



APPROVED
BY THE CITY COUNCIL

1.9

OCT 25 1994

OFFICE OF THE
CITY CLERK
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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

October 11, 1994

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: AUTHORIZATION TO EXECUTE A MEMORANDUM OF UNDERSTANDING AND CONSULTANT SERVICES AGREEMENT FOR A SANITARY SURVEY OF THE SACRAMENTO RIVER WATERSHED AREA IN THE AMOUNT OF \$157,070

LOCATION AND COUNCIL DISTRICT: Citywide

RECOMMENDATION:

Staff recommends that the City Council approve the attached resolution to adopt a Memorandum of Understanding with the City of West Sacramento for a sanitary survey of the Sacramento River watershed area, and to authorize the City Manager and City Clerk to execute a Consultant Services Agreement with Archibald and Wallberg Consultants in the amount of \$157,070. The City's share will be \$145,761.

CONTACT PERSON: Dave Brent, Senior Engineer, 433-6634

FOR COUNCIL MEETING OF: October 25, 1994

SUMMARY

California State Law requires communities such as Sacramento that divert and treat surface waters for domestic water supplies, to perform sanitary surveys within their respective watersheds. The purpose of the sanitary surveys is to evaluate the sources of waterborne contaminants, and to determine the level of treatment required to assure the supply of safe drinking water. In response to this requirement, staff requests that Council approve the attached resolution which approves a Memorandum of Understanding (MOU) with the City of West Sacramento (West Sacramento) and authorizes a Consultant Services Agreement with Archibald and Wallberg Consultants for the purpose of completing the Sacramento

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River Sanitary Survey in an amount not to exceed \$157,070. Under the terms of the MOU, the City of Sacramento's (City) share will be \$145,761 or 92.8% based on apportionment of costs by population.

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 first of these studies is required to be completed prior to January 1, 1996 or prior to issuance of a Department of Health Services (DHS) permit for a new or expanded surface water treatment facility, whichever comes first.

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 the fall of 1993, City staff started discussions with DHS staff to determine the scope of a sanitary survey for the Sacramento River Water Treatment Plant (SRWTP) to meet the SWTR requirements. The main objective of the staff discussions was to negotiate the level of detail required in the sanitary survey for the SRWTP. These negotiations were based upon the fact that the State Water Project had completed a sanitary survey for the lower stretches of the Sacramento River and the Delta that included watershed information common to the watershed information required for the Sacramento River Sanitary Survey. City and DHS staff determined that the approach for completing the Sacramento River Sanitary Survey would be to utilize the information previously collected by the State Water Project and focus new data collection and evaluation efforts mainly on contaminant sources near Sacramento.

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The study area for the Sacramento River Sanitary Survey will be the Sacramento River watershed below the Redding Water Treatment Plant, below Oroville Dam on the Feather River, and below the Fairbairn Water Treatment Plant on the American River. The downstream boundary of the study area is the SRWTP.

Over the past few months, City staff has met with representatives of West Sacramento to consider whether the SWTR sanitary survey requirements for the SRWTP and the Bryte Bend Water Treatment Plant can best be met through a jointly administered and financed project. This effort has resulted in the development of the attached Memorandum of Understanding (MOU) Regarding Contracting for a Sanitary Survey of the Sacramento River Watershed (see Exhibit A). West Sacramento approved the MOU on September 14, 1994 (see Exhibit B).

The key provisions of the MOU are as follows:

- provides for the formation of a Technical Committee to administer the work of the consultant.
- provides for a cost sharing arrangement wherein total costs of the project would be apportioned based on population.
- provides for the City to be the lead agency in administration of the Consultant Services Agreement.

On July 1, 1994, a Request for Proposal (RFP) was sent to four firms having extensive experience in potable water quality, knowledge of the SRWTP, and expertise in performing sanitary surveys. Consultant interviews were conducted with the three firms who submitted proposals. A Consultant Selection Committee comprised of City and West Sacramento staff selected Archibald and Wallberg Consultants as best qualified to perform the work.

The scope of work for the Sacramento River Sanitary Survey includes the following tasks:

- identify and evaluate watershed contaminant sources.
- describe and evaluate watershed management practices.
- evaluate the raw water supply and treatment systems at the SRWTP and the Bryte Bend Water Treatment Plant, and provide recommendations for monitoring program modifications.

