

RESOLUTION NO. 2011-572

Adopted by the Sacramento City Council

October 18, 2011

APPROVAL OF SUPPLEMENTAL AGREEMENT WITH LARRY WALKER ASSOCIATES, INC., FOR FY2011/12 COMBINED SEWER SYSTEM REGULATORY SUPPORT SERVICES

BACKGROUND

- A. In January 2010, the Regional Water Quality Control Board - Central Valley Region reissued the Combined Sewer System (CSS) Waste Discharge Requirements Order No. R5-2010-0004, National Pollutant Discharge Elimination System (NPDES) Permit regulating operation of the City's CSS.
- B. The City is required to complete a comprehensive Water Quality Assessment and to provide extensive reporting for CSS discharges, pursuant to the NPDES Permit issued for operation of the CSS.
- C. In 2010, Larry Walker Associates, Inc. (LWA) was selected to perform the required CSS regulatory compliance support services for up to three years, and the City Council authorized a professional services agreement with LWA (City Agreement No. 2010-0969) to provide these services for the first year, with the option to perform these services during the second and third years upon City Council approval of the necessary supplemental agreement(s).
- D. City staff has negotiated a supplemental agreement for LWA to provide CSS regulatory support services for FY2011/12, the second year of this potential three year agreement.
- E. The Environmental Services Manager has determined that the proposed project is exempt from CEQA under Section Number 15306 of the CEQA Guidelines. Exemption 15306 consists of basic data collection and research, which do not result in a serious or major disturbance to an environmental resource.
- F. There is sufficient funding in the Multi-Year Operating Project, CSS Regulatory Compliance Support (I14120600) to award the contract.

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

Section 1. The City Manager or the City Manager's designee is authorized to execute Supplemental Agreement No. 1 to City Agreement No. 2010-0969 with Larry Walker Associates, Inc., to provide Combined Sewer System Regulatory Support Services for FY2011/12 for an amount not to exceed \$363,585.

Section 2. Exhibit A is made part of this Resolution.

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Exhibit A – Supplemental Agreement No. 1 with Larry Walker Associates, Inc.

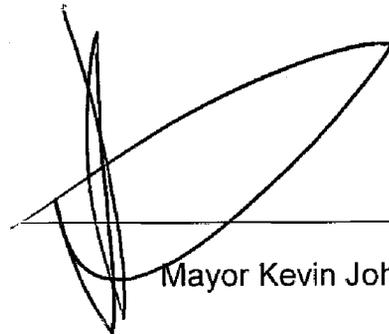
Adopted by the City of Sacramento City Council on October 18, 2011 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:



Shirley Concolino, City Clerk

The City of Sacramento ("City") and Larry Walker Associates, Inc. ("Contractor"), as parties to that certain Professional Services Agreement designated as Agreement Number 2010-0969, including any and all prior supplemental agreements modifying said agreement (said agreement and supplemental agreements are hereafter collectively referred to as the "Agreement"), hereby supplement and modify the Agreement as follows:

1. The scope of Services specified in Exhibit A of the Agreement is amended as follows:

This supplemental agreement adds FY2011/2012 services to the Agreement. Contractor shall perform the work and services specified in "Attachment 2 to Exhibit A", which is attached hereto and incorporated herein by this reference.

2. The Budget for performance of the 2011-2012 CSS monitoring and support services is set forth on "Attachment 2 to Exhibit B," attached hereto and incorporated herein by this reference.

3. In consideration of the additional and/or revised services described in section 1, above, the maximum not-to-exceed amount that is specified in Exhibit B of the Agreement for payment of Contractor's fees and expenses, is **increased** by \$363,585, and said maximum not-to-exceed amount is amended as follows:

Agreement's original not-to-exceed amount:	<u>\$398,051</u>
Net change by previous supplemental agreements:	<u>\$0</u>
Not-to-exceed amount prior to this supplemental agreement:	<u>\$398,051</u>
Increase by this supplemental agreement:	<u>\$363,585</u>
New not-to exceed amount including all supplemental agreements:	<u>\$761,636</u>

4. Contractor agrees that the amount of increase or decrease in the not-to-exceed amount specified in section 3, above, shall constitute full compensation for the additional and/or revised services specified in section 1, above, and shall fully compensate Contractor for any and all direct and indirect costs that may be incurred by Contractor in connection with such additional and/or revised services, including costs associated with any changes and/or delays in work schedules or in the performance of other services or work by Contractor.

