



THE CITY OF SAN DIEGO
REPORT TO THE CITY COUNCIL

DATE ISSUED: November 26, 2008 REPORT NO: 08-181

ATTENTION: Council President and City Council
Agenda of December 1, 2008

SUBJECT: As-Needed Storm Water Engineering and Consulting Services
Agreements with URS Corporation Americas and Tetra Tech, Inc.

REFERENCE: N/A

REQUESTED ACTIONS: The Storm Water Department requests that Council authorize the Mayor, or his designee, to approve and execute: (a) an agreement with URS Corporation Americas for as-needed storm water engineering and consulting services for an amount not to exceed \$12.5 million over five (5) years; and (b) an agreement with Tetra Tech, Inc., for as-needed storm water engineering and consulting services for an amount not to exceed \$12.5 million over five (5) years.

The Storm Water Department also requests that Council authorize the expenditure of up to \$25 million over five (5) years from Fund #100/Department #533 (General Fund/Storm Water Department), Fund #10508 (Storm Drain Fund), Fund #630221/CIP #12-159.0 (Watershed Capital Projects Annual Allocation), and other funds and individual CIP projects to fund task orders issued under the agreements to support storm water-related work only, provided that the City Auditor and Comptroller furnish one or more certificates demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury.

The Storm Water Department also requests that Council state for the record that this activity is not a "project" and is therefore not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15060(c)(3) and 15378(b)(4).

STAFF RECOMMENDATION: Staff recommends: authorization of the Mayor, or his designee, to approve and execute the agreements; authorization to expend up to \$25 million over five (5) years to fund task orders issued under the agreements; and issuance of a statement saying that this activity is not subject to CEQA.

SUMMARY:

Background

The City manages a municipal separate storm sewer system (MS4). This system includes storm drain pipes, channels, curbs, gutters, and other ancillary structures. The primary purpose of this system has been to protect citizens and property from flooding. However, research and studies

have concluded that the MS4 is also a primary conveyor of urban runoff pollution. Pollutants, such as pesticides, pet waste, oil and grease, and copper, that are released into the environment travel through the system and discharge into the region's water bodies. Urban runoff from rain and human activities, such as over-irrigation and automobile washing, facilitates the conveyance of pollutants through the system. Multiple federal, state, and local requirements mandate the City to address urban runoff pollution and the resulting environmental degradation issues (such as sediment contamination). Comprehensive management of the MS4 today involves both flooding concerns and urban runoff pollution considerations.

As the City manages and upgrades its MS4, urban runoff pollution issues must be carefully considered. In addition, the City must continue to take steps to reduce the sources and production of pollutants and, in some cases, institute ways to treat pollutant-laden runoff before discharge into the region's water bodies. Such steps include, for example, conducting education programs to inform citizens of polluting behaviors, enforcing laws and ordinances against violators, establishing development standards that require low-impact design features, and implementing structural and non-structural projects to reduce and treat runoff. The City takes these steps in consultation with external stakeholders.

The City has a need for professional storm water engineering and consulting services on an as-needed basis to support its efforts in managing its MS4 and complying with multiple urban runoff pollution regulations. These services will support program-level decisions that are needed to address both aging infrastructure and mitigation of pollutants from and caused by urban runoff in the most efficient manner. They will also support the City in addressing multiple regulations, which include, but are not limited to the following: the Municipal Storm Water Permit (Order No. R9-2007-0001), Total Maximum Daily Loads (TMDLs), Area of Special Biological Significance (ASBS) protection, and Cleanup and Abatement Orders (CAOs). The purpose of these regulations is to reduce and prevent urban runoff pollution that impairs the region's water bodies and to mitigate the legacy effects of urban runoff pollution on the environment. Some of these regulations are still in development or are regularly revised, and their final form will impact the City's compliance efforts. To address these multiple regulations, the City has adopted an integrated and efficiency-driven approach, which includes strategic planning, project and program implementation, and holistic storm water infrastructure asset management. Refinement of this approach, as well as of the individual projects and programs pursuant thereto, will be ongoing as the City maintains its MS4 and strives to comply with the regulations in the near and long term.