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- assess the level of treatment required for *Giardia* and virus removal at the SRWTP and the Bryte Bend Water Treatment Plant to meet the requirements of the SWTR and potential future regulations.
- evaluate the appropriateness of monitoring waivers for Phase II and Phase V compounds, through the conduct of a vulnerability assessment of watershed activities. The Phase II and V compounds are selected inorganic, volatile organics, and synthetic organic compounds identified in the EPA Safe Drinking Water Act.
- Provide regulatory updates on impending drinking water quality requirements and watershed management issues.

ENVIRONMENTAL DETERMINATION

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

FINANCIAL CONSIDERATIONS

The estimated cost of this agreement is not to exceed \$157,070. The City's negotiated share is \$145,761, or 92.8%, and will be funded in the Sacramento River Watershed Sanitary Project (413-500-ZE31-4802), which has an unobligated balance of \$397,884 as of October 6, 1994. Staff recommends that the 1994/95 Capital Grants Program be amended to add the Sacramento River Watershed Sanitary Project (248-500-ZE31-4802) in the amount of \$11,309. Staff also recommends that the 1994/95 Capital Grants Program be amended to recognize revenue for this project (248-500-ZE31-3599) of \$11,309.

POLICY CONSIDERATIONS

The State Surface Water Treatment Rule requires that a sanitary survey be conducted between the SRWTP intake and upstream municipal water diverters. Adoption of the proposed MOU and approval of the Consultant Services Agreement would provide an opportunity for the City and West Sacramento to work together in a cooperative manner and share the costs of this study, which otherwise would need to be performed by both cities individually.

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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. The firm selected is Archibald and Wallberg Consultants, a WBE firm. This firm will meet the City's MBE/WBE goals with 10.6% MBE and 39.9% WBE participation.

Respectfully submitted,



Gary A. Reents
Acting Engineering Services Manager

RECOMMENDATION APPROVED:



William H. Edgar
City Manager

APPROVED:



James G. Sequeira
Director of Utilities

EXHIBIT A

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

This Memorandum of Understanding (hereinafter "MOU") is entered into on _____ 1994, by and between the City of Sacramento (hereinafter "Sacramento") and the City of West Sacramento (hereinafter "West Sacramento").

RECITALS

- A. The purpose of this MOU is to memorialize an agreement and understanding of the parties hereto (hereafter referred to as the "parties") with respect to the contracting for a sanitary survey of the Sacramento River Watershed Area and additional evaluations.
- 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).
- 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 and to cooperatively and jointly share in the cost of the survey. Sharing in the cost of additional evaluations will be at the option of each party.

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 the following representatives of each of the parties:

Sacramento Representative

Dave Brent, Senior Engineer
City of Sacramento
Department of Utilities
5770 Freeport Boulevard, Suite 100
Sacramento, CA 95822
433-6634/FAX 433-6653

West Sacramento Representative

Jim West, Water Services Superintendent
City of West Sacramento
Public Works Department
400 N. Harbor Boulevard
West Sacramento, CA 95691
371-6818/FAX 371-1516

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 review Consultant's progress; b) to provide a forum for discussion of technical and administrative issues; c) to take such other action as the Technical Committee deems appropriate to further the interest of the parties. The Technical Committee shall meet bi-monthly at the City of Sacramento Department of Utilities offices at 5770 Freeport Boulevard, Suite 100, and at other such times and places as the Technical Committee may agree. Sacramento will keep minutes and circulate to Technical Committee members a record of decisions of the Technical Committee.

2. Decisions of Technical Committee: The parties expect and intend that decisions of the Technical Committee will be made by consensus. In the event of disagreement over any decision, the representatives will make their best efforts to resolve the disagreement. Should such attempts not result in a resolution, then a meeting will be held between the Sacramento Utility Department Director and West Sacramento Public Works Director to resolve the disagreement.
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 Consultant Selection Committee including at least one representative of West Sacramento. Selection will be made 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 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) for completion of the sanitary survey, apportioned based on population, calculated as follows:

	<u>Population₁</u>	<u>Percentage of Cost</u>
Sacramento	393,500	92.8%
West Sacramento	30,550	7.2%

₁ Population as of January 1994 provided by SACOG, as estimated by the Department of Finance.

Upon receipt of an invoice from the consultant(s), Sacramento will preliminarily review and, if complete, forward a copy of the invoice to West Sacramento, who within ten (10) business days of receipt of the said invoice shall notify Sacramento of any disputed amount in writing. West Sacramento shall remit its percentage share of all undisputed amounts of said consultant invoice, as shown above, upon receipt of an invoice for such share from Sacramento. In the event either party 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 West Sacramento for its respective percentage share of any and all money ultimately paid to the consultant(s) by Sacramento.

