

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

727A



FROM: TLMA – Transportation Department

SUBMITTAL DATE:
May 27, 2014

SUBJECT: Extension of Agreement 11-08-011 for One Year with RBF Consulting for On-Call Engineering Services. All Districts; [\$50,000]; Various Funds 100%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the First Amendment to extend the On-Call Engineering Services Agreement with RBF Consulting and the County of Riverside; and
2. Authorize the Chairman of the Board to execute the same; and
3. Authorize the Director of Transportation, or his designee, to approve extensions as provided for in the agreement.

BACKGROUND:

Summary

Continued National Pollutant Discharge Elimination System (NPDES) services are needed to provide access to expertise and additional personnel, enabling the Transportation Department to meet increasing state and federal regulatory compliance demands.

Patricia Romo
Assistant Director of Transportation

Juan C. Perez, Director of Transportation and Land Management

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (Per Exec. Office)
COST	\$ 0	\$ 50,000	\$ 50,000	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: Capital Improvement Project Funding: 100% There are no General Funds used in this project.				Budget Adjustment: No	
				For Fiscal Year: 2014/2015	

C.E.O. RECOMMENDATION:

APPROVE

BY:
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

FORM APPROVED COUNTY COUNSEL
BY: 6/12/14
DATE
MARSHAL VICTOR

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: 10/18/11, Item 3-36 | District: All/All | Agenda Number:

3-72

Departmental Concurrence

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Extension of Agreement 11-08-011 for One Year with RBF Consulting for On-Call Engineering Services. All Districts; [\$50,000]; Various Funds 100%

DATE: May 27, 2014

PAGE: 2 of 3

BACKGROUND:

Summary (continued)

The Board of Supervisors approved and executed an agreement between the County of Riverside (County) and RBF Consulting on October 18, 2011 (Agenda Item 3-36), to provide NPDES engineering services. The agreement allowed for two separate one-year extensions to extend the term of the contract.

The attached agreement exercises the option to extend the term of the contract for the first of the two optional one-year extensions. The continued services of RBF Consulting are needed to provide for on-going NPDES compliance services for fiscal year 2014-2015.

The compliance requirements for all of the NPDES stormwater permits have increased over the years and continue to increase. Additionally, the compliance requirements have become more detailed in prescribing exactly what actions need to be taken, the frequency of those actions, the training that must be provided to personnel, the recordkeeping, the reporting, and the level of public education and outreach.

Currently, County staff is beginning to implement the requirements for the first year of the 2013 Whitewater River Region NPDES municipal stormwater permit. Within six months, the renewal process will begin for the next five-year iteration of the Santa Ana River Region NPDES municipal stormwater permit. The Santa Ana Regional Water Quality Control Board has stated they intend to impose a combined "Regional" NPDES municipal stormwater permit for Riverside County and San Bernardino County. The San Diego Regional Water Quality Control Board has stated they intend to impose the 2013 "Regional" NPDES municipal stormwater permit for the coastal San Diego County and South Orange County municipalities as the co-permittees in the Santa Margarita River Region of Riverside County.

On April 1, 2014, the State Water Resources Control Board adopted a new NPDES General Permit for Stormwater Discharges Associated with Industrial Activities, which must be implemented by July 1, 2015. During the next year, the Transportation Department of the Transportation and Land Management Agency will consider how the new permit may impact Transportation Department facilities such as borrow sites, will identify the compliance alternatives for each facility, and then seek management approval for the recommended course of action.

The services provided will be performed on an on-call basis through specific work assignments. RBF Consulting will provide technical support, as outlined in the original 2011 agreement. Work assignments for fiscal year 2014-2015 could include:

- Preparation and/or review of Water Quality Management Plans for Transportation Improvement Projects
- Coordination with the three Regional Boards and meeting attendance;
- Compliance assistance with the County's Hydromodification Management Plans
- Immediate response to technical questions

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Extension of Agreement 11-08-011 for One Year with RBF Consulting for On-Call Engineering Services. All Districts; [\$50,000]; Various Funds 100%

DATE: May 27, 2014

PAGE: 3 of 3

Impact on Residents and Businesses

There are two fundamental ways that the NPDES compliance support services benefit the residents and businesses within the County:

- 1) The purpose of compliance with the federal Clean Water Act and the National Pollutant Discharge Elimination System (NPDES) stormwater permits is to ensure that our natural water resources are of adequate quality to support beneficial uses, such as municipal and industrial water supply, numerous forms of water recreation, and plant and wildlife habitat.
- 2) There are significant avoided costs given compliance with the Clean Water Act and the NPDES stormwater permits. If the United States Environmental Protection Agency (USEPA), the State Water Resources Control Board, or any one of the three Regional Water Quality Control Boards determine that the County is not in compliance with its NPDES municipal stormwater permits, the NPDES construction activity stormwater permit, or the NPDES industrial stormwater permit, the administrative civil penalties and the resources devoted to minimizing the penalties can be in the hundreds of thousands, and in some cases, millions of dollars.

Contract History and Price Reasonableness

The Transportation Department has contracted with RBF Consulting to provide NPDES regulatory support services since November 2011. The billing rates for professional services from RBF Consulting remain unchanged from the billing rates included in the underlying 2011 agreement. The billing rates for RBF Consulting are comparable, if not lower, than other consulting firms offering similar services.

SUPPLEMENTAL:

Additional Fiscal Information

The original contract with RBF Consulting was approved on October 18, 2011(Agenda Item 3-36) and included an annual budget amount of \$100,000 for three (3) fiscal years from 2011/2012 through 2013/2014. It also included an option to extend the contract for two (2) fiscal years for a not to exceed budget of \$100,000. This amendment exercises the option to extend the contract for one (1) additional year for a not to exceed amount of \$50,000. The County has identified efficiencies that allow for a reduced annual rate this fiscal year.

All associated contract costs will be funded using capital improvement project funds. Thus, no net County costs will be incurred as a result of the contract extension.