



## Agenda Report

21-1223

Agenda Date: 1/26/2021

### REPORT TO COUNCIL

#### **SUBJECT**

Action on an Agreement with EOA, Inc. for Professional Consulting Services Related to Compliance with Stormwater Runoff and Discharge Regulations

#### **COUNCIL PILLAR**

Deliver and Enhance High Quality Efficient Services and Infrastructure

#### **BACKGROUND**

The City of Santa Clara is required to implement provisions of its Municipal Regional National Pollutant Discharge Elimination System (NPDES) Permit (MRP) that was issued by the San Francisco Regional Water Quality Control Board (RWQCB). The primary purpose of the MRP is to reduce stormwater runoff pollutants from storm drain collection systems from entering creeks and rivers that ultimately flow into San Francisco Bay.

Under the MRP, the City is required to reduce stormwater pollutants from development projects, conduct inspections of business and active construction site stormwater pollution prevention programs, establish inspection and enforcement response plans for illegal discharges, and reduce the amounts of trash, pesticides, mercury, polychlorinated biphenyls (PCBs), and copper reaching waterways. The Department of Public Works has utilized the services of a consultant to assist the City in maintaining compliance with certain MRP requirements.

#### **DISCUSSION**

On October 16, 2020, the City of Santa Clara released a Statement of Qualifications (SOQ) request for stormwater professional support services. The SOQ process was closed on October 28, 2020, and the City received qualified Statement of Qualifications from three firms: EOA, Inc., Schaaf & Wheeler Consulting Civil Engineers, and Geosyntec. The SOQs were evaluated based on responsiveness, experience, project approach and fees. Based on these criteria, EOA, Inc. was selected as the most qualified consultant. EOA is the program manager for the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), which is a regional collaboration formed to comply with state mandated stormwater requirements. As the SCVURPPP program manager, EOA is the most familiar with the City's current stormwater programs and very knowledgeable with compliance requirements of the MRP.

The City has previously contracted with EOA to provide compliance assistance services such as annual report preparation, staff training and on-call technical and regulatory support. EOA has the expertise and experience in conducting commercial/industrial stormwater inspections to ensure compliance with the MRP. Additionally, EOA has the knowledge and experience to identify locations for new full-trash capture devices, conduct on-land visual trash assessment and prepare the required documentation for regulatory agencies.

Approval of this Agreement will enable the City of Santa Clara to maintain compliance with the current MRP provisions.

### **ENVIRONMENTAL REVIEW**

The action being considered is exempt from CEQA review under section 15308 of the CEQA Guidelines in that the City's stormwater program is a regulatory program authorized by state law and the City Code to assure the maintenance, restoration, enhancement, or protection of the environment.

### **FISCAL IMPACT**

Funding for this service is budgeted in the Storm Drain - Non-Point Source program in the FY 2020/21 General Fund Operating Budget. Funding for future years will be incorporated into the budget development process. The initial term of this Agreement will be for five years with one additional two-year option after the initial term. Under this agreement, the maximum compensation to the contractor is \$200,000 for the initial five-year term and \$80,000 for the two-year extension option, subject to future budget appropriations.

### **COORDINATION**

This report was coordinated with the Finance Department and City Attorney's Office.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>>.

### **RECOMMENDATION**

1. Approve and authorize the City Manager to finalize and execute an agreement with EOA, Inc. for professional consulting services related to compliance with stormwater runoff and discharge regulations for \$200,000 over the five-year term, subject to the appropriation of funds; and
2. Authorize the City Manager to make minor modifications to the agreement, including time extensions, as necessary.

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Agreement