5. Additional Evaluations: The consultant contract(s) entered into by Sacramento may identify one or more additional evaluations which the consultant(s) may be directed to perform, at the option of Sacramento. The cost of any such additional evaluation shall be shared by the parties as set forth herein, unless the West Sacramento representative provides written notice, within ten (10) days after receiving written notice from Sacramento of its intent to direct the performance of such additional evaluation, that West Sacramento will not share in such cost. In the event that Sacramento does not direct that an additional evaluation identified in a consultant contract be performed, West Sacramento may enter into a separate contract for the performance of such additional evaluation.
6. Price Ceiling: In no case shall the total value of goods or services procured pursuant to this MOU exceed \$250,000, except by Amendment to this MOU.
7. Notices: Any invoice, payment, notice or other written communication related to this MOU will be provided to those representatives identified herein.
8. Term of MOU: This MOU shall be effective as of the date first 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.
9. Amendments: Any amendments to this MOU must be in writing and executed by all parties.
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.

CITY OF SACRAMENTO (Sacramento)

Date: _____

By: _____
Title

ATTEST:

APPROVED AS TO FORM:

Title

By: Joe Robins
Deputy City Attorney

CITY OF WEST SACRAMENTO (West Sacramento)

Date: _____

By: Cindy L. Luedtke
Title : Mayor

ATTEST:

APPROVED AS TO FORM:

Helen M. Karawusky
Title : City Clerk

By: _____
Title

(940527:rt)

EXHIBIT B

CITY OF WEST SACRAMENTO

AGENDA REPORT

MEETING DATE: September 14, 1994

ITEM #16

SUBJECT:

CONSIDERATION OF RESOLUTION NO. 94-75, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITIES OF WEST SACRAMENTO AND SACRAMENTO TO APPROVE COST SHARING FOR A SANITARY SURVEY OF THE SACRAMENTO RIVER WATERSHED AREA

INITIATED OR REQUESTED BY:

- Council
- Staff
- Other

REPORT COORDINATED OR PREPARED BY:

Jim West, Water Services Superintendent


 Larry S. Gossett, Director of Public Works

ATTACHMENT Yes No INFORMATION DIRECTION ACTION

OBJECTIVE:

To approve the Memorandum of Understanding between the City of West Sacramento and the City of Sacramento in order to complete a State required Sanitary Survey of the Sacramento River Watershed.

RECOMMENDED ACTION:

It is respectfully recommended the City of West Sacramento City Council adopt Resolution No. 94-75, approving the Memorandum of Understanding between the Cities of West Sacramento and Sacramento.

BACKGROUND:

The California Surface Water Treatment Rule (SWTR) requires that public water supply systems using surface water sources, conduct a sanitary survey of their source watershed by January 1, 1996. The purpose of this survey is to determine the required level of Giardia Cyst, Cryptosporidium, and Virus Contamination based on watershed exposure to those contaminants, and on microbial water quality data. Further, evaluation and guidance for future compliance or waivers of the new Disinfection By Products Rule, the Information Collection Rule, the Enhanced Coagulation Rule, and the new Enhanced Surface Water Treatment Rule will be provided as part of the project.

ANALYSIS:

The estimated cost of the sanitary survey is \$150,000 to \$250,000. The Memorandum of Understanding proposes a straight forward methodology for developing cost sharing of a project. The City of West Sacramento will pay a percentage of the total contract amount apportioned based on population, calculated as follows:

	<u>Population</u>	<u>Percentage of Cost</u>
Sacramento	395,500	92.8%
West Sacramento	30,550	7.2%

The City of West Sacramento's share will be between \$10,800 and \$18,000, depending upon the final contract amount. The cost savings to the City, will be between \$139,200 and \$232,000.

Alternatives

West Sacramento could conduct the sanitary survey alone and absorb the entire cost of \$150,000 to \$250,000.

Coordination and Review:

The Memorandum of Understanding has been reviewed and approved by the City staff, and the City Attorney.

Fiscal Impact

Adoption of the Memorandum of Understanding will save the City of West Sacramento approximately \$200,000. Funds for the project are available in the Water Enterprise Fund.

CONCLUSION:

In order to complete the required Sanitary Survey on the Sacramento River efficiently and economically, it is respectfully recommended that the City Council approve the Memorandum of Understanding between the Cities of West Sacramento and Sacramento.

