



# REPORT TO COUNCIL

## City of Sacramento

915 I Street, Sacramento, CA 95814-2604  
www. CityofSacramento.org

**Consent**  
**July 28, 2009**

**Honorable Mayor and  
Members of the City Council**

**Title:** Supplemental Agreement: Larry Walker Associates for FY 2009/10 Stormwater Monitoring Services (W14004600)

**Location/Council District:** Citywide

**Recommendation:** Adopt a **Resolution:** 1) authorizing the City Manager to execute Supplemental Agreement No. 1 to City Agreement No. 2008-0873 with Larry Walker Associates, Inc. (LWA), to provide Stormwater Monitoring Services for FY2009/10 for an amount not to exceed \$671,777 and 2) amending the FY2009/10 Revenue and Expenditure Budgets (Fund 3702) for the FY10-FY14 NPDES Program (W14004600) for reimbursement from the County of Sacramento and Cities of Citrus Heights, Elk Grove, Folsom, Galt, and Rancho Cordova for their share of the costs in the amount of \$446,731.71.

**Contact:** David L. Brent, Engineering Services Manager, 808-1420; Sherill Huun, Supervising Engineer, 808-1455

**Presenters:** N/A

**Department:** Utilities

**Division:** Engineering Services

**Organization No:** 14001331

**Description/Analysis**

**Issue:** Water quality sampling of stormwater runoff and of local waterways is required by the National Pollutant Discharge Elimination System (NPDES) permit (Permit No. CA0082597) issued by the State Regional Water Quality Control Board to the County of Sacramento and the Cities of Sacramento, Citrus

Heights, Elk Grove, Folsom, Galt, and Rancho Cordova (Permittees). The Permittees share the cost of the required stormwater monitoring pursuant to the terms of a master Memorandum of Understanding (the "MOU"), approved by the City Council in 2003. LWA was selected to provide up to three years of stormwater monitoring services through a Request for Qualifications process conducted in 2008 by the Permittees. This FY2009/10 Supplemental Agreement will cover the services to be performed for the second of up to three monitoring seasons authorized by the original agreement.

**Policy Considerations:** The federally mandated NPDES Permit requires implementation of specific activities and programs. Implementation of the Stormwater Monitoring Program and the FY2009/10 Stormwater Monitoring Services agreement supports the following City strategic goals to:

1. Establish and strengthen the community and regional partnerships to enhance the quality of life; and
2. Preserve and expand the arts and culture, open space, urban forest, parks and recreation opportunities.

**Environmental Considerations:** This project is not subject to California Environmental Quality Act review, because it is an information collection activity as part of an ongoing water quality study (see CEQA Guidelines Section 15306). There are no environmental impacts associated with water sample collection and analysis.

**Sustainability Considerations:** The NPDES permit requires the reduction of the pollution conveyed by stormwater runoff into local water bodies and requires implementation of a Stormwater Monitoring Program. The Stormwater Monitoring Program provides the data needed to develop pollution reduction programs and as such, is consistent with the City Sustainability Master Plan in advancing the following goals:

1. Reducing the use of pesticides and other toxic materials
2. Protecting and restoring the City's urban creeks
3. Conserving the use and protection of sources of water

The FY2009/10 Stormwater Monitoring Services agreement scope of work supports the Monitoring Program in advancing the listed goals.

**Rationale for Recommendation:** The Permittees developed a list of various Permit required monitoring tasks to be performed over a period of up to three years. The Department of Utilities included the list of tasks in a Request for Qualifications soliciting qualifications from consulting firms for the work. On May 20, 2008, Utilities received proposals from 3 firms and the Permittee proposal selection committee subsequently selected Larry Walker Associates, Inc., as the top ranked proposer. City Council has already approved funding for the City's share of the Stormwater Monitoring Program with the adoption of the FY 2009/10 budget.

**Financial Considerations:** The cost for the Professional Services Agreement is \$671,777. Under the MOU, the City's share (33.5%) is \$225,045.29 and has been funded in the FY 2009/10 Storm Drainage Capital Improvement Program for the FY10-FY14 NPDES Program (W14004600, Storm Drainage Fund 6011), which has an unobligated balance of \$1,000,000 as of July 6, 2009.

Pursuant to the cost-sharing specified in the MOU, the cost of the Professional Services Agreement will be shared as follows:

City of Sacramento (33.5%)	\$ 225,045.29
County of Sacramento (42%)	\$ 282,146.34
City of Citrus Heights (7%)	\$ 47,024.39
City of Elk Grove (7%)	\$ 47,024.39
City of Folsom (5%)	\$ 33,588.85
City of Galt (1.5%)	\$ 10,076.66
City of Rancho Cordova (4.0%)	\$ 26,871.08
Total	\$ 671,777.00

Staff recommends that the FY2009/10 Capital Grants Capital Improvement Program be amended to add \$446,731.71 to the FY10-FY14 NPDES Program Revenue and Expense Budgets (W14004600, Fund 3702) to reflect the reimbursement from the agencies listed above.