Request for Proposals and Selection

In June 2008, the Storm Water Department issued a Request for Proposals (RFP) for storm water engineering and consulting services with the guidance of the Purchasing & Contracting Department. Nine (9) proposals were received, and a selection panel, in compliance with City Council Policy No. 300-7, was convened. The selection panel consisted of City staff, including a representative from the Equal Opportunity Contracting Program (EOCP). Due to the relatively small number of proposals submitted, no short listing was conducted, and all nine (9) proposers were interviewed in September 2008. The selection process was based on ratings in five (5) established categories: (a) Specialized Experience and Technical Competence; (b) Proposed Method to Accomplish Work; (c) Knowledge and Understanding of Local Environment and Local Presence; (d) Strength of Key Personnel and Commitment to Project; and (e) Commitment

to Equal Opportunity. Based on the rating criteria applied to each of the five (5) categories, the selection panel determined URS Corporation Americas and Tetra Tech, Inc., to be the two highest qualified firms.

Agreements

Two agreements will be executed, one (1) with each firm, to ensure the City sufficient support over the next five (5) years to accomplish its anticipated workload. The proposed agreements with URS Corporation Americas and Tetra Tech, Inc., will have a duration of five (5) years effective from the date of Council approval. Each agreement will have a not-to-exceed amount of \$12.5 million for an aggregate total of not-to-exceed \$25 million over a 5-year period. They will provide support on an as-needed basis in the following general areas, thus reducing the need for other future agreements: (a) Task Management and Administration; (b) Best Management Practice Development and Engineering; (c) Storm Water Infrastructure Asset Management; (d) Environmental Assessment and Permitting; (e) Monitoring and Investigations; (f) Strategic Planning; and (g) Program Assessment. The Scope of Services in the agreements is provided as Attachment 1 and contains more information regarding the above mentioned general areas of work.

City departments other than the Storm Water Department may also access the services to be available under the agreements, in particular to perform engineering design and environmental assessment work associated with storm water projects. Departments may also potentially use the agreements to support their efforts to fulfill responsibilities under the Municipal Storm Water Permit as outlined in the City's Jurisdictional Urban Runoff Management Plan. Examples of such responsibilities include, but are not limited to, the preparation of Storm Water Pollution Prevention Plans and municipal inspections.

Work will be assigned between the two firms using standard operating procedures developed by the Storm Water Department to ensure equitable distribution of task orders as well as logical work continuity and efficiency.

MBE/WBE/DBE/DVBE/OBE Utilization

In support of their Equal Opportunity Program, both URS Corporation Americas and Tetra Tech, Inc., implement outreach programs to recruit employees and identify future teaming partners from underutilized categories. In keeping with the City's policy to voluntarily provide subcontracting opportunities to all interested parties and qualified firms, including historically disadvantaged businesses, URS Corporation Americas and Tetra Tech, Inc., have retained the following subconsultants (Table 1 and Table 2) as members of their respective consultant team in connection with these agreements:

Table 1. List of Subconsultants Under URS Corporation Americas.

	Certified Subconsultants	Other Subconsultants
URS Corporation Americas	Pat-Chem Laboratories (DBE)	MWH , Inc.
	Nautilus Environmental, LLC (DBE)	Wallace Laboratories
	Laboratory Data Consultants, Inc. (DBE/MBE)	CRG Marine Laboratories, Inc.
	Katherine Hon Consulting, Inc. (DBE)	Natures Images, Inc.
	Estrada Land Planning (SWBE/DBE/MBE)	EnviroMatrix Analytical, Inc.
	Lindtvedt McColl & Associates (DBE)	TB Pennick & Sons, Inc.
	Tri-County Drilling (WBE/DBE)	The Primacy Group
		Resource Planning Associates
		Bob Pitt, Consulting Environmental Engineer

Table 2. List of Subconsultants Under Tetra Tech, Inc.

