

001211



104
12/02

THE CITY OF SAN DIEGO
REPORT TO THE CITY COUNCIL

DATE ISSUED: November 26, 2008 REPORT NO: 08-182
ATTENTION: Council President and City Council
Docket of December 2, 2008
SUBJECT: Wet Weather Storage Facility/NCWRP – Wet Weather Intermittent
Stream Discharge Feasibility Study – Phase II

REQUESTED ACTION:

1. Authorize the Mayor or his designee to enter into and execute a contract with RMC Water and Environment, for an amount not to exceed \$450,000, for professional consultant services for the NCWRP – Wet Weather Intermittent Stream Discharge Feasibility Study-Phase II.
2. Authorize the expenditure of \$450,000 from CIP 45-940.0, Wet Weather Storage Facility, Fund 41509, for this contract.

STAFF RECOMMENDATION:

Adopt the Resolutions.

SUMMARY:

Background:

The objective of this feasibility study is to investigate the possibility of discharging reclaimed water from the City of San Diego's North City Water Reclamation Plant (NCWRP) to streams during extreme wet weather events and to provide sufficient data and analyses to support a permit application to the Regional Water Quality Control Board (RWQCB).

Reclaimed water from the 30-mgd NCWRP is distributed to irrigation and industrial customers within the northern portion of the City via a reclaimed water distribution system. During periods of wet weather, there is much less demand for reclaimed water and most NCWRP flows are discharged back into the sewer system for transport to the City's Point Loma Wastewater Treatment Plant, where it is retreated prior to discharge to the Pacific Ocean. Additionally, during such periods of wet weather, total system-wide influent to the Point Loma plant is increased as a result of inflow and infiltration into the Metropolitan Sewer System. Therefore, MWWD seeks to evaluate the potential for intermittent discharge to streams as a method of offloading its collection, pumping, and treatment facilities during extreme wet weather events.

001212

The evaluation of such discharge potential is a necessary component of the Metropolitan Wastewater master planning. The current sewer rate case includes the Wet Weather Storage Facility, CIP 45-940.0. This proposed project utilizes a 7 million gallon underground storage tank located near Pump Station 2, which will intercept and store peak wet weather flow for discharge during off-peak hours. This facility will reduce the risk of potential wet weather spills. A National Pollutant Discharge Elimination System (NPDES) permit allowing a stream discharge will provide a viable alternative to the storage tank contemplated under the Wet Weather Storage Facility project at greatly reduced cost, thus deferring the associated capital investment by at least 5 years.

Project Status:

The Purchasing and Contracting Department advertised for professional engineering services in September 2007. Only one proposal was received; the small response was largely attributed to the special expertise required for this comprehensive feasibility study. The presentation and interview for the selection of the consultant was conducted in October 2007. The selection panel included a representative from the Equal Opportunity Contracting Program (EOCP). RMC Water and Environment (RMC) was selected per Council Policy 300-07 to complete the feasibility study based on their expertise and prior experiences with both year-round and wet weather intermittent stream discharge studies and projects.

This project was reviewed by the Natural Resources and Culture Committee (NR&C) at its February 27, 2008 meeting and was recommended by the Committee for City Council approval. At the March 25, 2008 City Council Meeting, several environmental and community groups expressed concern that this project was not made known to them in advance and requested a briefing from staff prior to the Council's approval. In consideration of the request, the Council decided to defer action on this issue for a month to allow the briefing to take place.

On April 10, 2008, MWWD staff met with the environmental and community stakeholders who participated in the March 25, 2008 Council meeting to detail the purpose and scope of this project. During the briefing, the stakeholders discussed various issues in regards to regulatory requirements, environmental impacts, and long-term wastewater planning and concluded with a recommendation to divide the feasibility study into two phases. Among the concerns, the stakeholders wanted an assessment of the likelihood of acquiring the stream discharge permit from the RWQCB before expending the money for the entire feasibility study.

In concurrence with the stakeholders, MWWD staff divided the project into two phases to be performed under two separate agreements. The scopes of the two phases are as follows: Phase I involved engaging key stakeholders in the process and assessed the likelihood of RWQCB staff responding favorably to a future permit application; Phase II includes sampling and testing of the stream water, discharge frequency analysis, diversion facility planning, hydraulic and environmental impact analyses, permit compliance assistance, and stakeholder workshops. If the results of Phase I indicated a reasonable likelihood of obtaining a RWQCB permit, proceeding with Phase II would be recommended. From the perspective of effort and cost, Phase I represents only about 7.5 percent of the entire feasibility study.

001213

The Phase I contract, in the amount of \$35,756, was awarded to RMC under the Mayor's authority in May 2008. In October 2008, RMC completed the Phase I study, which involved workshops with the stakeholders on June 26, 2008 and September 18, 2008, and a consultation meeting with the RWQCB staff. In summary, RMC's Phase I study concluded that both the stakeholders and RWQCB staff are supportive of performing the data collection and technical analyses included in Phase II. The RWQCB currently does not have a policy or prohibition regarding this type of extreme wet weather discharge. The key findings of the Phase I study are listed as follows:

1. The wet weather intermittent stream discharge shall be considered as an interim solution until long-term capacity solutions for the Metro System are in place.
2. Phase II shall determine the frequency and duration of hydrologic events that may result in the need for wet weather stream discharge.
3. Phase II shall demonstrate that discharge volume and frequency would not have significant water quality, hydrologic, geomorphic, and/or habitat impacts in the receiving watersheds.
4. Phase II shall determine if a diversion component would be adequate to mitigate for nutrient loading during wet weather stream discharge.
5. The RWQCB currently has no policy or prohibition regarding this type of extreme wet weather discharge.
6. Both the stakeholders and RWQCB staff acknowledged the importance of the data collection and technical analysis included in the proposed Phase II study. It was acknowledged that the data and findings of the Phase II study could provide a basis for the RWQCB in establishing policy for this type of discharge.
7. Close coordination and communication shall be maintained with the stakeholders and RWQCB staff during the Phase II study.
8. City shall develop alternative wet weather flow management strategies to assure the stakeholders and the RWQCB that a wet weather intermittent discharge project will be removed from service by 2025.

