



Agenda Report

October 15, 2018

TO: Honorable Mayor and City Council

FROM: Department of Public Works

SUBJECT: AUTHORIZATION TO AMEND CONTRACT NO. 30,272 WITH JOHN L. HUNTER AND ASSOCIATES, INC. TO INCREASE TOTAL NOT-TO-EXCEED AMOUNT BY \$600,000 FROM \$400,000 TO \$1,000,000 FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CONSULTANT SERVICES

RECOMMENDATION:

It is recommended that the City Council:

1. Find that actions proposed herein are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15061(b)(3) (General Rule);
2. Authorize the City Manager to amend Contract No. 30,272 with John L. Hunter and Associates, Inc. to increase the contract amount by \$600,000, thereby increasing the total not-to-exceed amount from \$400,000 to \$1,000,000 and extending the contract an additional three years; and
3. To the extent this could be considered a separate procurement subject to the Competitive Selection Process, it is further recommended that City Council grant the proposed contract an exemption from the Competitive Selection Process pursuant to P.M.C. Section 4.08.049(B), contracts for which the City's best interest are served.

BACKGROUND:

On December 28, 2012, the Los Angeles County Municipal Separate Storm Sewer System Permit (MS4 Permit) became effective in accordance with the Clean Water Act. The Los Angeles MS4 Permit covers unincorporated areas of Los Angeles County, the Los Angeles County Flood Control District, and 84 cities within Los Angeles County, including the City of Pasadena.

Because of the complexities of MS4 compliance, consultant services are utilized to assist the Department of Public Works and the Department of Planning & Community Development in implementing the programs required by this stormwater permit. This

includes working directly with the Los Angeles Regional Water Quality Control Board (RWQCB) staff on behalf of the City; providing training for staff; implementing programs of the Enhanced Watershed Management Program (EWMP), coordinating with and attending regional stakeholder meetings with the Upper LA River EWMP Group, Los Angeles Permit Group, and other regional meetings as the City's representative; assisting with Total Maximum Daily Load (TMDL) compliance such as for trash and bacteria; preparing technical studies, daily generation rate trash surveys and NPDES annual reports; assisting with public outreach activities; providing Low Impact Development (LID) and Standard Urban Stormwater Mitigation Plan (SUSMP) plan checking services on all development sites over one acre; performing monthly site inspections of LID and SUSMP Best Management Practices; and conducting inspections of commercial and industrial sites to ensure pollutants are not introduced into the storm drain system.

Contract services provide comprehensive support for all of the aforementioned services provided by the Departments of Planning and Public Works. Following a formal competitive selection process, the City awarded a contract to John L. Hunter and Associates, Inc. on September 28, 2015. As the permittee, the City is held responsible for any illicit discharge to the public storm drain system. John L. Hunter and Associates, Inc. has been instrumental in making sure that the City's contractors, businesses and residents are informed and compliant with NPDES regulations to avoid fines from the RWQCB. The current contract for \$400,000 expires in January 2020; however, the contract balance will be exhausted in early 2019.

John L. Hunter and Associates, Inc. is a consulting firm with over 30 years of professional experience with NPDES compliance activities. They have worked for 40 cities in the Los Angeles metro area and were instrumental in creating stormwater management and monitoring plans for many of the Los Angeles watershed groups, as well as performing plan review and site inspection services, public outreach, annual reporting, staff training, and program management for similar clients. John L. Hunter and Associates, Inc. has provided excellent service to assist the City in implementing on-going compliance programs and avoiding liabilities, and their relationship with RWQCB staff ensures that the City's annual reports and compliance framework are aligned with RWQCB's goals. The Departments believe it is unlikely to find a more qualified firm to serve the City's best interest given the extensive regional expertise of John L. Hunter and Associates, Inc. and their familiarity of the City's on-going NPDES program. John L. Hunter and Associates, Inc. also provides stormwater consulting services to the neighboring cities of South Pasadena, Glendale, Arcadia, San Gabriel, Temple City, Monterey Park, among 30 other agencies in Los Angeles and Orange Counties.

The MS4 permit dictates incremental stormwater quality milestones to be programmed and met by cities through 2037; the permit's bacteria load reduction strategy shall be implemented by the City by end of FY 2020. To assure continuous and seamless compliance towards meeting these regional incremental goals, and given City's on-going stormwater programs, it serves the best interest of the City to amend the existing contract, increasing the contract amount by \$600,000 and extending the contract time an

additional three years. Staff anticipates an annual expenditure of approximately \$200,000 in contracted services. Approximately \$120,000 per year for Building & Safety LID plan checks and construction inspection services, which are ultimately billed to and paid for by the permit applicant; and, approximately \$80,000 per year for Public Works Department's stormwater permit management and implementation, funded by the City's Sewer Maintenance and Construction Fund.

COUNCIL POLICY CONSIDERATION:

The proposed contract amendment furthers the City Council goals to improve, maintain and enhance public infrastructure, and to increase conservation and sustainability.

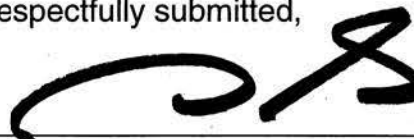
ENVIRONMENTAL ANALYSIS:

This project is exempt from CEQA review pursuant to State CEQA Guidelines Section 15061(b)(3). This contract is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to the provisions of CEQA.

FISCAL IMPACT:

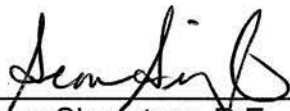
The proposed contract amendment with John L. Hunter and Associates, Inc. has a fiscal impact of up to \$600,000. Funds are available and will be budgeted in each Departments' operating budget for Fiscal Years 2019-2024.

Respectfully submitted,



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