



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: June 18, 2019

Subject: Approve a Contract Amendment with Dubin Environmental Consulting

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chief Engineer, Flood Control and Water Conservation District, or designee, to execute, on behalf of the Contra Costa Clean Water Program, a contract amendment with Anthony Dubin, d/b/a Dubin Environmental Consulting, to extend the term from June 30, 2019 to June 30, 2020 and to update the work rates for the Contractor and its Subcontractors, with no change to the original payment limit, Countywide. Project No. 6X7641

**FISCAL IMPACT:**

The contract is being funded by stormwater utility fee assessments collected by the Cities/Towns and County, proportional to their respective populations.

**BACKGROUND:**

The Contra Costa Clean Water Program (the "CCCWP") consists

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **06/18/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: June 18, 2019

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Laura Cassell, Deputy

Contact: Andrea Bullock  
925-313-2194

cc:

## BACKGROUND: (CONT'D)

of Contra Costa County, its 19 incorporated cities/towns, and the Contra Costa County Flood Control and Water Conservation District (hereinafter referred to collectively as “Permittees”). The CCCWP was established in 1991 through a Program Agreement in response to the 1987 amendments to the federal Clean Water Act (the “CWA”), which established a framework for regulating municipal stormwater discharges under the National Pollutant Discharge Elimination System (“NPDES”) Permit Program. The United States Environmental Protection Agency (the “USEPA”) published final rules implementing the 1987 CWA amendments in November 1990. The rules mandate that Permittees obtain and implement stormwater permits designed to reduce and eliminate the discharge of pollutants into and from Municipal Separate Storm Sewer Systems (the “MS4s”) they own and operate. Through the CCCWP, Permittees conduct many of the mandated activities collectively (referred to as “Group Activities”), such as water quality monitoring, special studies, and public education. The roles and responsibilities of the CCCWP and Permittees are outlined in the Program Agreement, which was last updated and adopted by all Permittees in June 2010.

The Management Committee has directed that certain requirements of the Joint Municipal NPDES Permits, such as stormwater quality monitoring, special studies, and pilot projects be coordinated and implemented as a Group Activity. Technical and project management services provided by Dubin Environmental Consulting are necessary to assist the CCCWP with compliance of these mandates. There is no proposed change to the Payment Limit.

The original contract was adopted by the Board of Supervisors on September 20, 2016. In order to help continue to maintain permit compliance, CCCWP staff, on behalf of the Permittees, respectfully requests this contract amendment with Dubin Environmental Consulting be extended through June 30, 2020.

## CONSEQUENCE OF NEGATIVE ACTION:

This contract is necessary to comply with federal and state stormwater rules. If the contract amendment with Dubin Environmental Consulting is not approved, the CCCWP would not be able to fulfill the permit mandates, and municipalities could be found in non-compliance with the NPDES permits issued by the Water Boards. Fines totaling \$10,000 per day and \$10 per gallon of stormwater discharge could potentially be imposed.