5. Contractor warrants and represents that the person or persons executing this supplemental agreement on behalf of Contractor has or have been duly authorized by Contractor to sign this supplemental agreement and bind Contractor to the terms hereof.

6. Except as specifically revised herein, all terms and conditions of the Agreement shall remain in full force and effect, and Contractor shall perform all of the services, duties, obligations, and conditions required under the Agreement, as supplemented and modified by this supplemental agreement.

Approval Recommended By:

Approved As To Form By:

Project Manager

City Attorney

Approved By:

Contractor

Attested To By:

Approved By:

City of Sacramento

City Clerk

ATTACHMENT 2 TO EXHIBIT A
CONTRACTOR SCOPE OF SERVICES

**CITY OF SACRAMENTO COMBINED SEWER SYSTEM REGULATORY AND MONITORING
SUPPORT, 2011-2012**

Overview

This Scope of Services describes the consulting services to be provided by Larry Walker Associates, Inc. (LWA) and its subcontractors to the City of Sacramento Department of Utilities (City) from October 2011 through September 2012.

LWA will provide services in support of the combined sewer system (CSS) National Pollutant Discharge Elimination System (NPDES) permit compliance (Order No. R5-2010-0004). These services include monitoring, reporting, system analysis and general regulatory support.

LWA previously prepared recommendations for the 2011-2012 Combined Sewer System (CSS) monitoring year to sufficiently prepare the City for the Water Quality Assessment (WQA) report due to the Central Valley Regional Water Quality Control Board on June 30, 2013¹. LWA will provide ongoing progress reports and recommendations to complete this required study. The following tasks will be completed under a new contract for the 2011-2012 monitoring year. These tasks further support the WQA and assist the City with NPDES permit compliance.

TASK 1. SUPPORT WATER QUALITY MONITORING

LWA will provide as-needed monitoring support to the City for all CSS river discharge events and facilitate all contract laboratory services. It is assumed that LWA will provide field staff responsible for receiving water monitoring and available to support other monitoring (influent and effluent).

Sub-Task 1.1 Prepare for Sampling

LWA will review and revise the 2011-2012 Sampling and Analysis Plan (SAP) to include laboratory analyses and specific sampling protocols, including toxicity. The review will consider permit compliance, logistics, safety, quality control samples, and industry-standard sampling protocols. It is assumed that the same laboratories and analytical methods contracted for 2011-2012 will be contracted for 2012-2013, and adjustments will be made if the Water Quality Assessment monitoring is complete. LWA will develop and institute a Quality Assurance – Quality Control Program for field measurements (see permit p.E-2). Following review and update of the SAP, LWA will provide a field training session for the LWA field crew and other interested City field staff.

LWA will provide logistical support for all sampling events at all sites, including the receiving water locations, effluent locations and influent locations. LWA will prepare all sample bottles, bottle labels, and field log sheets for all locations. Sample coolers for City staff will be delivered to the appropriate mobilization area specified by field staff. LWA and City field crews will provide their own properly calibrated field measurement instrumentation. LWA and City field crews will prepare their own chain-of-custody forms that will be reviewed by the LWA Water Quality Monitoring Task Manager.

Sub-Task 1.2 Collect and Analyze Samples

LWA will collect samples at the receiving water locations for four discharge events and provide as-needed assistance at all other locations. The Supervising Plant Operator will notify the LWA Water Quality Monitoring Task Manager of imminent discharge events including a pre-storm estimate based on forecasted rain events. During the storm event, the City will provide a two-hour lead-time notification to the LWA Water Quality Monitoring Task Manager prior to the discharge event.

LWA field staff will mobilize directly to the field locations. Receiving water samples will be collected as side-bank grab samples at the locations specified in the SAP. Crews will be able to mobilize initially for discharges at Pioneer and CWTP. Additional samples may also be collected at Sump 2/2A. Because Sump 2/2A discharges are infrequent and short in duration, LWA field teams will need to be on site and notified prior to such discharges.

For budgeting purposes, it is assumed that: (1) two false starts will occur where field crews are mobilized but discharges and receiving water sampling do not actually occur; (2) one LWA field crew staff will be available for each routine discharge

¹ This is the date given in the permit (p.21). Page F-44 gives a due date of January 30, 2013.

monitoring event and three LWA field crew staff will be available for each “annual” discharge monitoring event; (3) one LWA staff will provide office-based logistical support for each discharge event.