**Emerging Small Business Development (ESBD):**

LWA is not certified as an Emerging or Small Business Enterprise.

Respectfully Submitted by:



David L. Brent  
Engineering Services Manager

Approved by:



Marty Hanneman  
ACM/Director of Utilities

Recommendation Approved:



Ray Kerridge  
City Manager

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**Attachment 1****Background**

In September 2008, the Regional Water Quality Control Board - Central Valley Region reissued a National Pollutant Discharge Elimination System (NPDES) permit (Permit No. CA0082597) to the County of Sacramento and the Cities of Sacramento, Citrus Heights, Elk Grove, Folsom, Galt, and Rancho Cordova (Permittees) regulating the discharge of stormwater into local water bodies. The Permit requires implementation of programs to reduce the pollution conveyed by stormwater runoff into local water bodies and requires implementation of a Stormwater Monitoring Program.

The costs for implementing some of these programs are shared by the Permittees as described in a master Memorandum of Understanding (MOU) approved by the City Council in 2003 (No. 2003-054). The MOU includes administrative procedures for sharing of work products and apportionment of program costs, which includes monitoring activities.

A significant portion of the Stormwater Monitoring Program is accomplished through annual professional services agreements. These services include development of sampling plans, field sampling, technical assistance, laboratory analysis, and preparation of data reports.

LWA was selected for stormwater monitoring services through a Request for Qualifications process conducted in 2008 by the Permittees. The Request for Qualifications included various permit required monitoring tasks to be performed over a period of up to three years. In addition to LWA, Statements of Qualifications were also received from:

- Stormwater Specialists Team
- ENGEO Incorporated

The original FY2008/09 Stormwater Monitoring Services contract (Agreement No. 2008-0873) included work for one monitoring season, with a potential maximum of two successive one-year extensions upon the approval of a Supplemental Agreement specifying the scope of services and payment provisions for such extended term(s). The total amount for FY 2008/09 services was \$625,352.

The FY2009/10 Supplemental Agreement provides services for the second of the three monitoring seasons authorized by the original agreement and includes coordination of stormwater sampling activities; sampling of water quality within creeks and sump locations; toxicity sampling, data analysis and regulatory reporting.

**Attachment 2**

**RESOLUTION NO.**

Adopted by the Sacramento City Council

**AUTHORIZING SUPPLEMENTAL AGREEMENT NO.1 WITH LARRY WALKER ASSOCIATES, INC. FOR FY2009/10 STORMWATER MONITORING SERVICES (W14004600)**

**BACKGROUND**

- A. In September 2008, the Regional Water Quality Control Board - Central Valley Region reissued a National Pollutant Discharge Elimination System (NPDES) permit (Permit No. CA0082597) to the County of Sacramento and the Cities of Sacramento, Citrus Heights, Elk Grove, Folsom, Galt, and Rancho Cordova (Permittees) regulating the discharge of stormwater to local bodies of water.
- B. The Permit requires that the Permittees develop and implement programs to reduce pollution caused by stormwater runoff and to conduct a Stormwater Monitoring Program. The Permittees share the cost of stormwater monitoring required by the Permit, pursuant to the terms of a master Memorandum of Understanding (the "MOU"), approved by the City Council in 2003 (City Agreement No. 03-054).
- C. Larry Walker Associates (LWA) was selected to provide stormwater monitoring services through a Request for Qualifications process conducted in 2008, and the City and LWA entered into an agreement for the performance of these services in FY2008/09.
- D. City staff have negotiated a supplemental agreement for LWA to provide stormwater monitoring services for FY2009/10, the second year of this potential 3 year agreement.
- E. City staff will administer the Supplemental Agreement, and in accordance with the terms of the MOU, the cost of the Supplemental Agreement will be shared by the parties, with a cost to the City of Sacramento not to exceed \$225,045.29. The County of Sacramento and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, and Rancho Cordova will reimburse the City of Sacramento for their share of the costs in the amount of \$446,731.71.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

Section 1. The City Manager is authorized to execute Supplemental Agreement No. 1 to City Agreement number 2008-0873 with Larry Walker Associates, Inc., to provide Stormwater Monitoring Services for FY2009/10 for an amount not to exceed \$671,777.

Section 2. The FY2009/10 Capital Improvement Program is amended by increasing the FY10-FY14 NPDES Program (W14004600) Revenue and Expenditure Budgets (Fund 3702) for the reimbursement from the County of Sacramento and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, and Rancho Cordova for their share of the FY 2009/10 stormwater monitoring costs in the total amount of \$446,731.71.