

CITY OF YUBA CITY
STAFF REPORT

Date: October 21, 2014

To: Honorable Mayor & Members of the City Council

From: Public Works Department

Presentation by: Diana Langley, Public Works Director

Summary

Subject: Professional Services Agreement with Larry Walker Associates for National Pollutant Discharge Elimination System (NPDES) Consulting Services

Recommendation: Award a professional services agreement to Larry Walker Associates of Davis, CA for consulting services associated with the administration of the City's NPDES Small MS4 Phase II Permit in the amount of \$60,000 with the finding that it is in the best interest of the City.

Fiscal Impact: Consultant's contract is not to exceed the total of \$60,000 including a ten percent contingency. The service will be funded through the following CIP accounts:

\$11,000 - Account No. 901188-65514 (General)
\$21,000 – Account No. 921188-65514 (Streets and Road)
\$14,000 – Account No. 971188-65514 (Water)
\$14,000 – Account No. 981188-65514 (Wastewater)

Purpose:

To obtain consulting services associated with the administration of the 2013 NPDES MS4 Phase II General Permit issued by the California State Water Quality Control Board.

Background:

The National Pollutant Discharge Elimination System (NPDES) is an United States Environmental Protection Agency program that receives its authority from the Clean Water Act (1977) to regulate pollutant discharge/flows into Waters of the United States. Part of the NPDES program involves the regulation and permitting of storm water discharges from municipalities with some major pollutants of concern being oil, pesticide, and sediment runoff. Storm water is defined as runoff from rain or snow that runs off surfaces such as rooftops, paved streets, highways or parking lots and can carry with it pollutants.

The regulation and permitting of storm water runoff and pollutant discharges in California was delegated to the California State Water Quality Control Board who began issuing its Phase II MS4 permits to municipalities with populations less than 100,000 in 2003 and recently issued

the current permit which took effect on July 1, 2013. The City of Yuba City currently discharges untreated storm water into two Waters of the US, the Feather River and Gilsizer Slough, and was previously permitted under the 2003/2008 Phase II permits and is currently a permitted discharger under the 2013 Phase II Permit.

Implementation of the 2013 NPDES Small MS4 Phase II General permit requirements will include, but is not limited to, the following:

- Updating relevant sections of the City's Municipal Code to provide City staff with the legal authority necessary to implement permit requirements.
- Development of improvement plans, guidance documents, reports, etc.
- Development and implementation of Water Quality Monitoring program.
- Training of City staff on new requirements and procedures
- Additional Education and Outreach to the public on storm water pollution prevention measures.
- Updated erosion control and construction/post-construction discharge prevention measures on qualifying construction projects.

In an effort to homogenize requirements and minimize costs, Yuba City Public Works and Sutter County Public Works have agreed to hire the same consultant which will split costs between the County and the City for deliverables that are the same or similar for both entities while keeping similar Storm Water pollution prevention requirements for construction projects throughout the County and City.

Analysis:

The Public Works Department sent out a Request for Proposals to three Engineering Consulting Firms (a list of the firms solicited is attached, Table 1) and posted the Request for Proposals on the City's website for professional services associated with the administration of the City's NPDES Small MS4 Phase II Permit.

Five Engineering firms submitted proposals:

- Condor Earth Technologies of Stockton, CA
- Environmental Compliance Specialist of Atascadero, CA
- Larry Walker Associates of Davis, CA
- NCE of Sacramento, CA
- WGR Southwest of Lodi, CA

A team of two City staff members and two Sutter County staff members reviewed the proposals for technical merit and responsiveness to the RFP. The reviews were done independently and cost was not considered during the rating process. Larry Walker Associates was unanimously selected as the top firm that would best meet the City's needs.

After ranking the consultants and considering the cost proposals from all five consulting firms (Summarized in Tables 3 & 4), staff recommends awarding a professional services agreement to Larry Walker Associates (LWA). The scope, schedule, and cost estimate of the work is

attached as Exhibit B. City staff met with the top ranked consultant (LWA) to discuss scope items and make minor scope changes which are not reflected in Exhibit B.

