



**Contra
Costa
County**

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

Subject: APPROVE and AUTHORIZE execution of a contract with the Bay Area Stormwater Management Agencies Association.

RECOMMENDATION(S):

The Board of Supervisors, as the Governing Board of the Contra Costa County Flood Control and Water Conservation District on behalf of the Contra Costa Clean Water Program:

APPROVE and AUTHORIZE the Chair, Board of Supervisors, to execute a contract with the Bay Area Stormwater Management Agencies Association, effective July 1, 2018, to October 1, 2020, in an amount not to exceed \$228,194.00, for regional projects, project management services and related costs, in a form substantially similar to the attached contract, subject to approval by the County Administrator and approval as to form by County Counsel.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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: Stacey M. Boyd, Deputy

Contact: Mark Boucher
925-313-2274

cc:

FISCAL IMPACT:

Payment will be drawn from the Contra Costa Clean Water Program (“Contra Costa CWP”) fund. Program funding is provided by the County and 19 cities and towns within Contra Costa County. The County’s share of the above payment is approximately \$34,230.

BACKGROUND:

Municipalities are required by federal law to obtain permits in order to discharge stormwater into receiving waters such as rivers, lakes and bays. Permits are issued under the National Pollutant Discharge Elimination System (“NPDES”) permit program, administered by the U.S. Environmental Protection Agency. In California, NPDES permit program administration is delegated to the State Water Resources Control Board and its Regional Water Quality Control Boards.

In Contra Costa County, the municipal storm sewer systems located within both the incorporated and unincorporated areas are permitted under a Joint Municipal Regional Stormwater NPDES Permit No. CAS612008 (“Joint MRP”) issued by the San Francisco Bay Regional Water Quality Control Board (“Regional Board”). The Joint MRP compliance is managed by the Contra Costa CWP, a stormwater quality management program formed by the County, Contra Costa County Flood Control and Water Conservation District (“District”) and the 19 incorporated cities and towns located in Contra Costa County (the “Permittees”). The District is the contracting authority and fiscal agent for the Contra Costa CWP.

Compliance with some of the provisions of the Joint MRP has historically involved participation in regional projects with other stormwater quality management programs and agencies in the Bay Area. Regional projects have been managed for several years by the Bay Area Stormwater Management Agencies Association (“BASMAA”), a nonprofit corporation that facilitates cooperative efforts by the stormwater quality management agencies. BASMAA generally retains consultants to perform projects in return for payments from participating agencies to cover BASMAA’s costs.

Regional Project Services

The Contra Costa CWP has determined that, for purposes of compliance with the Joint MRP, it is necessary to participate in the funding of 10 regional projects through BASMAA. Seven of the projects are to be completed in Fiscal Year 2018-2019, and three others extend through Fiscal Year 2019-2020. The regional projects are:

1. Pesticides Toxicity – Regulatory Modernization
2. Creek Status Monitoring Coordination
3. Pollutants of Concern Monitoring for Source Identification and Management Action Effectiveness
4. On-Call Services to Maintain the Regional Monitoring Coalition Monitoring Database
5. Managing PCBs Containing Materials and Wastes during Building Demolition – Phase 1

6. Integrated Pest Management Partnership Program
7. Regional Monitoring Coalition Database Quality Assurance/Quality Control Tool
8. Regional Stressor/Source Identification Work Plan
9. Preliminary and Final Reports on Trash Receiving Water Monitoring Program
10. Refined Source Control Load Reduction Accounting for Reasonable Assurance Analysis

Complete descriptions of each project and associated tasks are set forth in the attached contract. The cost to be paid for these projects under this contract will not exceed \$133,775.00 .

Project Management Services

Regional projects are managed by BASMAA staff. After contracts are approved by the BASMAA board of directors, BASMAA staff manages the contracts and oversees the work performed by the consultants. These efforts include reviewing invoices and draft work products and preparing monthly status reports to the BASMAA board. The BASMAA executive director also acts as a point of contact for questions regarding projects and responds to requests for information. The cost to be paid for these project management services under this contract will not exceed \$74,219.00.

Costs

The proposed Contract also provides for payment in an amount not to exceed \$20,200.00 for the preparation of detailed costs reports that will be used to calculate BASMAA's actual costs of providing the above services. Under the Contract, the District will be obligated to pay the lesser of the above amounts or BASMAA's actual costs.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to execute the contract with BASMAA could jeopardize compliance with the Joint Permit and limit opportunities to work with other stormwater quality management programs and agencies on future regional projects.