Recommendation

MWWD recommends retaining RMC for the Phase II study. In October 2007, RMC was selected per Council Policy 300-07 for the entire feasibility study, consisting of both Phase I and II. The recommendation is to authorize the Mayor or his designee to enter into and execute a contract with RMC to perform the Phase II study. Input from both stakeholders and RWQCB staff was used to modify the original scope of work for Phase II. Phase II has a total cost of not-to-exceed \$450,000. The study is expected to be completed in 12 months after the issuance of the notice to proceed.

Equal Opportunity Contracting

Funding Agency: City of San Diego
Goals: 15% voluntary (MBE/WBE/DBE/DVBE/OBE)
Subconsultant Participation: \$84,338 Other Firms (18%)

001214

Other:

Work Force Report Submitted. RMC's local office has fewer than 15 employees and is therefore exempt from the employment category goals.

To support their Equal Opportunity Contracting commitment, as part of their outreach efforts, RMC sent a letter to San Diego Contracting Opportunities Center (SDCOC) inviting interested subconsultants to participate on the RMC team. SDCOC forwarded the letter to 68 contractors. RMC also attended the pre-proposal meeting held by the City in September 2007 to network with potential subcontractors. One of the RMC's subconsultants in this contract, Talavera & Richardson - 3 % participation, is certified as a MBE by the County and City of San Francisco, but is not yet certified by the California Unified Certification Program.

FISCAL CONSIDERATIONS:

Authorize the expenditure of \$450,000 from CIP 45-940.0, Wet Weather Storage Facility, Fund 41509, for this contract.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Stakeholder meetings were held on April 10, 2008, June 26, 2008, and September 18, 2008. Attendees included representatives from the Key Stakeholders listed below. The stakeholder group reviewed the scope of work for Phase II and did not object to moving forward.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

RMC Water and Environment, Marian Bear Park Recreation Council, San Diego Audubon Society, San Diego Coastkeeper, Friends of Rose Canyon, Friends of Los Peñasquitos Canyon Program, Land Conservancy Brokerage, and Coast Law Group, LLC. No significant impact is projected at the present time.



Robert J. Ferrier
Metropolitan Wastewater Assistant Director

 11.12.08

J.M. Barrett
Director of Public Utilities

001215
DOCKET SUPPORTING INFORMATION
CITY OF SAN DIEGO
EQUAL OPPORTUNITY CONTRACTING PROGRAM EVALUATION

DATE: 104
October 24, 2008 12/02

SUBJECT: Wet Weather Storage Facility/NCWRP – Wet Weather Intermittent Stream Discharge Feasibility Study – Phase II

GENERAL CONTRACT INFORMATION

Recommended Consultant: RMC
Amount of this Action: \$450,000.00
Funding Source: City of San Diego

<u>SUBCONSULTANT PARTICIPATION</u>	<u>This Action</u>	
David Richardson (Other)	\$ 14,000.00	3.11%
David Cannon (Other)	\$ 70,338.00	15.63%
Total Certified Participation	\$ 0.00	0.00%
Total Other Participation	\$ 84,338.00	18.74%
Total Participation	\$ 84,338.00	18.74%

EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE

RMC Water and Environment, Inc. submitted a Work Force Report for their San Diego employees dated, October 21, 2008. The Administrative Work Force Report reflects less than fifteen (15) employees and is, therefore, exempt from analysis.

ADDITIONAL COMMENTS

The Work Force Analysis Report is attached.


by MM-J

001216

File: Admin WFOF 2000
 Date WFOF Submitted: 10/21/2005
 Input by: Led

Goals reflect statistical labor force availability for the following: 2000 CLFA
 Contra Costa County, CA

City of San Diego/Equal Opportunity Contracting
WORK FORCE ANALYSIS REPORT
 FOR
 Company: RMC Water and Environment

001217

I. TOTAL WORK FORCE:

	Black		Hispanic		Asian		American Indian		Filipino		White		Other					
	CLFA Goals	M	F	CLFA Goals	M	F	CLFA Goals	M	F	CLFA Goals	M	F	CLFA Goals	M	F			
Mgmt & Financial	5.7%	0	0	6.7%	0	0	9.1%	0	0	0.3%	0	0	9.1%	0	0	0	0	
Professional	8.1%	0	0	7.5%	0	0	9.5%	0	0	0.3%	0	0	9.5%	0	0	0	0	
A&E, Science, Computer	4.3%	0	0	5.0%	0	0	22.4%	0	0	0.2%	0	0	22.4%	0	0	4	3	
Technical	9.4%	0	0	11.7%	0	0	16.5%	0	0	0.1%	0	0	16.5%	0	0	0	0	
Sales	6.4%	0	0	11.3%	0	0	10.4%	0	0	0.3%	0	0	10.4%	0	0	0	0	
Administrative Support	11.7%	0	0	13.5%	0	0	12.7%	0	0	0.5%	0	0	12.7%	0	0	0	1	
Services	10.0%	0	0	30.4%	0	0	11.8%	0	0	0.5%	0	0	11.8%	0	0	0	0	
Crafts	6.0%	0	0	16.0%	0	0	8.5%	0	0	0.5%	0	0	8.5%	0	0	0	0	
Operative Workers	9.2%	0	0	25.2%	0	0	14.2%	0	0	0.7%	0	0	14.2%	0	0	0	0	
Transportation	14.9%	0	0	21.4%	0	0	8.6%	0	0	1.0%	0	0	8.6%	0	0	0	0	
Laborers	8.5%	0	0	45.8%	0	0	5.0%	0	0	0.4%	0	0	5.0%	0	0	0	0	
TOTAL		0	0		0	0		0	0		0	0		4	4		0	0

HOW TO READ TOTAL WORK FORCE SECTION:

The information blocks in Section 1 (Total Work Force) identify the absolute number of the firm's employees. Each employee is listed in their respective ethnic/gender and employment category. The percentages listed under the heading of "CLFA Goals" are the County Labor Force Availability goals for each employment and ethnic/gender category.