Fiscal Impact:

Consultant contract is not to exceed the total of \$60,000 including a ten percent contingency for this permit year. This service will be funded through CIP Account [90, 92, 97, 98]1188-65514.

Alternatives:

Reduce the scope of work or reject the Agreement and provide staff direction.

Recommendation:

Award a professional services agreement to Larry Walker Associates of Davis, CA for consulting services associated with the administration of the City's NPDES Small MS4 Phase II Permit in the amount of \$60,000 with the finding that it is in the best interest of the City.

Prepared by:

/s/ Manu Dhaliwal

Manu Dhaliwal
Assistant Engineer

Submitted by:

/s/ Steven Kroeger

Steven C. Kroeger
City Manager

Reviewed by:

Department Head

DL

Finance

RB

Table 1: RFP Mailing List

<u>Company</u>	<u>Location</u>
Larry Walker Associates	Davis, CA
WGR Southwest	Lodi, CA
NCE	Sacramento, CA

Table 2: Selection Criteria

<u>Evaluation Criteria</u>	<u>Maximum Score</u>
Compliance with the Request for Proposal	10
Capability and Experience	40
Past Performance	30
Reference Checks	20
Total:	100

Table 3: Proposal Rankings

<u>Company</u>	<u>Average Score</u>	<u>Ranking</u>
Condor Earth	66	4
Environmental Compliance Specialist	53	5
Larry Walker Associates	81	1
NCE	71	3
WGR Southwest	77	2

Table 4: Professional Services Cost Estimate Summary

<u>Company</u>	<u>Consulting Services</u>
Condor Earth	\$88,888
Environmental Compliance Specialist	\$110,000
Larry Walker Associates	\$61,615
NCE	\$72,237
WGR Southwest	\$130,535

Exhibit B – Scope of Service / Schedule / Cost Estimate

Attachment B: Cost Proposal and Rate Sheet

The level of effort for permit year 2 is considerably higher than subsequent years because of the required Phase II Permit deliverables. LWA is prepared to work with the City and County to identify means to balance the work effort or identify ways to conform to budget constraints.

As presented the proposed scope and cost estimate are 'full-service' solutions for the City and County that assume the efforts would be joint and that City and County provide the necessary requested information.

Yuba City and Sutter County
Phase II Support Estimate

	Scope of Work	Permit Year	Total Hours	Contract Year 1	Contract Year 2	Contract Year 3	Contract Year 4
				Permit Year 2 Costs	Permit Year 3 Costs	Permit Year 4 Costs	Permit Year 5 Costs
Tasks assume and show a 50:50 split for development costs between the City and County.							
Costs beyond the first contract year show a 2% increase. Higher rates would only be charged upon approval by City.							
Regulatory Update							
City	Ordinance Update & Staff Report	2	25	\$ 4,270			
County	Ordinance Update & Staff Report	2	25	\$ 4,270			
City	Enforcement Response Plan	3	15		\$ 3,121		
County	Enforcement Response Plan	3	15		\$ 3,121		
Small Site Stormwater Management Plan							
City	Scope and Draft Plan	2	86	\$ 15,830			
County	Scope and Draft Plan	2	86	\$ 15,830			
Notes:	Assumes LWA develops plan. Estimate can be lowered if City/County develop plan with review/assistance from LWA.						
Post Construction Management Program							
City	Planning and development review	2	13	\$ 2,690			
County	Planning and development review	2	13	\$ 2,690			
City	Post Cnst BMP O&M Verification Program	2	29	\$ 4,895			
County	Post Cnst BMP O&M Verification Program	2	29	\$ 4,895			
City	Condition Assessment Tools	3	31		\$ 5,472		
County	Condition Assessment Tools	3	31		\$ 5,472		
Notes:	Assumes LWA develops tools. Estimate can be lowered if City/County develop tools with review/assistance from LWA.						
Total Maximum Daily Loads (TMDLs) Monitoring							
City	Prepare monitoring plan	2	51	\$ 8,600			
County	Prepare monitoring plan	2	51	\$ 8,600			
City	Regional monitoring assistance	2	10	\$ 2,015			
County	Regional monitoring assistance	2	10	\$ 2,015			
Notes:	Approach to be determined after consultation with City and County, time for consultation is included.						
	Assumes preparation of one quality assurance project plan (QAPP) document that acts as sampling plan.						
	Does not include contribution to RMP, which may be required as part of monitoring approach for receiving water.						
Program Effectiveness Assessment and Improvement							
City	Develop metrics	2	5	\$ 1,025			
County	Develop metrics	2	5	\$ 1,025			
City	Identify data collection needs	2	6	\$ 1,070			
County	Identify data collection needs	2	6	\$ 1,070			
City	Develop PEA&I Plan	2	30	\$ 5,030			
County	Develop PEA&I Plan	2	30	\$ 5,030			
Notes:	Assumes LWA develops plan. Estimate can be lowered if City/County develop plan with review/assistance from LWA.						
Fiscal Impact and Funding Sources							
City	Existing Expenditures and Funding Analysis	3	12		\$ 2,091		
County	Existing Expenditures and Funding Analysis	3	12		\$ 2,091		
City	Future Funding Needs Analysis	3	19		\$ 3,596		
County	Future Funding Needs Analysis	3	19		\$ 3,596		
City	Funding Need and Options Tech Memo	3	26		\$ 4,952		
County	Funding Need and Options Tech Memo	3	26		\$ 4,952		

