

Meeting Date: 5/7/2013

Report Type: Consent

Report ID: 2013-00329



City Council Report

915 I Street, 1st Floor

www.CityofSacramento.org

Title: Supplemental Agreement: Low Impact Development (LID) Standards Development, Stormwater Quality Design Manual Update and Best Management Practicites (BMP) Sizing Tool Enhancement

Location: Citywide

Issue: This supplemental agreement is needed to complete the LID standards and meet the requirements of the National Pollutant Discharge Elimination System (NPDES) permit.

Recommendation: Pass: 1) a Motion authorizing the City Manager or the City Manager's designee to sign a Supplemental Agreement amending Agreement No. 2011-0827 with RBF Consulting, for an amount not to exceed \$30,000, increasing the total Agreement amount to \$220,000; and 2) a Resolution authorizing amendment of the Fiscal Year 2010-14 NPDES Program (I14010200) Revenue and Expenditure Budgets (Fund 6211), 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 Fiscal Year 2011-12 stormwater program costs in the total amount of \$146,300.

Contact: Bill Busath, Engineering Manager, (916) 808-1434; Sherill Huun, Supervising Engineer, (916) 808-1455, Department of Utilities

Presenter: None

Department: Department Of Utilities

Division: Water Quality Engineering

Dept ID:

Attachments:

- 1-Description/Analysis
- 2-Background
- 3-Resolution
- 4-Agreement
- 5-Joint Authorization

City Attorney Review

Approved as to Form
Joe Robinson
4/30/2013 4:20:26 PM

City Treasurer Review

Reviewed for Impact on Cash and Debt
John Colville
4/18/2013 10:23:43 AM

Approvals/Acknowledgements

Department Director or Designee: Dave Brent - 4/23/2013 1:20:43 PM

James Sanchez, City Attorney

Shirley Concolino, City Clerk

Russell Fehr, City Treasurer

John F. Shirey, City Manager

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Description/Analysis

Issue Detail: The National Pollutant Discharge Elimination System (NPDES) permit governing the City's stormwater system requires development and implementation of low impact development standards. RBF Consulting was selected to provide these services through a Request for Qualifications process conducted in March 2011 and the original Agreement was approved by the City Council in July, 2011, for an amount not-to-exceed \$190,000. This report recommends approval of a Supplemental Agreement with RBF Consulting to complete these tasks.

Policy Considerations: Completion of the tasks in the Agreement - Low Impact Development standards development, Stormwater Quality Design Manual update, and Best Management Practices (BMP) sizing tool enhancement – fulfills the federally mandated requirements of the NPDES permit, is essential to meet the City's 2030 General Plan goals for environmental resources, and is consistent with the citywide policies for stormwater quality, new development, and post-development runoff control.

Economic Impacts: None.

Environmental Considerations: The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that execution of a professional services agreement is an activity covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Sustainability: Completion of the tasks in the Agreement is consistent with the City's Sustainability Master Plan. These activities advance the Master Plan goals of:

1. Conserving the use and protection of sources of water; and
2. Protecting and restoring the City's urban creeks.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: Approval of the Supplemental Agreement for a not to exceed amount of \$30,000 is recommended for completion of the professional services needed to comply with the requirements in the NPDES Permit. The additional scope of work is included in Attachment 2 to Exhibit A.

Financial Considerations: The City and the other Permittees under the NPDES permit share the cost of the required stormwater program tasks pursuant to the terms of a master Memorandum of Understanding (the "MOU"), approved by the City Council in 2003. The total cost for the proposed Supplemental Agreement is not to exceed \$30,000, bringing the Agreement total to \$220,000. The City pays the consultant, subject to reimbursement from the other Permittees for their cost shares. A joint authorization for the amendment has been signed (Attachment 5) by the other Permittees. The cost sharing pursuant to the 2003 MOU is as follows:

City of Sacramento (33.5%)	\$	73,700
County of Sacramento (42%)	\$	92,400
City of Citrus Heights (7%)	\$	15,400
City of Elk Grove (7%)	\$	15,400
City of Folsom (5%)	\$	11,000
City of Galt (1.5%)	\$	3,300
City of Rancho Cordova (4.0%)	\$	<u>8,800</u>
Total	\$	220,000

The Multi-Year Operating Project, Fiscal Year 2010-14 (FY 2010-14) NPDES Stormwater Program (I14010200, Storm Drainage Fund 6011), has sufficient funding for the City's share of the Agreement cost. Budget for revenues and expenditures in the amount of \$146,300 will be appropriated in the project FY 2010-14 NPDES Stormwater Program (I14010200, Storm Drainage Grant/Reimbursement Fund 6211) for the cost sharing.

Emerging Small Business Development (ESBD): The RBF consultant team includes the certified ESBE firm CBEC Inc. eco engineering.