Mgmt & Financial
 Professional
 A&E, Science, Computer
 Technical
 Sales
 Administrative Support
 Services
 Crafts
 Operative Workers
 Transportation
 Laborers

	TOTAL EMPLOYEES			Female Goals
	ALL	M	F	
Mgmt & Financial	0	0	0	39.7%
Professional	0	0	0	60.9%
A&E, Science, Computer	7	4	3	25.4%
Technical	0	0	0	53.1%
Sales	0	0	0	46.6%
Administrative Support	1	0	1	75.7%
Services	0	0	0	64.4%
Crafts	0	0	0	8.9%
Operative Workers	0	0	0	28.9%
Transportation	0	0	0	14.1%
Laborers	0	0	0	12.6%
TOTAL	8	4	4	

HOW TO READ EMPLOYMENT ANALYSIS SECTION:

The percentages listed in the goals column are calculated by multiplying the CLFA goals by the number of employees in that job category. The number in that column represents the percentage of each protected group that should be employed by the firm to meet the CLFA goal. A negative number will be shown in the discrepancy column for each underrepresented goal of at least 1.00 position.

II. EMPLOYMENT ANALYSIS

This firm has fewer than 15 employees and is, therefore, exempt from the employment category goals.

001213



City of San Diego
EQUAL OPPORTUNITY CONTRACTING (EOC)
1200 Third Avenue • Suite 200 • San Diego, CA 92101
Phone: (619) 236-6000 • Fax: (619) 235-5209

WORK FORCE REPORT
LOCAL WORK FORCE

The objective of the Equal Employment Opportunity Outreach Program, San Diego Municipal Code Sections 22.3501 through 22.3517, is to ensure that contractors doing business with the City, or receiving funds from the City, do not engage in unlawful discriminatory employment practices prohibited by State and Federal law. Such employment practices include, but are not limited to unlawful discrimination in the following: employment, promotion or upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rate of pay or other forms of compensation, and selection for training, including apprenticeship. Contractors are required to provide a completed Work Force Report.

CONTRACTOR IDENTIFICATION

Type of Contractor: [] Construction [] Vendor/Supplier [] Financial Institution [] Lessee/Lessor
[X] Consultant [] Grant Recipient [] Insurance Company [] Other
Name of Company: RMC Water and Environment
AKA/DBA: RMC
Address (Corporate Headquarters, where applicable): 2001 North Main Street, Suite 400
City Walnut Creek County Contra Costa State California Zip 94596
Telephone Number: (925) 627-4100 FAX Number: (925) 627-4101
Name of Company CEO: Randall Raines
Address(es), phone and fax number(s) of company facilities located in San Diego County (if different from above):
Address: 4225 Executive Square, Suite 750
City San Diego County San Diego State California Zip 92037
Telephone Number: (858) 875-7400 FAX Number: (858) 875-7501
Type of Business: Consulting Engineering Type of License: Business
The Company has appointed: Colleen Onishi
as its Equal Employment Opportunity Officer (EEOO). The EEOO has been given authority to establish, disseminate, and enforce equal employment and affirmative action policies of this company. The EEOO may be contacted at:
Address: 2001 North Main Street, Suite 400, Walnut Creek California 94596
Telephone Number: (925) 627-4100 FAX Number: (925) 627-4101

For Firm's: [X] San Diego Work Force and/or [] Managing Office Work Force

I, the undersigned representative of RMC Water and Environment (Firm Name)

San Diego, California hereby certify that information provided (County) (State)

herein is true and correct. This document was executed on this 22 day of OCTOBER, 2008.

Michael Flores (Authorized Signature)

MICHAEL FLORES (Print Authorized Signature Name)

001221

WORK FORCE REPORT - Page 2

NAME OF FIRM: RMC Water and Environment

DATE: October 21, 2008

INSTRUCTIONS: For each occupational category, indicate number of males and females in every ethnic group. Total columns in row provided. Sum of all totals should be equal to your total work force. Include all those employed by your company on either a full or part-time basis. The following groups are to be included in ethnic categories listed in columns below:

- (1) African-American, Black
- (2) Latino, Hispanic, Mexican-American, Puerto Rican
- (3) Asian, Pacific Islander
- (4) American Indian, Eskimo
- (5) Filipino
- (6) Caucasian
- (7) Other ethnicity; not falling into other groups

OCCUPATIONAL CATEGORY	(1) African-American		(2) Latino		(3) Asian		(4) American Indian		(5) Filipino		(6) Caucasian		(7) Other Ethnicities	
	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)
Executive, Administrative, Managerial														
Professional Specialty														
Engineers/Architects											4	3		
Technicians and Related Support														
Sales														
Administrative Support/Clerical												1		
Services														
Precision Production, Craft and Repair														
Machine Operators, Assemblers, Inspectors														
Transportation and Material Moving														
Handlers, Equipment Cleaners, Helpers and Non-construction Laborers*														

*Construction laborers and other field employees are not to be included on this page

TOTALS EACH COLUMN											4	4		
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GRAND TOTAL ALL EMPLOYEES	8
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INDICATE BY GENDER AND ETHNICITY THE NUMBER OF ABOVE EMPLOYEES WHO ARE DISABLED:

DISABLED														
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NON-PROFIT ORGANIZATIONS ONLY:

BOARD OF DIRECTORS														
VOLUNTEERS														
ARTISTS														

001222

NAME OF FIRM: RMC Water and Environment

DATE: October 21, 2008

INSTRUCTIONS: For each occupational category, indicate number of males and females in every ethnic group. Total columns in row provided. Sum of all totals should be equal to your total work force. Include all those employed by your company on either a full or part-time basis. The following groups are to be included in ethnic categories listed in columns below:

- (1) African-American, Black
- (2) Latino, Hispanic, Mexican-American, Puerto Rican
- (3) Asian, Pacific Islander
- (4) American Indian, Eskimo
- (5) Filipino
- (6) Caucasian
- (7) Other ethnicity; not falling into other groups

