



Legislation Text

File #: 2020-0576, **Version:** 1

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 - Amended Professional Services Agreement

Recommended Action:

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. (First and Second Districts)

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 this amended agreement, Brown and Caldwell will continue to provide project management; provide engineering analysis, environmental evaluation, financial capabilities analysis, and identification of funding sources; prepare and administer grant funding applications; coordinate and prepare materials for public outreach and communication efforts; and provide Phase 1 support services through June 30, 2021.

Discussion:

HISTORY OF NORTH BAY WATER REUSE AUTHORITY

Sonoma County Water Agency (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.

HISTORY OF NORTH BAY WATER REUSE PROGRAM

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.

Phase I of the Program was authorized under the U.S. Bureau of Reclamation's (Reclamation) Title XVI program. This authorization provides a 25% federal cost-share. 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 over \$100 million. Phase I of the Program, slated for completion in 2020, received \$25 million in federal funding as well as nearly \$5.9 million in state funding.

The Authority completed feasibility and environmental studies for Phase II of the Program in 2019 and is currently applying for funding from Reclamation. Phase II is not an authorized project under Title XVI, but is eligible for funding under the Water Infrastructure Improvements for the Nation (WIIN) Act provisions which also provide a 25% federal cost share. Other federal sources of funding are currently being evaluated. Additionally, the Program has been identified in the Department of Water Resources, 2020 "Recommended Funding List - Round 1 Integrated Regional Water Management (IRWM) Implementation Grant Solicitation" for another \$4.06 million. The balance of funding is provided by the local agencies.

To date, Sonoma Water has received over \$85,000 in Reclamation grant awards for administering the NBWRA grant programs and the Sonoma Valley County Sanitation District has received over \$4.5 million in federal funding and nearly \$2 million in state funding for projects such as the Napa-Sonoma Salt Marsh Recycled Water Pipeline, 5th Street East Recycled Water Pipeline, Treatment Plant and Pumping Upgrade Project, McGill Recycled Water Pipeline, and the R5 Recycled Water Storage Reservoir.

AMENDED AGREEMENT

On September 6, 2014, Sonoma Water entered into the subject agreement (at a cost of \$3,022,379 for three years) as the Administrative Agency under the Third Amended Memorandum of Understanding on behalf of the Authority. Brown and Caldwell was selected for the agreement by the Authority.

Under the agreement, Brown and Caldwell provides project management; prepares a Title XVI feasibility study that includes an engineering analysis, environmental evaluation, and financial capabilities report; coordinates and prepares public outreach and communication materials (updating website, providing project information to Board members, and coordinating media placements and print production); identifies funding sources; prepares and administers grant funding applications; and provides Phase 1 support services. The first amended agreement modified the scope of work for a net reduction of \$24,000 and extended the term of the agreement by six months. The second amended agreement expanded some tasks to add work for fiscal year 2017/2018, decreased effort under other tasks, added \$321,274 to the total agreement amount, and extended the term by 10 months. The third amended agreement expanded some tasks to add work (additional support for future grant funding opportunities, additional work due to new Environmental

Protection Act guidelines on preparation of environmental documents; and public outreach) for fiscal year 2018/2019 and increased the agreement amount by \$176,103, accordingly, and extended the term end date for a new total agreement amount of \$3,495,756 and term end date of October 31, 2019. The fourth amended agreement expanded Task 3 for cultural resources technical analyses to amend the environmental document based upon discussions with reclamation, and added \$105,000 to the total and eight months to the term for this work for a new agreement total of \$3,600,756 and term end date of June 30, 2020.

This fifth amended agreement adds one year to the term of the agreement, at no additional cost, for a new term end date of June 30, 2021. Board approval is necessary for the extension because the revised term will exceed the maximum three-year limit on agreements signed by the General Manager.

Prior Board Actions:

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.

08/14/2018 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.

9/12/2017 North Bay Water Reuse Authority Phase II Grant Administration

9/27/2016 North Bay Water Reuse Program Sonoma Valley County Sanitation District Treatment Plant Pumping and Piping Upgrades - Contract Award

5/21/2016 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 19-20 Adopted	FY20-21 Projected	FY 21-22 Projected
Budgeted Expenses			

Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:

There is no fiscal impact associated with this item.

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:

Amended Agreement with Brown and Caldwell

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

None.