Background

The Sacramento area-wide NPDES Municipal Stormwater Permit (CAS082597) (Permit), was adopted by the Central Valley Regional Water Quality Control Board (Regional Water Board) in September, 2008. The Permittees include the County of Sacramento and the Cities of Sacramento, Elk Grove, Rancho Cordova, Galt, Folsom, and Citrus Heights. The Permit requires implementation of various programs to reduce the pollution conveyed by stormwater runoff into local water bodies and reduce the adverse impact from urban runoff. The New Development program requires management of runoff quality and quantity from new development and redevelopment projects.

The Permit requires the Permittees to develop standards for new development and redevelopment projects to reduce the post-construction runoff volume and reduce pollutant discharges. Specifically, Provision 15(b) requires the Permittees to develop quantitative and qualitative development standards to require implementation of Low Impact Development (LID) strategies, which emphasize conservation and the use of the existing natural site features integrated with engineered, small-scale hydrologic controls to mimic pre-project hydrologic conditions. Provision 26 requires the Permittees to submit updated technical guidance for the LID standards and Hydromodification Management Plan (HMP) requirements. The Permit established specific timelines for completing these tasks based on the Regional Water Board's approval of the Permittees HMP. The Permittees developed and submitted the HMP to the Regional Water Board on January 28, 2011 for approval. The HMP is scheduled for approval by the Regional Board in May 2013.

The costs for developing the standards and updating the manual required by the NPDES New Development Program are shared by the Permittees as described in a master 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.

The City, on behalf of the Permittees, conducted the Request for Qualifications (RFQ) process for this project in March 2011. The Consultant Selection Committee selected RBF Consulting based on the proposal rating criteria. RBF consulting met all of the RFP requirements and was the highest ranked firm. The original Agreement was approved by the City Council in July 2011. The tasks included in the RFQ have to be performed within one year after the Regional Water Board's approval of the HMP. Due to the Regional Water Board's delay in approving the HMP, the schedule for this project was revised. With anticipation of the approval of HMP by the Regional Water Board in May 2013, the project is scheduled to be completed by the end of the Fiscal Year 2013-14. Due to the HMP approval delay and additional work required to assist HMP approval, the Permittees will provide additional funding to complete the project - develop Low Impact Development standards, update the Stormwater Quality Design Manual and enhance the BMP sizing tool in the amount of \$30,000 for a total not to exceed contract amount of \$220,000.



RESOLUTION NO.

Adopted by the Sacramento City Council

BUDGET APPROVALS FOR DEVELOPMENT OF LOW IMPACT DEVELOPMENT STANDARDS, STORMWATER QUALITY DESIGN MANUAL UPDATE AND BMP SIZING TOOL ENHANCEMENT

BACKGROUND

- A. Operation of the City's stormwater system is governed by a National Pollutant Discharge Elimination System (NPDES) permit issued by the Central Valley Regional Water Quality Control Board to the County of Sacramento and the Cities of Sacramento, Citrus Heights, Elk Grove, Folsom, Galt, and Rancho Cordova, as Permittees.
- B. The NPDES permit (Permit No. CA0082597) requires the Permittees to implement standards for new development to mitigate potential urban runoff pollution and other water quality impacts associated with new development and redevelopment. Components of the required new development program include developing Low Impact Development standards, updating the Stormwater Quality Design Manual and enhancing the Best Management Practices (BMP) sizing tool.
- C. RBF Consulting was selected to provide the professional services necessary to perform these tasks through a Request for Qualifications process conducted in March 2011, and the City Council subsequently authorized a professional services agreement with RBF Consulting in the amount of \$190,000. Approval of a supplemental agreement in the amount of \$30,000 is necessary to fund the additional services needed to complete the project.
- D. The City and the other Permittees under the NPDES permit share the cost of the required stormwater program tasks pursuant to the terms of a master Memorandum of Understanding (the "MOU"), approved by the City Council in 2003. The total cost for the proposed Professional Services Agreement with RBF Consulting with this amendment is \$220,000, which the City will pay, subject to reimbursement from the other Permittees for their cost shares. Under the MOU, the City's cost share is \$73,700, and the other Permittees will reimburse the City for their share of the cost in the amount of \$146,300.

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 amend the Fiscal Year 2010-14 NPDES Program (I14010200) Revenue and Expenditure Budgets (Fund 6211), 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 Fiscal Year 2011-12 stormwater program costs in the total amount of \$146,300.