OCCUPATIONAL CATEGORY	(1) African-American		(2) Latino		(3) Asian		(4) American Indian		(5) Filipino		(6) Caucasian		(7) Other Ethnicities	
	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)
	Carpenter													
Drywall Installer														
Electrician														
Elevator Installers														
Finishers, Concrete or Terrazzo														
Glaziers														
Helpers, Construction Trade														
Ironworkers, Structural Metal Workers														
Laborers														
Millwrights														
Masons, Bricklayers														
Tile setters														
Operators														
Painters														
Pipe fitter, Plumbers														
Plasterers														
Roofers														
Security, Protective Services														
Sheet Metal, Duct Installers														
Welders, Cutters														
TOTALS EACH COLUMN														

GRAND TOTAL ALL EMPLOYEES: 0

INDICATE BY GENDER AND ETHNICITY THE NUMBER OF ABOVE EMPLOYEES WHO ARE DISABLED:

DISABLED														
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MWD-9027

001223

REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO

1. CERTIFICATE NUMBER (FOR AUDITOR'S USE) 104
290038 12/02

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT): METROPOLITAN WASTEWATER DEPARTMENT

3. DATE: October 14, 2008

4. SUBJECT: Wet Weather Storage Facility/NCWRP - Wet Weather Intermittent Stream Discharge Feasibility Study-Phase II

5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.)
Guann Hwang, 858-292-6476, MS 901A

6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.)
Margaret Llagas, 858-654-4494, MS 901A

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	41509		
DEPT.	779		
ORGANIZATION	N/A		
OBJECT ACCOUNT	4279 41191		
JOB ORDER	190506		
C.I.P. NUMBER	45-940.0		
AMOUNT	\$450,000		

9. ADDITIONAL INFORMATION / ESTIMATED COST:	
Consultant:	\$450,000
This Request:	\$450,000

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT.	<i>[Signature]</i>	10/23/08	7	DIR. OF PUBL. UTIL.	<i>[Signature]</i>	11-12-08
2	E.O.C.	<i>[Signature]</i>	10/24/08	8	CITY ATTORNEY	<i>[Signature]</i>	11-17-08
3	E.A.S.	<i>[Signature]</i>	10/28/08	9	ORIG. DEPT.	<i>[Signature]</i>	11/17/08
4	DAISON OFFICE	N/A					
5	F.M.	<i>[Signature]</i>	11/7/08		DOCKET COORD:	COUNCIL LIAISON	SC 11/18/08
6	AUDITOR	<i>[Signature]</i>	11/12/08		COUNCIL PRESIDENT	<input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION	
					<input type="checkbox"/> REFER TO:	COUNCIL DATE: 12/2/08	

11. PREPARATION OF: RESOLUTIONS ORDINANCE(S) AGREEMENT(S) DEED(S)

1. Authorizing the Mayor, or his designee, to enter into and execute a contract with RMC Water and Environment, for an amount not to exceed \$450,000, for professional consultant services for the NCWRP - Wet Weather Intermittent Stream Discharge Feasibility Study-Phase II.

2. Authorizing the expenditure of \$450,000 from CIP 45-940.0, Wet Weather Storage Facility, Fund 41509, for this contract.

11A. STAFF RECOMMENDATIONS
Adopt the Resolution

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT(S): 1

COMMUNITY AREA(S): University City

ENVIRONMENTAL IMPACT: This activity (executing a contract) is not a "project" and therefore not subject to CEQA pursuant to the State Guidelines Section 15060(c)(3). The Wet Weather Intermittent Stream Discharge Feasibility Study is statutorily exempt from CEQA pursuant to Section 15262.

ATTACHMENTS: Agreement with RMC Water and Environment, Report to the Council

CITY CLERK INSTRUCTIONS: Please forward two (2) copies of the Resolution to MWD, MS:901A, Attn. Rose Salarda.

DATE REPORT ISSUED: October 21, 2008
ATTENTION: Council President and City Council
ORIGINATING DEPARTMENT: Metropolitan Wastewater Department
SUBJECT: Wet Weather Storage Facility/NCWRP – Wet Weather Intermittent Stream Discharge Feasibility Study-Phase II
COUNCIL DISTRICT(S): 1
STAFF CONTACT: Guann Hwang (858) 292-6476, Margaret Llagas (858) 654-4494

REQUESTED ACTION:

Award of a contract to RMC Water and Environment and authorize the expenditure in the amount of \$450,000 from Sewer Fund 41509, CIP 45-940.0, Wet Weather Storage Facility.

STAFF RECOMMENDATION:

Adopt the Resolution.

EXECUTIVE SUMMARY:

The objective of this feasibility study is to investigate the possibility of discharging reclaimed water from the City of San Diego's North City Water Reclamation Plant (NCWRP) to tributaries of streams during extreme wet weather events and to provide sufficient data to support a National Pollutant Discharge Elimination System (NPDES) permit application to the Regional Water Quality Control Board (RWQCB). Evaluation of such discharge potential is a necessary component of MWWD's facility master planning. An NPDES permit allowing such a stream discharge during extreme wet weather events will allow the City to defer the construction of a large holding tank by at least five years.

RMC Water and Environment (RMC) was selected per Council Policy 300-07 to complete a comprehensive feasibility study based on its prior experiences with both year-round and emergency intermittent stream discharge studies and projects. At the March 25, 2008 Council Meeting, MWWD was directed to meet with project stakeholders to discuss the project and solicit feedback before resubmitting the project for Council approval. Subsequently, the MWWD Project Team met with stakeholders on April 10, 2008; based on the stakeholders' suggestions, the feasibility study was divided into two phases.

Phase I in the amount of \$35,756 was awarded under the Mayor's authority in May 2008. RMC has completed the Phase I study which involved working closely with key stakeholders and consulting with the RWQCB to evaluate if the project is feasible. During a consultation meeting with the RWQCB it was acknowledged that more data and findings are needed to determine if an NPDES permit can be issued. RWQCB currently does not have a policy or prohibition regarding this type of extreme wet weather discharge. The Board stated that the data and findings of the study could provide a basis for the RWQCB in establishing policy for this type of discharge. In order to satisfy NPDES permit application requirements and to address questions and concerns raised during Phase I, MWWD is recommending to proceed with Phase II.

MWWD would retain RMC for Phase II. The consultant will estimate the frequency and duration of the required stream discharge, analyze hydraulic and water quality impacts, evaluate environmental impacts, identify potential discharge points, prepare planning-level drawings and cost estimates of the diversion facilities, and assist in permit compliance. The consultant will also facilitate the meetings with stakeholders and the RWQCB.

