichael Water District  
POB 929  
Carmichael, CA 95609  
483-2452/FAX 483-5509  
3.4%

Mr. Derrick Whitehead  
Director of Environmental Utilities  
City of Roseville  
Environmental Utilities Department  
2005 Hilltop Circle  
Roseville, CA 95747  
774-5330/FAX 774-5690  
10.3%

Mr. Kurt Ladensack  
Manager, Water Supply Improvements  
East Bay Municipal Utility District  
P.O. Box 24055  
Oakland, CA 94623  
11.4%

Mr. James English  
General Manager  
San Juan Water District  
9935 Auburn-Folsom road  
Granite Bay, CA 95746  
791-0115/FAX 791-7361  
25.5%

Mr. William T. Hetland  
General Manager  
El Dorado Irrigation District  
2890 Mosquito Road  
Placerville, CA 95667  
622-4513/FAX 622-1195  
7.9%

Mr. Mike Yee  
Plant Services Division Manager  
City of Sacramento  
Department of Utilities  
1391 35<sup>th</sup> Avenue  
Sacramento, CA 95822  
264-5594/FAX 264-7955  
31.5%

Mr. Michael Frost  
City Manager  
City of Folsom  
50 Natoma St  
Folsom, CA 95630  
355-7272/FAX 351-0525  
6.7%

**EXHIBIT 2**

TO: Elissa Callman  
Associate Civil Engineer  
City of Sacramento  
Department of Utilities

As an agency representative on the Technical Committee for the American River Watershed Sanitary Survey Update Report, I concur with the Consultant Selection Subcommittee's selection of Archibald and Wallberg Consultants as the primary consultant for the American River Watershed Sanitary Survey Update Report. The scope of work dated November 19, 1997 and the budget of \$129,267 have been reviewed and are satisfactory.

Name: \_\_\_\_\_

Agency: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Please return this form to:

Elissa Callman  
City of Sacramento  
Department of Utilities  
5770 Freeport Boulevard, Suite 100  
Sacramento, CA 95822  
(916)433-6635/433-6653 fax

**APPROVED**  
BY THE CITY COUNCIL

**DEC 16 1997**

OFFICE OF THE  
CITY CLERK

**RESOLUTION NO. 97-671**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

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

RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE A CONSULTANT SERVICES AGREEMENT WITH ARCHIBALD AND WALLBERG CONSULTANTS IN ACCORDANCE WITH THE MEMORANDUM OF UNDERSTANDING REGARDING CONTRACTING FOR A SANITARY SURVEY UPDATE OF THE AMERICAN RIVER WATERSHED AREA (PN:ZF61) AND AMENDING CAPITAL GRANTS REVENUE AND EXPENSE BUDGETS

BE IT RESOLVED BY THE SACRAMENTO CITY COUNCIL THAT:

1. The FY98 Revenue Budget for the Capital Grants Fund is amended for additional revenue as follows:  
248-500-ZF61-3599: \$88,548
2. The FY98 Capital Improvement Program is amended to add \$88,548 to the Capital Grants Fund (248-500-ZF61-4802).
3. The City Manager and City Clerk are authorized to sign and execute a Consultant Services Agreement with Archibald and Wallberg Consultants for an amount not to exceed \$129,267 for the American River Watershed Sanitary Survey Update Report.

\_\_\_\_\_  
MAYOR

ATTEST:

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

\_\_\_\_\_  
FOR CITY CLERK USE ONLY

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

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

**AMER RVR SANITARY SURV**

PROJECT#:	ZF61
FY Initiated:	97/98

**Location**  
Various Sites Along The American River Watershed

**Council District:**  
 Citywide  1  2  3  4  5  6  7  8

**Neighborhood Area:**  
 Citywide  NA1  NA2  NA3  NA4

**Planning Area:**  
 N/A  Citywide  PA1  PA2  PA3  PA4  PA5  PA6  PA7  PA8  PA9  PA10  PA11

**Project Description**  
 Conduct a sanitary survey relative to the E.A. Fairbairn Water Treatment Plant diversion to evaluate watershed contaminant sources and assess the level of treatment required for removal or inactivation of Giardia cysts and viruses. The survey area is for the entire American River Watershed.

**Project Objectives**  
 To comply with Article 7 of the California Surface Water Treatment Rule, maintain safe drinking water quality, and protect source water from contaminants.

**Existing Situation**  
 The City of Sacramento and the other municipal water supply purveyors on the American River conducted a joint sanitary survey of the American River watershed in 1993. An update report is due to the State Department of Health Services in 1998; the update report will be a joint effort with other interested water purveyors. The update report will focus on water quality issues and may serve to stimulate source water protection efforts in the watershed.

**Operating Budget Impact**  
 None.

Amended	Fund Source	Budget through 6/96	Estimated Balance 6/96	Five Year Funding				
				1996-97	1997-98	1998-99	1999-00	2000-01
7/1/97	Water	0	0	0	125,000	0	0	0
12/16/97	Capital Grants	0	0	0	88,548	0	0	0
	<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>213,548</b>	<b>0</b>	<b>0</b>	<b>0</b>