LWA will arrange for delivery of all samples to the appropriate laboratories from a sample mobilization location at the City facilities or LWA office. LWA will contract directly with commercial analytical laboratories according to specifications in the SAP, which are based on the permit and Water Quality Assessment Plan. These services include analysis of acute toxicity and pathogen (giardia and cryptosporidium) samples at certain locations. The City will provide bacteriological analytical services directly through the City Water Treatment Laboratory. The budget estimate includes aquatic toxicity analysis, but does not include any required follow-up monitoring.

The permit and Water Quality Assessment Plan do not currently require follow-up toxicity assessments such as a toxicity identification evaluation (TIE) or toxicity reduction evaluation (TRE). However, such evaluations should be considered as part of this monitoring program to ensure that the nature of any observed toxicity is understood. It is expected that observed effluent toxicity would be due to chlorine or ammonia. The toxicity laboratory will screen for these constituents. Plant operations staff monitor chlorine residual hourly in all effluent discharges. Additionally, for the annual monitoring event, sufficient sample should be collected at all sites to allow for follow-up ammonia screening using zeolite to reduce ammonia related aquatic toxicity. It is assumed that one additional effluent sample per year will be required for this assessment. This scope of work does not specifically include additional TIE support or TRE preparation, however, if funds from other tasks can be reallocated, the LWA team can provide support and lab analyses for these follow-up analyses.

Sub-Task 1.3 Review and Compile Data

LWA will coordinate all follow-up and corrective actions with analytical laboratories to resolve any identified analytical or sample problems. LWA will request electronic data deliverables (EDD) from the laboratories and apply an EDD processing tool to expedite the compilation of data into a format compatible with the Surface Water Ambient Monitoring Program (SWAMP) database for receiving water data. Data will be maintained in a spreadsheet or database format and available upon request by the City. LWA will perform a data quality evaluation assessment and evaluate the appropriateness of data for future uses by adding necessary data qualifiers.

LWA will also provide data in a format that assists with California Integrated Water Quality System (CIWQS) Program uploads of other permit compliance data. LWA will review data and provide a summary table of qualified data and a narrative discussion of known significant problems affecting the data. LWA will target complete data compilation and review prior to the reporting deadline (first business day of the second calendar month following the monitoring event). In some cases, events late in the month coupled with laboratory delays may not allow significant City review time. The September 2011 Sampling and Analysis Plan (SAP) details the recommended roles and schedules for CIWQS reporting. The City will submit reports directly to the Regional Water Board.

Sub-Task 1.4 Deploy Continuous Data Probes

LWA will deploy self-contained, continuous data sondes near river monitoring locations RSW-001 (Delta King) and RSW-002 (Miller Park). A third sonde may be added at a discharge or receiving water location, as budget can be reallocated from other tasks. Such installation would allow collection of continuous data for ammonia, turbidity, dissolved oxygen, temperature, conductivity, and pH. The sensors will be deployed early in the wet season (assuming for six months), targeting the season’s first CSO.

TASK 2. SUPPORT PERMIT COMPLIANCE REPORTING

The permit requires the City to report on CSS operations. The LWA-led team will support the preparation of one-time reports, certain annually prepared reports, and overall coordination of the annual report.

Sub-Task 2.1 Prepare Pretreatment Assessment Report

The LWA-led team will evaluate the potential impact from non-domestic users of the CSS during precipitation events, in terms of their contributions of pollutants in CSS outflows and combined sewer overflows. The LWA-led team will determine whether additional modifications through the SRCSD’s pretreatment program are necessary or of practical value. At a minimum, this evaluation will include the feasibility of limiting or prohibiting discharges by non-domestic users during wet-weather events and the feasibility of retention to prevent such discharges during wet-weather events. The scope of this work may be reduced if the number of non-domestic dischargers is small.

Deliverable: Draft Pretreatment Assessment Report, due January 30, 2012 to the Regional Board will be submitted to the City by December 15, 2011.

Sub-Task 2.2 Assess Compliance with Nine Minimum Controls

According to the CSO Control Policy, a permittee is required to implement nine minimum controls (NMCs) that constitute the technology-based requirements of the CWA as applied to combined sewer facilities. This task will assess the City's compliance with the NMC permit requirements and associated EPA guidance.

The LWA-led team will assist the City with preparation of the Nine Minimum Controls Annual Progress Report as required in permit section E.X.D.3. The LWA-led team will provide as-needed technical support to the City in developing the report format, and then compiling and reviewing the draft report as an attachment to the annual report due January 30.