ATTACHMENTS:

1. Resolution No. 94-75
2. Copy of Draft Memorandum of Understanding
2. Copy of Proposed Sanitary Survey Boundaries

(Res9475)

RESOLUTION NO. 94-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST SACRAMENTO APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITIES OF WEST SACRAMENTO AND SACRAMENTO TO APPROVE COST SHARING FOR A SANITARY SURVEY OF THE SACRAMENTO RIVER WATERSHED AREA

WHEREAS, the California Surface Water Treatment Rule (SWTR) requires that public water supply systems using surface water sources, conduct a sanitary survey of their source watershed by January 1, 1996, and

WHEREAS, the purpose of this survey is to determine the required level of Giardia Cyst, Cryptosporidium, and Virus based on watershed exposure to those contaminants, and on microbial water quality data, and

WHEREAS, evaluation and guidance for future compliance or waivers of the new Disinfection By Products Rule, the Information Collection Rule, the Enhanced Coagulation Rule, and the new Enhanced Surface Water Treatment Rule will be provided as part of the project.

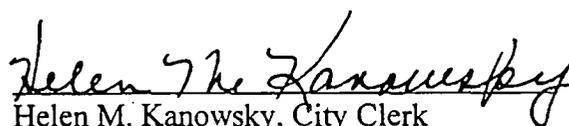
NOW, THEREFORE, BE IT RESOLVED that the Memorandum of Understanding between the Cities of West Sacramento and Sacramento be approved.

PASSED AND ADOPTED by the City Council of the City of West Sacramento this 14th day of September 1994 by the following vote:

AYES: Beers, Hensley, Potnick, Kristoff, Tuttle
NOES: None
ABSENT: None


Cindy L. Tuttle, Mayor

ATTEST:


Helen M. Kanowsky, City Clerk

BY THE CITY COUNCIL

11 25 1994

OFFICE OF THE CITY CLERK
AG 94-149

RESOLUTION NO. 94-625

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION ADOPTING A MEMORANDUM OF UNDERSTANDING REGARDING CONTRACTING FOR A SANITARY SURVEY OF THE SACRAMENTO RIVER WATERSHED AREA AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE A CONSULTANT SERVICES AGREEMENT WITH ARCHIBALD AND WALLBERG CONSULTANTS FOR THE SACRAMENTO RIVER SANITARY SURVEY

BE IT RESOLVED BY THE SACRAMENTO CITY COUNCIL THAT:

1. The Mayor and the City Clerk are hereby authorized to execute a Memorandum of Understanding with the City of West Sacramento for the purpose of sharing costs related to the completion of the Sacramento River Sanitary Survey.
2. The City Manager and City Clerk are authorized to sign and execute a consultant services agreement with Archibald and Wallberg Consultants in the amount of \$157,070 to perform the Sacramento River Sanitary Survey.
3. The FY94/95 Capital Improvement Program is amended to add \$11,309 to Capital Grants (248-500-ZE31-4802).
4. The FY94/95 Revenue Budget is amended to add \$11,309 to Capital Grants (248-500-ZE31-3599).

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____



94-149

OFFICE OF THE
CITY CLERK

VALERIE A. BURROWES, CMC/AAE
CITY CLERK

SPECIALIZED SERVICES

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 303
915 I STREET
SACRAMENTO, CA
95814-2671

PH 916-264-7200
FAX 916-264-7672

November 3, 1994

Jim West, Water Services Superintendent
City of West Sacramento
Public Works Department
400 N. Harbor Boulevard
West Sacramento, CA 95691

Dear Mr. West:

On October 25, 1994, the Sacramento City Council adopted Resolution No. 94-625 authorizing the execution of Agreement No. 94-149 regarding the Memorandum of Understanding for a sanitary survey of the Sacramento River Watershed area.

Enclosed, for your records, is one fully certified copy of said agreement and authorizing resolution.

Sincerely,

Valerie A. Burrowes
City Clerk

jb/1.9

Enclosures

cc: Utilities Department
Risk Management



94-151

OFFICE OF THE
CITY CLERK

VALERIE A. BURROWES, CMC/AAE
CITY CLERK

SPECIALIZED SERVICES

CITY OF SACRAMENTO
CALIFORNIA

CITY HALL
ROOM 303
915 I STREET
SACRAMENTO, CA
95814-2671

PH 916-264-7200
FAX 916-264-7672

November 3, 1994

Archibald & Wallberg Consultants
1604 Potrero Way
Sacramento, CA 95822

Dear Gentlemen:

On October 25, 1994, the Sacramento City Council adopted Resolution No. 94-625 authorizing the execution of Agreement No. 94-151 for consultant and professional services for the Sacramento River Sanitary Survey.

Enclosed, for your records, is one fully certified copy of said agreement and authorizing resolution.

Sincerely,

Valerie A. Burrowes
City Clerk

jb/1.9

Enclosures

cc: Utilities Department
Risk Management