C01225

EQUAL OPPORTUNITY CONTRACTING

Funding Agency: City of San Diego
Goals: 15% voluntary (MBE/WBE/DBE/DVBE/OBE)
Subconsultant Participation: \$84,338 Other Firms (18%)
Other: Work Force Report Submitted. RMC's local office has fewer than 15 employees and is therefore exempt from the employment category goals.

To support their Equal Opportunity Contracting commitment, as part of their outreach efforts, RMC sent a letter to San Diego Contracting Opportunities Center (SDCOC) inviting interested subconsultants to participate on the RMC team. SDCOC forwarded the letter to 68 contractors. RMC also attended the pre-proposal meeting held by the City in September 2007 to network with potential subcontractors. One of the RMC's subconsultants in this contract, Talavera & Richardson - 3 % participation, is certified as an MBE by the County and City of San Francisco, but is not yet certified by the California Unified Certification Program.

FISCAL CONSIDERATIONS:

The total amount of this request is \$450,000. Funds are available from Sewer Fund 41509, CIP 45-940.0, Wet Weather Storage Facility.

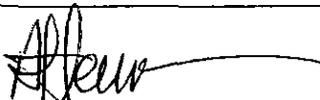
PREVIOUS COUNCIL and/or COMMITTEE ACTION: N/A

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

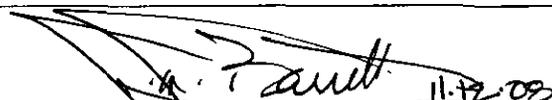
Stakeholder meetings were held on April 10, 2008, June 26, 2008, and September 18, 2008. Attendees included representatives from the Key Stakeholders listed below. The stakeholder group reviewed the scope of work for Phase II and did not object to moving forward.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

RMC Water and Environment, Marian Bear Park Recreation Council, San Diego Audubon Society, San Diego Coastkeeper, Friends of Rose Canyon, Friends of Los Peñasquitos Canyon Program, Land Conservancy Brokerage, and Coast Law Group, LLC. No significant impact is projected at the present time.



Robert J. Ferrier
Metropolitan Wastewater Assistant Director



J.M. Barrett
Director of Public Utilities

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AN AGREEMENT WITH RMC WATER & ENVIRONMENT REGARDING A WET WEATHER FEASIBILITY STUDY; AND AUTHORIZING AN EXPENDITURE FOR SUCH AGREEMENT.

WHEREAS, the City may wish to discharge reclaimed water into tributaries of streams during extreme wet weather under its current National Pollutant Discharge Elimination System [NPDES] permit, which will require data as to feasibility; and

WHEREAS, preliminary data was collected by RMC Water & Environment and the City would now like to retain their services for further data collection; and NOW, THEREFORE,

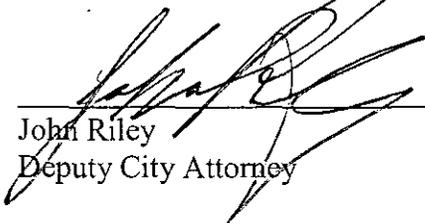
BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is authorized to execute, for and on behalf of the City, Amendment No. 2 to the Agreement with RMC Water & Environment for professional consultant services in connection with the North City Water Reclamation Plant – Wet Weather Intermittent Stream Discharge Feasibility Study – Phase II, under the terms and conditions set forth in the Agreement and the Amendments thereto, on file in the office of the City Clerk as Document No. RR-_____.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$450,000 from Fund No. 41509, CIP 45-940.0, Wet Weather Storage Facility, is authorized, solely and exclusively to provide funds for the above agreement.

BE IT FURTHER RESOLVED, that the above activity is not a project and therefore is not subject to the California Environmental Quality Act pursuant to CEQA Guidelines section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



John Riley
Deputy City Attorney

JR:ca
11/14/08
Aud.Cert: AC #2900382
Or.Dept:MWWD
MWD-9027
R-2009-521

I hereby certify that the foregoing Resolution was passed by the Council of the City of Diego, at its meeting of _____.

ELIZABETH S. MALAND, City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

MWD-9027

ORIGINAL

001231

CITY OF SAN DIEGO
METROPOLITAN WASTEWATER DEPARTMENT

AMENDMENT NO. 2

TO THE

AGREEMENT

BETWEEN

THE CITY OF SAN DIEGO

AND

RMC WATER AND ENVIRONMENT

FOR

PROFESSIONAL CONSULTANT SERVICES

FOR THE

NORTH CITY WATER RECLAMATION PLANT LIVE STREAM

DISCHARGE FEASIBILITY STUDY - PHASE I

(NORTH CITY WATER RECLAMATION PLANT WET WEATHER
INTERMITTENT STREAM DISCHARGE FEASIBILITY STUDY-PHASE I and II)

WHEREAS, the City of San Diego (City), on May 28, 2008, entered into an Agreement (the original of which is on file in the Office of the City Clerk as Document C-14612) with RMC Water and Environment (Consultant) for professional consulting services for North City Water Reclamation Plant's (NCWRP) live stream discharge feasibility study - Phase I; and

WHEREAS, on September 10, 2008, the City and the Consultant mutually agreed to amend the Agreement and entered into Amendment No. 1 (the original of which is on file in the Office of the City Clerk as Document No. C-14695), to extend the completion date at no additional cost; and

WHEREAS, the stakeholders of this feasibility study have requested and the City concurs to formally revise the contract name to more precisely reflect the scope of services; and

WHEREAS, as a result of the Phase I study, the City requires and the Consultant agrees to assess the feasibility of an intermittent discharge of reclaimed water from NCWRP to the local stream's system during major storm events as defined in the Phase II scope of services attached hereto; and

001232

WHEREAS, the City and the Consultant mutually agree to increase the compensation for the scope of services from \$35,756 (original Phase I work) by \$416,525 (added Phase II work) for a total of \$452,281 and to add Additional Services (added Phase II work) for total of \$33,475 for a new not to exceed contract value of \$485,756; and

WHEREAS, the City and the Consultant mutually agree to extend the contract completion date from November 28, 2008 to January 31, 2010;

NOW THEREFORE, the City and the Consultant mutually agree to amend the Agreement as follows:

1.0 Agreement, all documentation, correspondence

Revise the Agreement name:

FROM:

“Professional Consultant Services for the North City Water Reclamation Plant Live Stream Discharge Feasibility Study – Phase 1”

TO:

“Professional Consultant Services for the North City Water Reclamation Plant Wet Weather Intermittent Stream Discharge Feasibility Study – Phase I and II”

2.0 Article II - Duration of Agreement, Section 2.1 – Term of Agreement, second sentence, page 8

Revise Section 2.1:

FROM:

“Unless otherwise terminated, this Agreement shall be effective until November 28, 2008, unless said duration is modified in writing by an amendment to this Agreement.”