The City of Sacramento ("City") and **RBF Consulting** ("Contractor"), as parties to that certain Professional Services Agreement designated as Agreement Number 2011-0827, 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. Exhibit A of the Agreement is amended as follows:
 - a. Exhibit A, Section 1, the City Representative is changed:

The new City Representative is:

Sherill Huun
 1395 35th Avenue
 Sacramento, CA 95822
 Phone: (916) 808-1455
 Fax: (916) 808-1497
 Email: shuun@cityofsacramento.org

- b. Contractor shall provide and perform the additional work and services specified in "Attachment 2 to Exhibit A", attached hereto and incorporated herein by this reference.
2. The Budget for performance of the additional work and services specified in section 1.b, above, 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.b, 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 \$30,000, and said maximum not-to-exceed amount is amended as follows:

Agreement's original not-to-exceed amount:	<u>\$190,000</u>
Not-to-exceed amount prior to this supplemental agreement:	<u>\$190,000</u>
Increase by this supplemental agreement:	<u>\$30,000</u>
New not-to exceed amount including all supplemental agreements:	<u>\$220,000</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.b, 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:

Project Manager

Approved By:

Contractor
Approved By:

City of Sacramento

Approved As To Form By:

City Attorney

Attested To By:

City Clerk

ATTACHMENT 2 TO EXHIBIT A

SACRAMENTO STORMWATER QUALITY PARTNERSHIP

LOW IMPACT DEVELOPMENT STANDARDS DEVELOPMENT, STORMWATER QUALITY DESIGN MANUAL UPDATE AND BMP SIZING TOOL ENHANCEMENT

RBF SCOPE OF SERVICES – SUPPLEMENTAL AGREEMENT

This Scope of Services describes the supplemental consulting services to be provided by RBF consulting and its subcontractors (collectively, "Contractor") to the Sacramento Stormwater Quality Partnership (Partnership) during the 2012/2013 and 2013/2014 fiscal years. The Contractor will provide additional services as scoped below and complete the Project - Low Impact Development Standards development, Stormwater Quality Design Manual Update, and BMP sizing tool enhancement.

Task 2 Update Stormwater Quality Design Manual

Portions of the funding allocated for this task was used to supplement Task 1. The supplementary funding is provided to complete Task 2 as scoped in the original Contract.

Task 3 Develop or Enhance BMP Design Tool for LID, Treatment and Hydromodification Management Compliance

In addition to delivering the basic tool of the Sacramento Area Hydrology Model (SAHM) as scoped in the original Contract, additional tasks are:

Enhance the SAHM to include continuous simulation water balance results. Note that the water balance summary will be based on the entire range of flows analyzed by the SAHM for hydromodification. Provide demonstration projects using SAHM for Low Impact Development standards compliance. Specifically, this will be done by applying the model to a "complex" project with various BMPs, which will include the water balance summary output.

Task 4 Public workshops for LID Standards and Design Manual

In addition to the two public workshops scoped in the original Contract, the Contractor will provide a one-day public workshop for the Sacramento Area Hydrology Model (SAHM) tool. The Partnership will provide workshop registration and check-in services. No printed material is anticipated to be provided at the workshop.

Task 5 Project Communication and Coordination

The Contractor will assist project coordination for the Sacramento Stormwater Quality Partnership.

ATTACHMENT 2 TO EXHIBIT B

The original total budget for this agreement is not to exceed \$ 190,000.

Budget allocation for the Tasks is estimated as follows:

Original Fee: \$189,997.90

<u>TASK</u>	<u>Original Fee</u>	<u>Supplemental Fee</u>
TASK 1	\$29,166.50	\$ 0
TASK 2	\$97,745.40	\$12,500
TASK 3	\$36,140.00	\$ 9,500
TASK 4	\$20,646.00	\$ 5,000
TASK 5	\$6,300.00	\$ 3,000

Total of Supplemental Fees for Supplemental Agreement: \$30,000

The amended total budget for this agreement is not to exceed \$ 220,000.

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.

The following rates will apply to all work performed by The RBF Team over the remaining course of the contract for each task proposed to be completed by the team. Rates are included for each team member and the classifications specific to their organization.

Classification	Name	\$/ Hr.
RBF Consulting		
Principal	Scott Taylor	225.00
Project Director	Anna Lantin	220.00
Program Manager	Harvey Oslick	215.00
Senior Project Manager	Pal Hegedus	200.00
Senior Engineer	Laura Larsen	163.00
Design Engineer	Remi Candaele	135.00
Project Engineer	Dave Mercier	148.00
Project Coordinator	Anne Davis	110.00
Watearth		
Principal	Jennifer J. Walker	175.00
Senior Hydrologist	Dawn Duncan	125.00
cbec, inc. eco engineering		
Principal	Christopher Bowles	145.00
The Office of Water Programs at California State University, Sacramento		
Project Manager	Brian Currier	131.00
Research Engineer IV	Kevin Murphy	142.00
Research Engineer III	David Aldrete	127.00
Research Engineer III	John R. Johnston	127.00
Research Engineer III	Dipen Patel	127.00
Research Engineer III	Maureen Mathias Kerner	127.00
Geologist/GIS	Scott Meyer	104.00
Environmental Scientist	Tod Granicher	87.00
Hydrologist	Christian Carleton	81.00
CCS CLEAR CREEK SOLUTIONS, INC.		
Principal Engineer	Douglas Beyerlein	145.00
Senior / Eco-Hydrologist	Joseph T. Brascher	120.00
Senior Programmer	Gary Maxfield	110.00
Associate / Eco-Hydrologist		110.00