	Certified Subconsultants	Other Subconsultants
Tetra Tech, Inc.	Allied Geotechnical Engineers, Inc. (MBE/DBE)	Black & Veatch Corporation
	Berggren Land Survey & Mapping Inc. (DBE)	CRG Marine Laboratories, Inc.
	Chambers Group, Inc. (DVBE)	Geosyntech Consultants
	CIC Research, Inc. (DBE)	KOA Corporation
	Garbini & Garbini Landscape Architecture, Inc. (WBE/DBE)	LNSB, LLLP Stormwater Services
	Katz & Associates, Inc. (WBE)	MACTEC Engineering and Consulting, Inc.
	Nautilus Environmental, LLC (WBE/DBE)	Nolte Associates, Inc.
	Safework, Inc. (WBE/DBE)	RECON Environmental, Inc.

Equal Opportunity Contracting

Funding Agency: City of San Diego

Goals: 15% Voluntary (MBE/WBE/DBE/DVBE/OBE)

Subconsultant Participation: URS Corporation:
 \$1,250,000 Certified Firms (10%)
 \$6,000,000 Other Firms (48%)

Tetra Tech, Inc.:
 \$1,000,000 Certified Firms (8%)
 \$7,625,000 Other Firms (61%)

Other: Work Force Reports submitted. Equal Opportunity Plans required. Staff will monitor plans and adherence to Nondiscrimination Ordinance.

FISCAL CONSIDERATIONS: The total not-to-exceed value of the two (2) agreements will be \$25 million (\$12.5 million for each agreement) over a period of five (5) years. Work under these agreements will be funded in increments via the annual fiscal year budget. The City's total obligation on these agreements will be subject to Council approval during the budget approval process for each fiscal year during the 5-year period. Funding for the task orders issued under the agreements will come from Fund #100/Department #533 (General Fund/Storm Water Department), Fund #10508 (Storm Drain Fund), Fund #630221/CIP #12-159.0 (Watershed Capital Projects Annual Allocation), and other funds and individual CIP projects as identified in the City's annual budget in order to support storm water-related work only. For each task order,

the City Auditor and Comptroller will be requested to furnish one or more certificates demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury.

Estimated Fiscal Year 2009 Task Order Dollar Amounts

In Fiscal Year 2009, the Storm Water Department anticipates issuing task orders in the following general areas of work for the indicated estimated dollar amounts (Table 3):

Table 3. Estimated Dollar Amounts for Fiscal Year 2009 Task Orders per General Area of Work.

General Area of Work*	Estimated Dollar Amount
Best Management Practice Development and Engineering	\$425,000
Storm Water Infrastructure Asset Management	\$310,000
Environmental Assessment and Permitting	\$100,000
Monitoring and Investigations	\$1,430,000
Strategic Planning	\$50,000
Program Assessment	\$425,000
Total	\$2,740,000


*See Attachment 1 for more information regarding each general area of work.

Funds for task orders issued in Fiscal Year 2009 are anticipated to come primarily from the Storm Water Department's Fiscal Year 2009 operating budget and from the Watershed Capital Projects Annual Allocation.

PREVIOUS COUNCIL and/or COMMITTEE ACTION: On October 15, 2008, the Natural Resources and Culture Committee voted 4-0 to forward the agreements to the full City Council without a recommendation and with a request that staff provide information regarding the task orders to be issued in Fiscal Year 2009 to comply with regulations (see Attachment 2)

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: The RFP was advertised in several newspapers, including those serving minority communities, to encourage broad and diverse participation in the competition. Notice of the RFP was also placed on the City's official website.

KEY STAKEHOLDERS AND PROJECTED IMPACTS: Key stakeholders include URS Corporation Americas and Tetra Tech, Inc. Establishment of the agreements will facilitate the Storm Water Department's efforts to protect the quality of the City's and region's water bodies and comply with federal and state water quality regulations that will benefit residents and businesses, the region's tourist industry, and the local environment.


Tony Heinrichs
Storm Water Department Director


David Jarrell
Deputy Chief/Public Works

- Attachments:
1. Scope of Services in As-Needed Storm Water Engineering and Consulting Services Agreements with URS Corporation Americas and Tetra Tech, Inc.
 2. Memorandum to Council Dated October 27, 2008, Regarding Anticipated Task Orders to Be Issued in Fiscal Year 2009 and Beyond