



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: November 5, 2019

Subject: Contract Amendment with Larry Walker Associates, Incorporated, for stormwater technical support services

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 Larry Walker Associates, Incorporated to increase the payment limit by \$833,000 to a new payment limit of \$1,600,000 and to extend the term from June 30, 2020 to June 6, 2022 to provide technical support services in order to maintain compliance with the National Pollutant Discharge Elimination System Permit, Countywide.

FISCAL IMPACT:

The cost is estimated to be \$1,600,000; and, shall be funded by stormwater utility fee assessments collected by the Cities/Towns and County, proportional to their respective populations.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **11/05/2019** ☒ 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: November 5, 2019

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

By: Laura Cassell, Deputy

Contact: Andrea Bullock, (925)
313-2194

cc:

BACKGROUND:

The Board approved a contract with Larry Walker Associates, Incorporated on June 6, 2017 for the period of June 6, 2017 through June 30, 2020. An administrative amendment was approved to change the subcontractor rates effective June 6, 2017. The Contra Costa Clean Water Program (the “CCCWP”) consists of Contra Costa County, its 19 incorporated cities/towns, and the Contra Costa County Flood Control and Water Conservation District (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 (“CWA”), which established a framework for regulating municipal stormwater discharges under the National Pollutant Discharge Elimination System (“NPDES”) Permit Program. The U. S. Environmental Protection Agency 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 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, public education and outreach. 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.

CCCWP develops and implements plans and programs to monitor and mitigate stormwater pollution on behalf of Contra Costa Permittees. CCCWP’s stormwater monitoring programs are designed to identify and evaluate sources, pathways, loadings and impacts of pollutants (such as mercury and PCBs) that reach local creeks and streams, and eventually into the San Francisco Bay and the Delta. CCCWP also develops plans and programs which investigate the effectiveness of stormwater treatment control technologies, and propose locations and timelines for implementation of these technologies. These include plans and programs for green infrastructure implementation, trash capture, and implementation of other technologies. Stormwater technical support services from Larry Walker Associates, Incorporated, (“LWA”) are needed to help CCCWP and the Permittees develop and implement these plans and programs to maintain compliance with stormwater permit requirements from the San Francisco Bay and Central Valley Regional Water Quality Control Boards.

In order to help continue to maintain permit compliance, CCCWP staff, on behalf of the Permittees, respectfully requests approval of this contract amendment number 2 with Larry Walker Associates, Incorporated to add \$833,000 and to extend the term from June 30, 2020 to June 6, 2022.

CONSEQUENCE OF NEGATIVE ACTION:

If this contract with Larry Walker Associates, Incorporated 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.