TO:

*Unless otherwise terminated, this Agreement shall be effective until **January 31, 2010**, unless said duration is modified in writing by an amendment to this Agreement.”*

001233

- 3.0 Article III – Compensation, Section 3.1 – Amount of Compensation, page 9
Revise Section 3.1:

FROM:

“The total compensation for work performed under this Agreement shall not exceed Thirty-Five Thousand, Seven Hundred Fifty-six (\$35,756.00) Dollars unless modified in writing by the City. The City shall pay the Consultant for performance of all Professional Services rendered in accordance with Exhibit A of this Agreement.”

TO:

The City shall pay the Consultant for performance of all Services rendered in accordance with this Agreement, including reasonably related expenses, in a lump sum amount not to exceed \$ 485,756, consisting of \$35,756 for the Phase I and \$450,000 for the Phase II. The compensation for the Scope of Services for both Phase I and II shall not exceed \$452,281 and the compensation for Additional Services for Phase II only (described in Section 3.2), if any, shall not exceed \$ 33,475.

- 4.0 Article III – Compensation, Section 3.2 – Reserved, page 10
Revise Section 3.2:

FROM:

“Reserved”

TO:

“**Additional Services.** The City may require that the Consultant perform additional Services beyond those described in the Scope of Services [Additional Services]. Prior to the Consultant's performance of Additional Services, the City and the Consultant must agree in writing upon a fee for the Additional Services, including reasonably related expenses, in accordance with the Compensation and Fee Schedule. The City will pay the Consultant for the performance of Additional Services in accordance with Section 3.3.

- 5.0 Exhibit A - Scope of Work, Exhibit B – Schedule

Revise Exhibit A and Exhibit B to include Exhibit A-1 Scope of Work and Exhibit B-1 Schedule, which are attached to this Amendment No. 2.

001234

6.0 Exhibit C – Compensation and Fee Schedule

All work performed after the effective date of this Amendment No. 2 will be billed in accordance with Exhibit C-1.

The remainder of this page is intentionally left blank

001235

THIS AMENDMENT NO. 2 to the Agreement shall affect only the page(s), paragraph(s), and/or term(s) and conditions referred to herein. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, this AMENDMENT NO. 2 is executed by the City of San Diego, acting by and through its Mayor or designee and by the Consultant.

RMC Water and Environment.
Consultant

THE CITY OF SAN DIEGO
a Municipal Corporation

By: [Signature]
Title: THOMAS TICHENBLOSCU
SENIOR VP

By: _____
W. Downs Prior
Principal Contract Specialist

Date: 6 Nov 08

Date: _____

I HEREBY APPROVE the form and legality of the foregoing AMENDMENT this _____ day of _____, 2008.

MICHAEL J. AGUIRRE, City Attorney

By: _____
Deputy City Attorney

001236

EXHIBIT A -1

SCOPE OF SERVICES

**SCOPE OF SERVICES
FOR
CITY OF SAN DIEGO
METROPOLITAN WASTEWATER DEPARTMENT
NORTH CITY WATER RECLAMATION PLANT
WET WEATHER INTERMITTENT STREAM DISCHARGE
FEASIBILITY STUDY, PHASE II**

This Scope of Work defines the scope of the Consultant's engineering services necessary to assess the feasibility of an intermittent discharge of reclaimed water from the City of San Diego's North City Water Reclamation Plant (NCWRP) to the local stream system during major storm events.

PROJECT BACKGROUND

In the past decade, infiltration and inflow associated with major storm events have caused peak wet weather flows at the Metropolitan Sewer System's (Metro System) Pump Station 2 to approach that facility's capacity. Although flows in the Metro System generally have not increased over the past decade, future extreme wet weather conditions (caused in part by climate change) may cause Metro flows to exceed Pump Station 2 capacity. Metropolitan Wastewater Department's (MWWD) planned long term capital facilities (South Bay Wastewater Treatment Plant; South Bay Pump Station, etc.) would address this capacity issue, but are not anticipated to be on-line until around 2025. In need of an interim remedy, MWWD has identified a \$260 million wet weather storage tank and tunnel system to be implemented in two phases.

As an option to this interim capital improvement, MWWD seeks to evaluate the potential for discharge of recycled water from the NCWRP to a stream as an alternative method of offloading peak wet weather flows in the Metro System during these major wet weather events. Reclaimed water from the 30-mgd NCWRP is typically distributed to irrigation and industrial customers within the northern portion of the City via a reclaimed water distribution system. Excess NCWRP reclaimed water is diverted back into the sewer system for transport to the City's Point Loma Wastewater Treatment Plant, where it is retreated prior to discharge to the Pacific Ocean via the Point Loma Ocean Outfall. During winter months, and especially during wet weather, demand for recycled water is low and the majority of the recycled water at NCWRP is diverted back to Point Loma.

Conducting this Feasibility Study would entail sufficient data collection and technical analysis to assess the technical, environmental, economic, and regulatory viability of an interim wet weather intermittent stream discharge project.

The project was divided into two phases. Phase I involved engaging key stakeholders in the process and establishing the likelihood of (Regional Water Quality Control Board) RWQCB staff responding favorably to a future permit application. Both stakeholders and RWQCB staff were supportive of performing the data collection and technical analysis included in Phase II. Input from both stakeholders and RWQCB staff was used to develop the Scope of Work for Phase II. Ongoing stakeholder involvement is a key part of this Phase II work effort.

