



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 4/4/2023

To: Boards of Directors, Sonoma County Water Agency and Sonoma Valley County Sanitation District
Department or Agency Name(s): Sonoma County Water Agency and Sonoma Valley County Sanitation District
Staff Name and Phone Number: Kevin Booker / 521-1865
Vote Requirement: Majority
Supervisory District(s): First and Second

Title:

North Bay Water Reuse Authority - Phase 2 Engineering Study

Recommended Action:

- A) Authorize Sonoma County Water Agency's General Manager to execute the Sixth Amended Agreement with Brown and Caldwell, in a form approved by County Counsel, for a Phase 2 Engineering Study for North Bay Water Reuse Authority through June 30, 2024, in the not-to-exceed amount of \$390,000 (Sonoma Water portion of costs is \$69,226)
- B) Authorize expenditure of Sonoma Valley County Sanitation District funds for District's portion of costs (\$31,971) for the Agreement for Phase 2 Engineering Study for North Bay Water Reuse Authority.

Executive Summary:

The North Bay Water Reuse Program (Program) is a model for maximizing the benefits of limited water resources in the West. By partnering on the local level, agencies and elected officials have developed a solution to meet broad constituent needs under the umbrella of a comprehensive regional program. Under the subject agreement, Brown and Caldwell (Consultant) will 1) provide recycled water support services to North Bay Water Reuse Authority (NBWRA) member agencies, 2) review and assess Sonoma County Water Agency's (Sonoma Water) Regional Water Supply Resiliency Study, and 3) develop a Sea Level Rise Adaptation Plan to be used to develop a Marin County-focused plan.

Discussion:

HISTORY OF NORTH BAY WATER REUSE AUTHORITY

Sonoma Water, as approved by its Board of Directors, entered into a Memorandum of Understanding establishing the North Bay Water Reuse Authority (Authority) with Las Gallinas Valley Sanitary District, Napa Sanitation District, Novato Sanitary District, and Sonoma Valley County Sanitation District, effective August 24, 2005, and amended in January 2008. North Marin Water District and County of Napa became signatories under the Second Amended Memorandum of Understanding, effective November 3, 2010. Marin Municipal Water District and City of Petaluma became signatories under the Third Amended Memorandum of Understanding, effective May 13, 2013. The Fourth Amended Memorandum of Understanding was approved by the Authority Board of Directors on August 28, 2017, and became effective on November 14, 2017.

The Authority is not a legal entity and cannot enter into agreements in its own name. Therefore, Section 12 of the Fourth Amended Memorandum of Understanding designates Sonoma Water to act as the Administrative Agency for the Authority. As the Administrative Agency, Sonoma Water enters into agreements and performs

other administrative functions for the Authority, with prior approval of the Authority Board of Directors. The Authority is responsible for consultant selection. Sonoma Water is reimbursed by the Authority for the costs it incurs while acting as Administrative Agency.

The Program is a model for maximizing the benefits of limited water resources in the West. By partnering on the local level, agencies and elected officials are developing solutions to meet broad constituent needs under the umbrella of a comprehensive regional program. This approach also helps federal and state agencies accomplish their resource management objectives and meet regulatory requirements.

The Program is authorized for two construction phases under the U.S. Bureau of Reclamation's (Reclamation) Title XVI program. This authorization provides a 25% federal cost-share for each phase of the Program. The Authority completed feasibility and environmental studies for Phase 1 of the Program and in 2010 began construction on a series of recycled water projects valued at \$100 million. To date, the Program has received \$25 million in federal funding and nearly \$9.9 million in state funding. The balance of funding is provided by the local agencies.

SELECTION PROCESS

Consultant was selected from a list of qualified consultants developed from a competitive selection process. Attached is a memo that explains the competitive selection process.

Consultant was selected for the subject work because of its experience with similar types of projects and demonstrated understanding of Authority's needs.

Sonoma Water may seek to amend or enter into subsequent agreement(s) with Board approval if required, relying upon this competitive selection process.

SERVICES TO BE PERFORMED

Under the proposed agreement, Consultant will 1) provide recycled water support services to NBWRA member agencies; review and assess Sonoma Water's Regional Water Supply Resiliency Study (Study) to determine if the Study meets the criteria of a Reclamation Drought Contingency Plan, identify actions needed to meet criteria, and allow NBWRA member agencies to make revisions or enhancements to the Study to afford them the opportunity to apply for Reclamation funding under the Drought Resiliency Program; and 3) develop a Sea Level Rise Adaptation Plan to be used to develop a Marin County-focused plan.

