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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

916-495271

May 7, 1991

Budget and Finance Committee
Sacramento, California

Honorable Members in Session:

SUBJECT: AMENDMENT TO CITY AGREEMENT #90020 WITH LARRY WALKER ASSOCIATES IN THE AMOUNT OF \$60,000 FOR CONSULTANT SERVICES RELATED TO DEVELOPMENT AND IMPLEMENTATION OF STORMWATER PROGRAMS

SUMMARY

This report recommends that City Agreement #90020 with Larry Walker Associates be amended to add \$60,000, for a total of \$104,900, to continue services necessary for the development and implementation of both the combined system and the NPDES programs.

BACKGROUND INFORMATION

The Department of Public Works originally retained the services of Larry Walker Associates in November 1989 for assistance in preparing the joint application with the County of Sacramento for the stormwater National Pollutant Discharge Elimination System (NPDES) permit, which was issued by the Regional Water Quality Control Board in June 1990. As an additional task, Larry Walker Associates assessed the county-wide urban runoff controls necessary to comply with the water quality objectives proposed in the State Water Quality Control Board's Inland Surface Waters Plan. The Inland Surface Waters Plan affects requirements for controlling urban runoff, combined system overflows, water quality, toxic contaminants, and water treatment that could cost the City substantial sums for compliance. Larry Walker Associates assisted the City by providing expert testimony before the Board regarding the impact of the Inland Surface Waters Plan on the City. Larry Walker Associates accumulated and assessed testimony presented at the State Board's hearings, compiled results and recommendations, and advised staff on the progress of the State's plans.

The Inland Surface Waters Plan was adopted April 11, 1991, by the State Board. Larry Walker Associates' services are still needed, however, to assist in assessing the impacts and representing the City's interests as the Inland Surface Waters Plan is implemented. Additionally, the assistance of Larry Walker Associates is needed in tracking and responding to other regulations, plans, and appeals currently in progress, which directly affect both the City's stormwater and combined system discharges.

First among the issues is the requirement in the adopted Inland Surfaces Water Plan for the Regional Water Quality Control Board to revise its individual basin plan to be consistent with the objectives of the Inland Surface Waters

Plan. This process will be site and water body specific, directly affecting the City's stormwater and combined system NPDES permits, which were issued by the Regional Water Quality Control Board.

Secondly, the State Board is continuing with hearings for completion and adoption of a Bay-Delta Pollutant Policy Document and Clean Water Strategy. The Bay-Delta Pollutant Policy Document will set water quality objectives for the San Francisco Bay and the Delta, much like the Inland Surface Waters Plan has done for inland lakes and streams. This document is of particular concern to the City because the City is a significant discharger to the Sacramento River, which is in turn the major water source for the San Francisco Bay and the Delta. The Clean Water Strategy will result in a prioritization of water bodies needing additional regulation and improvement, and thus will potentially affect the timing of the City's compliance with new requirements.

Lastly, the City of San Francisco, which has a combined sewer system similar to that of Sacramento, has made significant improvements to its system. These improvements have been closely monitored and permitted by both the Bay Area Regional Water Quality Control Board and the federal Environmental Protection Agency. Recently, the Sierra Club has appealed the State and federal permits, arguing that much more stringent requirements should be applied to San Francisco's combined system. The requirements being appealed are directly applicable to the City of Sacramento and, if the Sierra Club's appeal is successful, will probably be applied to Sacramento at significant cost to the City.

To protect the City's interests in these matters, it is important to track the various processes and to supply input to the different agencies. To do so, it is necessary for staff to have the assistance of expert consultant services. Larry Walker Associates possesses both the expertise and the on-going experience in these issues to effectively assist the City. The State Board and Regional Boards have scheduled hearings on these issues during the remainder of the current fiscal year; and the information and decisions from these hearings must be analyzed and incorporated into the development of the City's stormwater programs, which are currently scheduled for implementation in August and September 1991.