Additional Staff will be billed according to the rate sheet below:

<u>OFFICE PERSONNEL</u>	<u>\$/ Hr.</u>
Senior Principal.....	\$245.00
Principal.....	225.00
Project Director.....	220.00
Program Manager.....	215.00
Senior Project Manager.....	200.00
Project Manager.....	195.00
Structural Engineer.....	195.00
Technical Manager.....	180.00
Senior Engineer.....	163.00
Senior Planner.....	163.00
Electrical Engineer.....	156.00
Landscape Architect.....	150.00
Senior GIS Analyst.....	150.00
Project Engineer.....	148.00
Project Planner.....	148.00
Environmental Specialist.....	138.00
Design Engineer/Senior Designer/Mapper.....	135.00
GIS Analyst.....	122.00
Designer/Planner.....	118.00
Project Coordinator.....	110.00
Graphic Artist.....	97.00
Environmental Analyst/Staff Planner.....	97.00
Design Technician.....	97.00
Assistant Engineer/Planner.....	93.00
Permit Processor.....	83.00
Engineering Aid/Planning Aid.....	75.00
Office Support/ Clerical.....	63.00

<u>FIELD PERSONNEL</u>	
2-Person Survey Crew.....	\$245.00
1-Person Survey Crew.....	165.00
Licensed Surveyor.....	175.00
Field Supervisor.....	172.00

<u>CONSTRUCTION MANAGEMENT PERSONNEL</u>	
Construction Manager.....	\$185.00
Resident Engineer/Project Manager.....	154.00
Senior Construction Inspector.....	123.00
Construction Inspector.....	118.00
Field Office Engineer.....	110.00
Construction Technician.....	95.00

REIMBURSABLE COSTS

Travel	Actual expense
Local mileage	Current IRS Rate: (\$.0.51/mile)
Transportation	Actual expense
Auto rental	Actual commercial rate
Fares	Actual expense
Room Subsistence ¹	Actual expense

The rate for each meal is as follows: \$48.00 per day

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

¹ Charged when overnight lodging is required

Report Reproduction and Copying

Actual outside expense

\$0.10 per black and white copy in house

\$1.00 per color copy in house

\$2.00 per binding in house

Special Postage and Express Mail

Actual expense

Other Direct Cost:

Actual Expense

Subcontractors:

Actual expense



Sacramento Stormwater Management Program Contract Amendment AUTHORIZATION of JOINT ACTIVITIES FY13-ND-01

Date/Location: April 3, 2013/City of Sacramento

Project title: Low Impact Development Standards Development, Stormwater Quality Design Manual Update and BMP Sizing Tool Enhancement - Amendment

Attendees (SC indicates Steering Committee member): indicated below

Summary of scope and purpose: Additional work to complete the Project - Develop Low Impact Development standards, Update the Stormwater Quality Design Manual, and Enhance BMP Sizing tool. See attached scope and budget .

Permit Requirement: Yes
Cite section: D.15 and D.26

Estimated total cost: \$30,000

Cost Apportionment: Cost shared by Permittees per the 2003 MOU.

Method of implementation (contract, staff?) Identify specific consultant or staff and their roles, if known: RBF Consulting, Consultants; Sherill Huun, City of Sacramento Project Manager.

Permittee designated as Contract Manager: City of Sacramento
Specific staff assigned as Contract Manager, if known: Sherill Huun

Identify any staff reimbursements authorized: None

Estimated timeline for implementation:
Detailed Scope: Attached
Contract: July 19, 2011 (Original), Amendment Contract Date – April 30, 2013
Initiate work: August 1, 2011
Complete work: May 31, 2014
Identify Permit deadlines or other applicable deadlines: see attached project schedule

Action items/outstanding issues: None

The undersigned members of the Steering Committee approve the Joint Activity Project under the conditions set forth in this document.

Agency – Cost Share Amount	Name	Signature
Citrus Heights (7%)– \$2,100	Cesar Montes de Oca	
Elk Grove (7%)- \$2,100	Darren Wilson/Fernando Duenas	
Folsom (5%)- \$1,500	Sarah Staley	
Galt (1.5%)- \$450	Trung Trinh Bill Forrest	
Sacramento County for Rancho Cordova (4.0%)- \$1,200	Britton Snipes	
City of Sacramento (33.5%)- \$10,050	Sherill Huun	
Sacramento County (42%)- \$12,600	Dana Booth	