The cost of services will not exceed \$390,000; the term end date is June 30, 2024. Agreements entered into by Sonoma Water for the Authority contain a provision that makes each Authority member liable only for its respective share of the agreement cost and provides that none of the members can be required to pay costs allocated to other members. Of the total \$390,000 increase under the Sixth Amended Agreement, Sonoma Water's share is \$69,226, and Sonoma Valley County Sanitation District's share is \$31,971. The other Authority members will be responsible for paying for their respective share of the cost.

The agreement includes two options for Sonoma Water to extend this agreement for a period of one year each by providing written notice to Consultant thirty days in advance of the expiration date of the agreement and of the first extension option. The extension will be formalized in an amended agreement or amendment signed by Sonoma Water and Consultant.

County of Sonoma Strategic Plan Alignment:

N/A

Sonoma Water Strategic Plan Alignment:

Water Supply and Transmission System, Goal 1: Protect drinking water supply and promote water-use efficiency.

Waste Water Treatment and Water Reuse, Goal 1: Improve operational reliability of wastewater treatment and water reuse systems.

Climate Change, Goal 1: Continuing improving our ability to respond and adapt to climate change.

The implementation of this project will allow Sonoma Water to potentially increase the use of recycled water in Sonoma Valley. In addition, the project will assist Sonoma Water in protecting drinking water supplies while responding to climate change.

Prior Board Actions:

07/13/2021: Authorize Sonoma County Water Agency's General Manager to execute the Fifth Amended Agreement for Engineering, Environmental, and Public Outreach Services for North Bay Water Reuse Authority with Brown and Caldwell adding one year to the term of the agreement, at no additional cost, for a new term end date of June 30, 2021.

07/14/2020: Authorize Sonoma County Water Agency's General Manager to execute the Fifth Amended Agreement for Engineering, Environmental, and Public Outreach Services for North Bay Water Reuse Authority with Brown and Caldwell adding one year to the term of the agreement, at no additional cost, for a new term end date of June 30, 2021.

02/26/2019: Authorize Sonoma County Water Agency's General Manager to execute the Fourth Amended Agreement for Engineering, Environmental, and Public Outreach Services for North Bay Water Reuse Authority with Brown and Caldwell increasing the amount by \$105,000 (Sonoma Water share: \$13,960; Sonoma Valley County Sanitation District share: \$8,524), expanding Task 3 for cultural resources technical analyses and a revised environmental document, and adding eight months to the term for this work for a new not-to-exceed agreement total of \$3,600,756 and term end date of June 30, 2020.

08/14/2017: Authorize Water Agency's General Manager or designee to execute the Third Amended Agreement for Engineering, Environmental, and Public Outreach Services for North Bay Water Reuse Authority with Brown and Caldwell to provide engineering, environmental, and public outreach services for North Bay Water Reuse Authority increasing the amount by \$176,103, expanding the scope of work to include fiscal year 2018/2019 tasks, and extending the agreement term by one year for a new not-to-exceed agreement total of \$3,495,756 (Water Agency share: \$22,996; Sonoma Valley County Sanitation District share: \$20,405) and end date of October 31, 2019.

11/14/2017: Concurrent action for Board authorization for Chairs of the Water Agency and District to sign the Fourth Amended MOU; authorization of Water Agency's General Manager or designee to execute an amended agreement with Brown and Caldwell to provide engineering, environmental, and public outreach services; and authorization of expenditure of District funds for the District's portion of costs for the amended agreement with Brown and Caldwell.

09/12/2017: North Bay Water Reuse Authority Phase II Grant Administration

Agenda Date: 4/4/2023

09/27/2016: North Bay Water Reuse Program Sonoma Valley County Sanitation District Treatment Plant Pumping and Piping Upgrades - Contract Award

05/21/2016: North Bay Water Reuse Program Sonoma Valley County Sanitation District Fifth Street East Recycled Water Pipeline - Contract Award and Cooperative Agreement.

FISCAL SUMMARY

Expenditures	FY 22-23 Adopted	FY23-24 Projected	FY 24-25 Projected
Budgeted Expenses	\$390,000		
Additional Appropriation Requested			
Total Expenditures	\$390,000		
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	\$390,000		
Use of Fund Balance			
Contingencies			
Total Sources	\$390,000		

Narrative Explanation of Fiscal Impacts:

Budgeted amount of \$390,000 is available from FY 2022/2023 appropriations for the NBWRA Trust fund. No additional appropriation is required. □

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Attachment 1: List of Qualified Consultants for Engineering and Related Services

Related Items "On File" with the Clerk of the Board:

None.