SCOPE OF WORK

PHASE II Wet Weather Intermittent Stream Discharge Feasibility Study

Task 1 – Review Documents and Collect Data

- 1.1 The Consultant shall collect and review existing documents and data prepared by the City, County of San Diego, RWQCB, and other agencies to understand the background, issues, and requirements relevant to this study not collected and analyzed as part of Phase I. As part of this review, the Consultant shall identify inland and coastal waters within and adjacent to the NCWRP reclaimed water service area that are designated by the State and EPA as impaired water bodies under Section 303(d) of the Clean Water Act.
- 1.2 The Consultant shall collect and review storm water runoff and urban runoff data collected by the City, County, and regional storm water Copermittees for surface waters within and adjacent to the NCWRP service area.
- 1.3 The Consultant shall collect and review historical water quality data for recycled water produced by the NCWRP. If historical data does not exist for necessary parameters, MWWD's Environmental Monitoring and Technical Services (EMTS) Division will collect and analyze a minimum of two samples for each constituent.

Assumptions:

Existing documents and data collected by the City, County, and regional storm water Copermittees will be made available to the Consultant for review and compilation. Water quality data for the NCWRP effluent will be provided to the Consultant. MWWD's EMTS Division will provide testing services for any samples collected.

Task 2 – Frequency and Duration of Discharge

- 2.1 The Consultant shall correlate historic Metro System flows with precipitation and develop a relation between precipitations and the effects on Metro System flows. The analysis shall consist of calibrating the City's existing PICS/MOST model to PS2 flows and radar-based rainfall observed during the wet winter of 2004-2005, and comparing the results to the previous model calibration that was based primarily on 1998 storms. From this comparison, the Consultant shall draw

recommend I/I parameters to be used to represent both existing and future conditions in the PICS/MOST model.

- 2.2 The Consultant shall use the correlation, projected future Metro System flows (provided by the City), and the system capacity data (provided by the City) to identify probable future hydrologic conditions that may result in the need to offload the system by discharging reclaimed water from the NCWRP to a stream.
- 2.3 The Consultant shall estimate the frequency and duration of hydrologic events that may result in the need for NCWRP stream discharge (or some other alternative) as a means of relieving capacity in downstream conveyance facilities.
- 2.4 The Consultant shall estimate the volume and rate of potential NCWRP stream discharges during peak events, for use in hydraulic modeling (Task 6.1).

Task 3 – Potential Stream Discharge Location Points

- 3.1 The Consultant shall identify two potential stream discharge points and the means of releasing 16-30 mgd reclaimed water to the stream channel. Identified stream discharge points shall be selected to (1) avoid discharge to 303(d) impaired waters, (2) minimize the potential for water quality impacts, and (3) minimize facilities needs. If modifying the existing facilities or building new facilities is necessary to allow the stream discharge, the Consultant shall provide planning-level drawings, schematics, and cost estimates for the facilities.

Task 4 – Stream Water Data

- 4.1 The Consultant shall identify the locations for a minimum of twelve receiving water samples, including six samples each along each of the two selected stream discharge watercourses following a minimum of two major rainfall events. MWWD's EMTS Division shall perform these sampling tasks.
- 4.2 MWWD's EMTS Division shall analyze collected stream water samples for, at a minimum, the following constituents necessary to determine the potential impact of the discharge to the receiving water body: total kjeldahl nitrogen; nitrate; nitrite; ammonia; total phosphorus; orthophosphate; total suspended solids; total dissolved solids; hardness; temperature; dissolved oxygen; and pH. The Consultant shall be responsible for coordinating with the City closely to ensure that these tasks (the sampling in Task 4.1 and this lab analyses) shall be performed in such a manner that the overall project goal and schedule are achieved. The Consultant shall begin coordination with EMTS Division staff a minimum of 60-days prior to the first sampling event.

MWWD's EMTS Division shall also estimate the stream flow rate at the time of the sampling. To avoid duplicated effort, the Consultant shall select sampling locations and sampling events to coordinate with wet-weather water quality

sampling that is performed by the City, County, and regional storm water Copermittees as part of the Region's NPDES storm water permit.

- 4.3 To the extent possible, the Consultant shall review and compile the same water quality and quantity data as described in Tasks 4.1 and 4.2 for the historical events in the last 10 years with a daily rainfall greater than one inch at the Lindbergh Field. Agencies including the City, County of San Diego, and regional storm water Copermittees perform storm water sampling and/or measurements.
- 4.4 The Consultant shall collect available hydrologic data that describes stream flow (e.g. design reports for concrete channels and culverts) and evaluate strategies for collecting stream flow data at the identified potential stream discharge points and the downstream locations.

Task 5 – Diversion Facilities

- 5.1 The Consultant shall assess the possibility of diverting stream flows into the Metro System before and/or after stream discharge events in order to reduce nutrient levels.
- 5.2 If this approach is deemed appropriate, the Consultant shall identify one potential location for each of the two potential receiving streams where a portion of the tributary stream flow can be diverted into the Metro System before and/or after stream discharge events. The Consultant shall prepare planning-level drawings, schematics, and cost estimates of the diversion facilities.

Task 6 – Hydraulic and Water Quality Impacts

- 6.1 The Consultant shall perform a stream flow hydraulic analysis. This analysis shall demonstrate the potential impact of water surface elevation and flow velocity associated with a discharge of excess flows from the NCWRP during extreme storm flow events.
- 6.2 The Consultant shall assess potential geomorphic impacts based on the findings of the hydraulic analysis, including downstream flooding and erosion/deposition.
- 6.3 The Consultant shall assess any potential water quality impacts caused by the discharge of excess flows from the NCWRP to the potential streams and the downstream end water courses during extreme storm flow events. This assessment shall consider potential changes in nutrient (nitrogen and phosphorus) levels in downstream water bodies, such as Mission Bay, and groundwater aquifers.

