



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: January 11, 2022

Subject: APPROVE an Assignment and Assumption Agreement with Kinnetic Environmental, Inc. for Water Quality Monitoring Services

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District, or designee, to execute on behalf of the Contra Costa Clean Water Program, an Assignment and Assumption of Contract and Consent with ADH Technical Services, Inc. (dba ADH Environmental) and Kinnetic Environmental, Inc., effective October 1, 2021, for Countywide water quality monitoring services necessary to comply with federal and state stormwater permit requirements issued under the National Pollutant Discharge Elimination System Permit, with no change to the contract term or payment limit, Countywide. (No fiscal impact)

**FISCAL IMPACT:**

There is no fiscal impact to this action. All costs associated with this contract will not exceed \$3,700,000 and will be funded 100% by Stormwater Utility Assessment fees collected by the Cities/Towns and County, proportional to their respective populations.

**BACKGROUND:**

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

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/11/2022** ☒ 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: January 11, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Karin Graves,  
925-313-2042

cc:

Conservation District (hereinafter referred to collectively as “Permittees”).

## BACKGROUND: (CONT'D)

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 Contra Costa Clean Water Program Agreement, which was last updated and adopted by all Permittees in June 2010. The current San Francisco Bay Region Municipal Regional Stormwater NPDES Permit No. CAS612008, Order R2-2015-0049 (“Permit”), was issued in November of 2015.

The CCCWP's Management Committee has directed that certain requirements of the NPDES Permits, such as water quality monitoring, be coordinated, implemented, and funded as a Group Activity.

The CCCWP's stormwater monitoring program covers a variety of water quality monitoring activities, special studies, and pilot projects designed to identify and evaluate sources, pathways, loadings and impacts of pollutants that reach local creeks and streams, and eventually into San Francisco Bay and the Delta. These pollutants include mercury, PCBs, and trash. The program also investigates the effectiveness of stormwater treatment control technologies. All of these activities meet the requirements of the NPDES Permits.

On June 6, 2017, the Board of Supervisors approved a contract with ADH Technical Services, Inc. (dba ADH Environmental) in an amount not exceed \$2,023,319 for the term July 1, 2017 through June 30, 2020 to provide water quality monitoring services necessary to comply with federal and state stormwater rules. On November 5, 2019, the Board of Supervisors approved amendment no. 1 to increase the payment limit to \$3,700,000 and extend the term from June 30, 2020 to June 30, 2022. Effective July 1, 2020, CCCWP executed an administrative amendment (amendment no. 2) to update the rates paid under the contract pursuant to the terms of the contract with no other changes to the contract.

On October 1, 2021, ADH Technical Services, Inc. (dba ADH Environmental) merged with Kinnetic Laboratories, Inc. Effective October 1, 2021, the merged company operates under the new name of Kinnetic Environmental, Inc. CCCWP staff, on behalf of the Permittees, respectfully requests approval to execute an Assignment and Assumption of Contract and Consent, which is necessary for the continuation of the services described above.

Government Code Section 31000 authorizes the County to contract for services including

the services that Kinnetic Environmental, Inc. provides.

CONSEQUENCE OF NEGATIVE ACTION:

Without the approval of the Board of Supervisors, the CCCWP, 19 Cities and Towns, Contra Costa County, and the Flood Control District will be unable to meet compliance with requirements set forth in the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit No. CAS612008, Order R2-2015-0049.