FINANCIAL DATA

The estimated cost for these additional services is \$60,000, bringing the total not-to-exceed amount to \$104,900. Larry Walker Associates is currently providing consultant services for \$20,000 under City Agreement #90020; City Agreement #90020 is an extension to City Manager's Agreement #89161, originally issued at \$24,900. This contract is funded from CIP #WC66, "Discharge Monitoring Sacramento/American Rivers," which has a total budget of \$94,000 and an unobligated amount of \$27,474. It is recommended that funds for this amendment in the amount of \$35,000 be transferred from CIP #WA71, "Miscellaneous Stormwater Improvements, in which there is a balance of \$227,000 as of April 10, 1991. There is no rate impact associated with this request because the funds requested are being transferred from an approved capital improvement project.

POLICY CONSIDERATIONS

This request is consistent with City of Sacramento Code Chapter #58.202 requiring that contracts and supplements above \$25,000 be approved by the City Council. Furthermore, the contract being requested to accomplish the tasks described are to better comply with regulations, State and federal permit requirements, or enforcement orders.

MBE/WBE EFFORTS

This action does not impact the City's MBE/WBE efforts.

RECOMMENDATION

It is recommended that the Budget and Finance Committee forward the attached resolution to the City Council with a recommendation for approval.

Respectfully submitted,

for: Donald M. Dodge
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

EO

Contact Person:
Don Dodge, Deputy Director for Utility Services
449-8570

All Districts
May 7, 1991

AMENDMENT #1 TO CITY AGREEMENT #90020

City Agreement #90020 between the City of Sacramento and Larry Walker Associates is hereby amended as follows:

EXHIBIT A:

Exhibit A, Paragraph 2, is hereby revised/replaced as follows:

1. Larry Walker Associates will assist the City with commenting on proposed federal and State regulations and policies that pertain to water quality and could affect significantly the City's stormwater and combined system programs, including but not limited to the following:
 - a. The Inland Surface Waters Plan.
 - b. The Bay-Delta Pollutant Document (hearings tentatively scheduled by the Board for May).
 - c. The Clean Water Strategy prioritization of water bodies listed in the Water Quality Assessment (hearing by the Board tentatively scheduled for May).
 - d. The update of the Regional Board's Basin Plan to achieve consistency with the Inland Surface Waters Plan.
2. Larry Walker Associates will provide input to the City on stormwater investigations which are underway or which may be proposed in the future.
3. Larry Walker Associates will provide input and tracking on the administrative and legal appeal of the combined system NPDES permit of the City of San Francisco as that appeal relates to similar aspects of the combined system permit of the City of Sacramento.
4. Larry Walker Associates will advise and assist the City in other matters pertaining to regulatory and water quality issues.
5. Specific tasks to accomplish the above items must be submitted to the City in writing. The specific tasks will not be undertaken until approved by the City in writing.

EXHIBIT B:

Exhibit B, Paragraph 1, is amended as follows:

1. Maximum reimbursement under this contract for all services will not exceed \$104,900.

Exhibit B, Paragraph 6, is amended as follows:

- 6. d. Each monthly invoice shall detail total hours charged for any task performed jointly for the City and the County of Sacramento and the specific portion of that total being billed to the City.

Executed on this _____ day of _____, 1991.

CITY OF SACRAMENTO
A Municipal Corporation

CITY:

CONSULTANT:

Randy J. Walker

(Title)

President
(Consultant Title)

ATTEST:

94-2610668

(Federal Tax ID # or Social Security#)

Under penalty of perjury, I certify that the
Taxpayer Identification Number and all city
other information provided here are correct.

CITY CLERK

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION TO AMEND CITY AGREEMENT #90020 WITH LARRY WALKER ASSOCIATES FOR ADDITIONAL \$60,000 AND TO TRANSFER FUNDS

BE IT RESOLVED BY THE CITY COUNCIL OF SACRAMENTO THAT:

1. The City Manager and City Clerk are authorized to execute Amendment 1 to City Agreement #90020 with Larry Walker Associates to amend scope of work and to increase the value of the agreement from \$44,900 to \$104,900.
2. Funds in the amount of \$35,000 are transferred from Capital Improvement Project #WA71, Stormwater Miscellaneous Improvements (425-500-WA71-4414), to Capital Improvement Project #WC66, Discharge Monitoring Sacramento and American Rivers (425-500-WC66-4802).

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____