Task 7 – Environmental Impacts

- 7.1 The Consultant shall analyze any potential environmental impacts caused by the discharge of excess flows from the NCWRP to the potential streams and the downstream waters during extreme storm flow events, including:
- Changes in the groundwater-surface water interface,
 - Potential to encourage invasive vegetation due to introduction of nutrients,
 - Loss of habitat due to geomorphic damage, including impacts to downstream habitat mitigation projects,
 - Closures at Rose Creek park due to water quality degradation, and
 - Effects of discharge temperature on aquatic species.

The consultant shall also include a brief discussion of the terrestrial impacts associated with construction and maintenance of the discharge facility.

Task 8 – Alternatives Review

- 8.1 The Consultant shall review information on wet weather flow management alternatives that have been previously identified in MWWD and Water Department studies, including seasonal underground and/or tank storage, I/I improvements, IPR/reservoir augmentation, and expansion of NCWRP recycled water distribution/storage facilities. The Consultant shall develop a matrix comparing these alternatives, including project purpose, timeline, flow diversion capability, and a qualitative review of technical, institutional, environmental, economic, and regulatory issues associated with each alternative.
- 8.2 The Consultant shall organize and conduct one stakeholder group meeting to review the alternatives matrix and brainstorm wet weather flow management and beneficial reuse alternatives to ensure completion of the interim project by 2025.
- 8.3 The Consultant shall prepare an Alternatives White Paper to document identified wet weather flow management alternatives, comparison matrix, and stakeholder comments.

Task 9 – Permit Compliance

- 9.1 The Consultant shall identify anticipated permit requirements for stream discharge. The Consultant shall develop recommendations to the City to maximize the potential for (1) RWQCB issuance of an NPDES permit, and (2) achieving compliance with anticipated NPDES permit limits.
- 9.2 The Consultant shall meet with the RWQCB on an as-needed basis (up to 3 meetings) to present information and gather feedback.

Task 10 – Project Meetings/Workshops

- 10.1 The Consultant shall meet with the MWWD Project Team on a regular basis to provide project updates and to coordinate project related efforts.
- 10.2 The Consultant shall organize and conduct up to three (3) stakeholder workshops to solicit input regarding opportunities and constraints and to develop a base of support for a recommended project. The Consultant will provide notification of workshops, hand-out materials, other meeting materials, and take minutes of the workshops. MWWD will provide meeting space for the stakeholder workshops.

Task 11 – Report Submittal

- 11.1 The Consultant shall present and document all findings, analyses, and recommendations in a feasibility study report and submit ten (10) copies of the draft report to the MWWD Project Team for review.
- 11.2 The Consultant shall incorporate review comments and make necessary revisions to the report and submit ten (10) copies of the final report to the City. The Consultant shall also submit one copy of the electronic files containing the report, data, drawings, etc. to the City.

Task 12 – Funding Review (Optional Task)

- 12.1 The Consultant shall collect information on available grant and loan programs from various agencies, summarize qualification requirements, and prepare a narrative of the funding sources that would most likely support the program.

Task 13 – Project Crafting (Optional Task)

- 13.1 The Consultant shall define and evaluate up to three (3) project alternatives in addition to the diversion alternatives evaluated as part of Task 5 which would be expected to make the project more attractive to watershed stakeholders, the RWQCB, and/or funding agencies. The Consultant shall evaluate potential benefits and impacts of each alternative at the conceptual level. Conceptual-level cost information will be developed for each alternative.

Task 14 – Additional Services

- 14.1 Per City's task order, the Consultant shall perform additional services relevant to the feasibility study of reclaimed water stream discharge and permit applications.

- END -

001243

EXHIBIT B -1
PROJECT SCHEDULE

City of San Diego, Metropolitan Wastewater Department
 North City Water Reclamation Plant Wet Weather Intermittent Stream Discharge Feasibility Study, Phase II



Task	Month after Notice To Proceed											
	1	2	3	4	5	6	7	8	9	10	11	12
	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov
Task 1: Review Documents and Collect Data												
Task 2: Frequency and Duration of Discharge												
Task 3: Potential Stream Discharge Location Points												
Task 4: Stream Water Data												
Task 5: Diversion Facilities												
Task 6: Hydraulic and Water Quality Impacts												
Task 7: Environmental Impacts												
Task 8: Alternatives Analysis												
Task 9: Permit Compliance												
Task 10: Project Meetings/Workshops ¹	▲		▲	■	▲		▲	■	▲	■	▲	
Task 11: Report Submittal												

- 1 ▲ = Meetings with MWWD project team
- = Stakeholder workshops

001245

EXHIBIT C-1

COMPENSATION AND FEE SCHEDULE

COMPENSATION AND FEE SCHEDULE

<u>RMC Labor</u>	<u>Hourly Billing Rate (2008)</u>
Tom Richardson, Principal / QC	\$235.00
Alyson Watson, Project Manager	\$210.00
Rosalyn Stewart, Project Planner	\$185.00
Paul Giguere, Systems Analysis	\$225.00
Eric Wessels, QA / QC	\$210.00
Mike Matson, Facilities Analysis	\$235.00
Rich Bichette, Technical Specialist	\$195.00
Karen Falk, PE	\$175.00
Alison Hill, PE	\$175.00
Graphics	\$125.00
Administrative Support	\$105.00

<u>Subconsultants</u>	<u>Total Cost</u>
Talavera and Richardson (Collection System Modeling)	\$14,000.00
Dave Richardson	
Everest International Consultants, Inc. (Watershed Modeling)	\$70,338.00
Dave Cannon	

<u>Other Direct Costs</u>	<u>Total Cost</u>
ODCs	\$14,690.00
PTCC	\$ 9,237.00

Notes:

- 1) Individual hourly rates include salary, overhead, profit and ordinary expenses, including telecommunication, computer usage, and regular reproduction jobs. 2008 billing rates are shown. RMC reserves the right to adjust its hourly rate structure at the beginning of the calendar year for all ongoing contracts. RMC will provide advance notice of any rate changes affecting current contracts. Any adjustments in billing rates are not anticipated to increase the overall project cost.
- 2) Other direct costs (ODCs) include large reproduction jobs, mileage, and travel expenses.
- 3) Project Technology and Communications Charge (PTCC) covers software, computer, and communication costs associated with the project.
- 4) Salary increases will be capped at 5% per year.