Yuba City and Sutter County
Phase II Support Estimate

	Scope of Work	Permit Year	Total Hours	Contract Year 1	Contract Year 2	Contract Year 3	Contract Year 4
				Permit Year 2 Costs	Permit Year 3 Costs	Permit Year 4 Costs	Permit Year 5 Costs
General Permit Compliance							
City	Public Outreach Strategy Review	2	8	\$ 1,615			
County	Public Outreach Strategy Review	2	8	\$ 1,615			
City	Construction Operator Outreach	3	8		\$ 1,433		
County	Construction Operator Outreach	3	8		\$ 1,433		
Notes:	Operator Outreach does not include the cost for developing a workshop						
City	Develop staff training strategy	2	6	\$ 1,210			
County	Develop staff training strategy	2	6	\$ 1,210			
City	Construction	2	19	\$ 3,795			
County	Construction	2	19	\$ 3,795			
City	Good Housekeeping	2	19	\$ 3,375			
County	Good Housekeeping	2	19	\$ 3,375			
City	Biennial refresher	4	10			\$ 1,914	
County	Biennial refresher	4	10			\$ 1,914	
City	IDDE	3	19		\$ 3,443		
County	IDDE	3	19		\$ 3,443		
Notes:	Staff training for content development and delivery of combined City/County training for each component.						
City	Review / Revise Spill Response Plan	2	8	\$ 1,250			
County	Review / Revise Spill Response Plan	2	8	\$ 1,250			
City	Process for SD Assessment and Prioritization	2	21	\$ 3,875			
County	Process for SD Assessment and Prioritization	2	21	\$ 3,875			
City	Assistance with Annual Report	All	6	\$ 1,070	\$ 1,091	\$ 1,113	\$ 1,134
County	Assistance with Annual Report	All	6	\$ 1,070	\$ 1,091	\$ 1,113	\$ 1,134
Total Estimated Costs For RFP Tasks				\$ 123,230	\$ 50,398	\$ 6,053	\$ 2,268

