

STAFF REPORT

DATE: January 12, 2010

TO: Water/Sewer Committee

FROM: Lauren M. Wasserman, Interim Water Utilities Director

SUBJECT: **RECOMMEND APPROVAL OF AMENDMENT 1 IN THE AMOUNT OF \$59,559.50 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JT KRUER & COMPANY, FOR ADDITIONAL CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE MESA GARRISON FORCE MAIN PROJECT**

SYNOPSIS

Staff recommends that the Water/Sewer Committee recommend that the Utilities Commission recommend that the City Council approve Amendment 1 in an amount not to exceed \$59,559.50 to the professional services agreement with J.T. Krueer & Company, of San Diego for additional construction management and inspection services for the Mesa Garrison Force Main project located along El Camino Real and authorize the City Manager to execute the amendment.

BACKGROUND

The project consisted of installing approximately 2,632 linear feet of force main via the conventional open-trench method of construction and installing 44 linear feet of force main inside over two 72-inch storm drain pipes just south of Mesa Drive in El Camino Real. The connections to the BVFM in the Oceanside Boulevard/El Camino Real intersection and to the 42-inch Hobas pipe in the Mesa/Garrison intersection were also constructed.

On October 8, 2008, City Council awarded a contract to BRH-Garver West, Inc., of San Diego in the amount of \$1,347,507 and City Council approved the professional services agreement with J.T. Krueer & Company in the amount of \$169,465 for construction management and inspection duties.

Construction of the Mesa Garrison Sewer Force Main Project was substantially completed on September 28, 2009. A final inspection was then performed and it was determined that the project was completed per the plans and specifications.

ANALYSIS

Amendment 1 is an increase in the cost of service in the amount of \$59,559.50 due to the 88 days of contract time extensions for additional pothole work, unforeseen scheduling impacts related to project design modifications and 16-inch fuel line conflicts and removal of a buried obstruction that were beyond the scope of the original agreement and necessary for a successful project completion.

FISCAL IMPACT

The Mesa/Garrison 42-inch Sewer Line fund (909566600726) has an available balance of \$797,340.91. Amendment 1 will increase the existing purchase order (# 77574) in the amount of \$59,559.50 for a total purchase order amount of \$229,024.50. Therefore adequate funds are available.

CITY ATTORNEY'S ANALYSIS

The referenced documents are being reviewed by the City Attorney's office.

INSURANCE REQUIREMENTS

The City's standard insurance requirements will be met.

COMMISSION OR COMMITTEE REPORT

Does not apply

RECOMMENDATIONS

Staff recommends that the Water/Sewer Committee recommend that the Utilities Commission recommend that the City Council approve Amendment 1 in an amount not to exceed \$59,559.50 to the professional services agreement with J.T. Kruer & Company, of San Diego for additional construction management and inspection services for the Mesa Garrison Force Main project located along El Camino Real and authorize the City Manager to execute the amendment.

PREPARED BY:

Greg Blakely
Administration Manager

STAFF REPORT

DATE: January 12, 2010

TO: Water/Sewer Committee

FROM: Lauren M. Wasserman, Interim Water Utilities Director

SUBJECT: **RECOMMEND APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$55,400 WITH RVL ASSOCIATES OF COSTA MESA FOR THE CITY OF OCEANSIDE'S WASTEWATER TREATMENT FACILITIES TECHNICALLY BASED LOCAL LIMITS STUDY**

SYNOPSIS

Staff recommends that the Water/Sewer Committee recommend that the Utilities Commission recommend that the City Council approve a professional services agreement in the amount of \$55,400 with RvL Associates of Costa Mesa for the City of Oceanside's wastewater treatment facilities Technically Based Local Limits Study, and authorize the City Manager to execute the agreement.

BACKGROUND

The Federal pretreatment regulations at 40 CFR 403.5(c) require publicly owned treatment works to develop and enforce local limits to implement the general and specific prohibitions at 40 CFR 403.5(a) and (b). The pretreatment regulations also require publicly owned treatment works to continue to develop these local limits as necessary and effectively enforce such limits.

The National Pollutant Discharge Elimination System (NPDES) regulations at 40 CFR 122.44(j)(2)(ii) require publicly owned treatment works to provide a current Technically Based Local Limits study in conjunction with permit reissuance. The City of Oceanside's current NPDES permit expires August 10, 2010.

On November 19, 2009, the California Regional Water Quality Control Board in San Diego conducted an audit of the City's pretreatment program and indicated that the City's existing local limits are not technically based from the standpoint that there is no assurance that they are protective of the City's two publicly owned treatment works (La Salina and San Luis Rey Wastewater Treatment Plants).

The Environmental Protection Agency (EPA) requires that municipalities provide a Technically Based Local Limits Study report using the EPA's July 2004 Local Limits Development Guidance. Since the development of the City's last Technically Based Local Limits, the number of new industrial facilities in Oceanside has increased

significantly. The revised Technically Based Local Limits Study must include adequate adjustments and take into account all the changes such as the current flow and pollutant loads contributed by the existing industrial facilities in Oceanside.

ANALYSIS

The purpose of the study is to develop a report containing the Technically Based Local Limits for the City's two treatment plants that will meet all regulatory requirements and protect the treatment plants, its discharge, and by-products from pass-through or interference caused by the regulated (industrial) dischargers. To develop Technically Based Local Limits using the 2004 EPA Guidelines, a mass balance around the City's treatment plants will be used to determine the removal rates for each pollutant of concern. Oceanside will submit the report to the California Regional water Quality Control Board, San Diego Region for approval.

On September 25, 2009, the staff sent a Request for Proposals to 5 qualified consulting firms to provide consulting services for its sanitary sewer Technically Based Local Limits Study. Proposals were due on October 23, 2009; staff received one proposal from RvL Associates and one consultant, Environmental Engineering & Contracting, Inc., contacted staff to advise they would not be responding to the request for proposals.

FISCAL IMPACT

The Miscellaneous Sewer Projects fund has an available balance of \$1,509,895.63. The consultants' cost associated with developing a Technically Based Local Limits Study using the 2004 Federal EPA Guidelines is \$55,400. Therefore, adequate funds are available.

INSURANCE REQUIREMENTS

The City's standard insurance requirements will be met.

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The referenced documents are being reviewed by the City Attorney's office.

RECOMMENDATION

Staff recommends that the Water/Sewer Committee recommend that the Utilities Commission recommend that the City Council approve a professional services agreement in the amount of \$55,400 with RvL Associates of Costa Mesa for the City of Oceanside's wastewater treatment facilities Technically Based Local Limits Study, and authorize the City Manager to execute the agreement.

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Administration Manager

Exhibit A: Request for Proposal Mailing List