The City is required to submit as part of its Nine Minimum Controls Annual Progress Report that is due on 30 January of each year, a summary of existing monitoring data and an evaluation of the efficacy of CSO controls (including pollution prevention efforts) to minimize and/or prevent impacts from CSOs. LWA will prepare a summary of existing monitoring data and estimate the load of key constituents removed by CSO controls.

If necessary, the Discharger shall propose revisions to the CSO control program (including the Nine Minimum Controls) to improve the efficiency and effectiveness of controls. LWA will provide an assessment of pollution prevention efforts based on data provided by the City. The results of the assessment may be incorporated into the Water Quality Assessment Report to explain current effluent quality and to project future improvements as additional control measures are implemented.

Sub-Task 2.3 Untreated Discharge Report

LWA will assist the City with the Untreated Discharge Evaluation Report, if required. Following any discharges from Sump 2 Bypass (Discharge Point Nos. 004 and 005) and/or Sump 1A Bypass (Discharge Point No. 007), the City is required to prepare and submit a report to the Regional Water Board on or before 30 January each year, that describes the circumstances under which the overflow(s) occurred. As part of this report, the City is required to evaluate whether the overflows could have been avoided with operational measures and infrastructure improvements, and propose as necessary any modifications necessary to the Combined Wastewater Control System Plan of Operations. LWA will evaluate any untreated discharge data to estimate loads of constituents discharged and provide technical review of report materials provided by the City and compile report components.

Deliverable: Draft Untreated Discharge Report, due January 30, 2012 to the Regional Board will be submitted to the City by December 15, 2011.

Sub-Task 2.4 Annual Reporting Coordination Support

LWA will assist the City in preparation of the annual report due annually on January 30th. LWA will provide technical and coordination support to assist in the preparation of the report. LWA duties may include but not limited to the following: review of any report language or analysis and suggested edits, as-needed assistance in preparation of materials not covered under other Scope-of-Services items, attendance at meetings specific to the annual report preparation, and preparation of responses to comments from the Regional Board.

Sub-Task 2.5 Water Quality Assessment Outline

LWA will prepare an outline of the Water Quality Assessment report that includes sufficient detail to identify any data needs, provide a timeline for draft deliverables to best ensure final report delivery by June 30, 2013. The outline will provide the recommended overall construction and technical components of the report that identifies permit requirements and how they are satisfied. The outline will contain sufficient detail as to advise the City on additional data or analysis needs.

Sub-Task 2.6 General Regulatory Compliance Support

LWA will provide consulting services to assist the City with permit compliance including technical review of responses to Notices of Violations (NOV), as-needed preparation or review of comment letters on regulatory initiatives (e.g., proposed Policy or Total Maximum Daily Loads) that affect the CSS, etc.) LWA will assist the City with the annual update of the Plan of Operations and preparing annual reporting language summarizing changes to that document. LWA will provide as-needed technical assistance and support for communications with Regional Water Quality Control Board staff including meeting attendance, preparation of agenda or meeting notes with regulators.

TASK 3. PROJECT ADMINISTRATION

Sub-Task 3.1 Manage Project

LWA will coordinate staff and subcontracted laboratories to ensure timely delivery of high quality work products. LWA will provide project status reporting and track budget and deliverable submittals.

LWA will provide project management to ensure that the project is completed on time and within budget, including project coordination and administration necessary to achieve the tasks previously described, and periodic communications with the City and subcontractors. LWA will provide qualified staff to complete all tasks as described in the preceding Scope of Services.

The LWA Project Manager and task leads, as necessary, will lead and attend progress meetings every other month or as requested by the City. LWA will prepare an agenda and distribute to City in advance of each scheduled progress meeting. LWA will produce Progress Reports for review at the progress meetings as needed to keep the City apprised of work progress, schedule and budget status.

LWA will submit a monthly invoice with detailed budget status information on a subtask basis, and a monthly written report describing project activities and expenditures during the period covered by the invoice.

NOTES TO SCOPE OF WORK

1. The period during which the Larry Walker Associates services described herein will be performed will extend from approximately October 2011 through approximately September 2012. However, upon mutual consent of City and Larry Walker Associates, some activities may extend beyond this time period.
2. Remaining budget from FY2011/2012 may be utilized for assignments continuing in FY2012/2013.

