



Office of the City Manager

CONSENT CALENDAR  
May 21, 2013

To: Honorable Mayor and Members of the City Council  
From:  Christine Daniel, City Manager  
Submitted by: Andrew Clough, Public Works Director  
Subject: Contract: RMC Water and Environment for Sanitary Sewer System  
Regulatory Compliance On-Call Services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute a contract and any amendments, extensions or other change orders with RMC Water and Environment for on-call consultant services for the City’s Sanitary Sewer System regulatory compliance, in an amount not to exceed \$350,000 for the period July 1, 2013 through June 30, 2016.

FISCAL IMPACTS OF RECOMMENDATION

Funding is included in the FY 2014 Proposed Budget in the Sanitary Sewer Fund (830-5207/5213-432-3035/3038) and is subject to appropriation in future fiscal years. No other funding is required.

FY 2014.....	\$125,000
FY 2015.....	\$125,000
FY 2016	<u>\$100,000</u>
Total Amount	\$350,000

The Contract Management System number is CMS No. NVAZ6.

CURRENT SITUATION AND ITS EFFECTS

The City must comply with Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (GWDR). This includes maintaining and updating a Sewer System Management Plan (SSMP), meeting other regulatory requirements related to the sanitary sewer system, including a Stipulated Order for Preliminary Relief (SO), and the consent decree being negotiated with the U.S. Environmental Protection Agency (EPA). Compliance with these regulatory requirements requires hydraulic modeling, flow analyses, and implementation of a comprehensive asset management program. The City is also required to provide detailed annual reports to the EPA and other regulatory agencies describing work completed and progress made in implementing its programs, reducing sanitary sewer overflows (SSO), and reducing wet weather infiltration/inflow (I/I) into the sanitary sewer system. Failure to comply with these requirements could subject the City to regulatory enforcement action and potential fines.

A request for qualifications, Specification No. 13-10720-C, was released in March 2013, and 3 firms responded. RMC Water and Environment was selected as the most qualified firm to best meet the City's consultant needs. RMC has knowledge of the City's sewer system and flows, and expertise using the City's hydraulic model, as well as experience in preparing the plans and reports that are required for SO submittals in accordance with mandated time schedules and EPA requirements.

#### BACKGROUND

Flow monitoring conducted by the City and East Bay Municipal Utility District (EBMUD) since 2006 have shown that peak wet weather flows from the City, along with the six (6) other Satellite collection systems that are tributary to the EBMUD wastewater system, contribute to discharges from EBMUD's wet weather facilities (WWF). In 2009, the EPA, State Water Resources Control Board (SWRCB), and Regional Water Quality Control Board (RWQCB) prohibited future discharges from the WWFs and entered into a legal settlement with EBMUD to establish programs focused on reducing wet weather flows. Shortly thereafter, the EPA issued Findings of Violation and Orders of Compliance, also called Administrative Orders (AO), to each of the 7 EBMUD Satellite agencies requiring the development of specific plans and programs to reduce SSOs and control wet weather I/I into the collection systems. The AOs were subsequently replaced in 2011 by a Stipulated Order for Preliminary Relief (SO) with the EPA, SWRCB, and RWQCB.

#### RATIONALE FOR RECOMMENDATION

The City must continue to comply with the requirements of the SO and the Statewide GWDR (including SSMP requirements), and must meet mandated deadlines for submittal of the plans and reports required in these documents. Under previous contracts, RMC has conducted hydraulic modeling and flow analyses, and supported the City in preparing a number of the submittals required by the SO. Submittals included those related to flow monitoring and I/I assessment, hydraulic modeling, inflow identification and elimination, sewer condition assessment, asset management implementation, and annual progress reporting. RMC also has considerable experience providing other Bay Area agencies with similar regulatory compliance and technical support. Continued assistance from RMC will allow the City to prepare and implement the required plans and reports, and meet mandated deadlines for compliance.

#### ALTERNATIVE ACTIONS CONSIDERED

There is no realistic alternative, as the City doesn't have staff with expertise to perform the required analyses needed to support the I/I reduction program, or prepare all of the plans and reports required under current and future regulatory mandates.

#### CONTACT PERSON

Jeffrey L. Egeberg, Manager of Engineering, Public Works, 981-6400  
Adadu Yemane, Associate Civil Engineer, Public Works, 981-6413

Attachments:  
1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT: RMC WATER AND ENVIRONMENT FOR ON-CALL SUPPORT FOR  
SANITARY SEWER SYSTEM REGULATORY COMPLIANCE SERVICES

WHEREAS, the City desires to retain regulatory compliance and environmental engineering support services for complying with the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, and complying with other regulatory requirements related to its sanitary sewer collection system, including a Stipulated Order for Preliminary Relief and potential future consent decree; and

WHEREAS, the City has neither the staff nor resources to perform the necessary environmental compliance and engineering support services due to the specialized nature of the work, including hydraulic modeling and other engineering technical analyses needed for the sanitary sewer hydraulic assessment, asset management, and regulatory compliance; and

WHEREAS, a request for qualifications, Specification No. 13-10720-C, was released in March 2013, with 3 firms responding, and RMC Water and Environment was selected as the most qualified firm to best meet the City's consultant needs; and

WHEREAS, funding is included in the FY 2014 Proposed Budget in the Sanitary Sewer Fund (830-5207/5213-432-3035/3038) and is subject to appropriation in future fiscal years, and the contract has been entered into the City's contract database and assigned CMS No. NVAZ6.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute a contract and any amendments with RMC Water and Environment for on-call support for sanitary sewer system regulatory compliance services in an amount not to exceed \$350,000 for the period July 1, 2013 to June 30, 2016. A record signature copy of said agreement and any amendments to be on file in the Office of the City Clerk.