Yuba City and Sutter County
Phase II Support Estimate

	Scope of Work	Permit Year	Total Hours	Contract Year 1	Contract Year 2	Contract Year 3	Contract Year 4
				Permit Year 2 Costs	Permit Year 3 Costs	Permit Year 4 Costs	Permit Year 5 Costs
Optional Task Identify in Phase II Permit Not Specified in the RFP							
These tasks are submitted as optional tasks for consideration.							
The costs of these tasks have not be split to show City/County costs separately							
Illicit Discharge Detection and Elimination (E.9)							
	Assist development of facility assessment procedure (E.9.b)	2	35	\$ 6,730			
Pollution Prevention/Good Housekeeping (E.11)							
	Develop facility assessment procedure (E.11.c)	3	31		\$ 7,188		
	Assist to evaluate the results of assessments (E.11c)	3	35			\$ 5,918	
	Develop SWPPP template for hot spot facilities (E.11d)	4	42				\$ 7,590
	Develop quarterly inspection procedure (E.11.e)	5	14				\$ 2,573
	Assist development of landscape design & maintenance program (E.11.j)	2	31	\$ 5,150			
Total Estimated Costs for Optional Tasks				\$ 11,880	\$ 7,188	\$ 5,918	\$ 10,162
Total Estimated Costs for RFP and Optional Tasks				\$ 135,110	\$ 57,586	\$ 11,970	\$ 12,431

LARRY WALKER ASSOCIATES

Rate Schedule Effective July 1, 2014 – June 30, 2015

PERSONNEL

Rate
\$/Hour

Principals

Tom Grovhoug	\$280.00
Karen Ashby	\$260.00
Ashli Cooper Desai	\$260.00
Brian Laurenson	\$260.00
Chris Minton	\$260.00
Mack Walker	\$260.00

Associates

Denise Conners	\$235.00
Betsy Elzufon	\$235.00
Sandy Mathews	\$235.00
Mitch Mysliwiec	\$235.00
Claus Suverkropp	\$235.00

Senior Staff

Kristine Corneillie	\$210.00
Karen Cowan	\$210.00
Diana Engle	\$210.00
Paul Hartman	\$210.00
Gorman Lau	\$210.00
Amy Storm	\$210.00
Mike Troughon	\$210.00

Project Staff

Alina Constantinescu	\$185.00
Mike Marson	\$185.00
Giles Pettifor	\$185.00
Hope M. Taylor	\$185.00
Rachel Warren	\$185.00
Bryant Alvarado	\$165.00
Reni Keane-Dengel	\$165.00
Airy Krich-Brinton	\$165.00
Jeff Walker	\$165.00
Zachary Helsley	\$150.00
Steve Maricle	\$150.00
Danielle Moss	\$150.00
Elizabeth Yin	\$150.00
Michelle Benson	\$140.00
Kathryn Walker	\$140.00
Jennifer Bayley	\$135.00
Greg Reide	\$105.00
Amy Bonato	\$75.00
Mashon Jones	\$75.00
Allison Lewis	\$75.00
Denise Parren	\$75.00
Adriana Stovall	\$75.00

REIMBURSABLE COSTS

Travel:

Local mileage	• Current IRS rate
Transportation	• Actual expense
Auto rental	• Actual commercial rate
Fares	• Actual expense
Room	• Actual expense
Subsistence ⁽¹⁾	• \$ 48.00 per day

The rate for each meal
as follows: ⁽¹⁾

Breakfast	\$ 9.00
Lunch	\$13.00
Dinner	\$21.00
Incidentals	\$ 5.00

Report Reproduction and Copying:

- Actual outside expense
- \$0.08 per black and white copy, in-house
- \$0.89 per color copy, in-house
- \$1.95 per binding, in-house

Special Postage and Express Mail:

- Actual expense

Other Direct Costs:

- Actual expense

Daily Equipment Rental Rates:

• All single parameter field meters (pH, EC, D.O., Turbidity)	\$25.00 each
• Multi-parameter field meters	\$35.00
• Peristaltic Sampling Pump	\$35.00
• Professional grade GPS unit	\$25.00
• Digital Flow Meter	\$45.00
• Digital Fluorometer	\$45.00
• Multi-parameter Data Sonde (with telemetry)	
- first day	\$200.00
- each additional day	\$ 40.00

Subcontractors:

Actual expense plus 10% fee

Note: ⁽¹⁾ Charged when overnight lodging is required.