ATTACHMENT 2 TO EXHIBIT B

Sacramento CSS Water Quality Assessment Plan – Year 2 Tasks								
Estimated Cost for Services by Larry Walker Associates								
Task	Task Description	Hours				Overhead Direct Costs	Subcontractor Costs ⁽¹⁾	Total
		Senior Advisor	Senior Engineer	Project Engineer	Contract Admin.			
<i>2011-2012 Tasks, Year 2 Contract</i>								
	Support Water Quality Monitoring							
1.1	Prepare for Sampling	24	100	80	0	\$ 8,380	\$ -	\$ 46,836
1.2	Collect and Analyze Samples	24	80	100	0	\$ 975	\$ 66,954	\$ 105,625
1.3	Review and Compile Data	24	80	140	0	\$ 800	\$ 110	\$ 45,006
1.4	Deploy Continuous Data Probes	12	44	88	0	\$ 600	\$ 24,420	\$ 50,740
	Support Permit Compliance Reporting							
2.1	Develop Pretreatment Assessment Report	16	40	80	0	\$ 100	\$ -	\$ 24,724
2.2	Assess Compliance with Nine Minimum Controls	4	16	0	0	\$ -	\$ 16,060	\$ 20,204
2.3	Untreated Discharge Report	2	0	36	0	\$ -	\$ -	\$ 6,248
2.4	Annual Reporting Assistance	8	12	40	0	\$ -	\$ 2,000	\$ 12,728
2.5	Water Quality Assessment Outline	8	0	40	0	\$ -	\$ -	\$ 8,352
2.6	General Permit Compliance	48	16	24	0	\$ 250	\$ -	\$ 18,970
	Project Administration							
3.1	Manage Project	48	0	24	60	\$ 200	\$ -	\$ 24,152
	Totals=	218	388	652	60	\$ 11,305	\$ 109,544	\$ 363,585

NOTES:

[1] Subcontractor costs include 10% markup for LWA administrative support.

- Labor rates may be adjusted on July 1, 2012, however, not-to-exceed budget cannot increase without contract amendment.
- The City Representative can approve reallocations of the above budget amounts from one task to another, and can approve carrying over unused funding from one Fiscal Year into the next, provided that the not-to-exceed amount specified in Exhibit B is not exceeded

LARRY WALKER ASSOCIATES

**Rate Schedule
Effective July 1, 2011 – June 30, 2012**

PERSONNEL	Rate \$/Hour
Principals	
Ashli Cooper Desai	\$244.00
Tom Grovhoug	\$256.00
Brian Laurenson	\$244.00
Larry Walker	\$256.00
Mack Walker	\$244.00
Associates	
Karen Ashby	\$225.00
Denise Conners	\$225.00
Betsy Elzufon	\$225.00
Chris Minton	\$225.00
Mitch Mysliwicz	\$225.00
Claus Suverkropp	\$225.00
Senior Staff	
Kristine Corneillie	\$198.00
Karen Cowan	\$198.00
Diana Engle	\$198.00
Sandy Mathews	\$198.00
Stephen McCord	\$198.00
Mike Trouchon	\$198.00
Rebecca Winer-Skonovd	\$198.00
Project Staff	
Alina Constantinescu	\$175.00
Gorman Lau	\$175.00
Mike Marson	\$175.00
Amy Storm	\$175.00
Rachel Warren	\$175.00
Airy Krich-Brinton	\$160.00
Brian Loux	\$160.00
Kate Lundberg	\$160.00
Hope M. Taylor	\$160.00
Jeff Walker	\$160.00
Susan Fishel	\$140.00
Kathryn Walker	\$140.00
Steve Maricle	\$140.00
Reni Keane-Dengel	\$140.00
Jeannette Sager	\$140.00
Patrick Wong	\$130.00
Greg Reide	\$105.00
Michelle Boeckx	\$85.00
Alyssa Glimm	\$75.00
Adriana Stovall	\$75.00
Mashon Jones	\$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.

**City of Sacramento
CSS Regulatory Compliance
Hourly Rate Schedule**

Classification	2011 Hourly Rates
Vice President	\$248
Principal Professional I	\$227
Principal Professional II	\$201
Supervising Professional I	\$181
Supervising Professional II	\$165
Senior Professional	\$155
Professional	\$124
Associate Professional	\$93
Senior Designer	\$124
Designer	\$88
Engineering Assistant	\$78
Supervising Administrator	\$109
Senior Administrator	\$103
Secretary	\$67
Technical Editor	\$134
Clerk	\$57

APC Rate per Hour - Associated Project Cost	\$10.40
Vehicle Rate per Mile	\$0.50
Mark-up on ODC's	<i>negotiated</i>

Rates subject to 3% annual increase