

CITY OF SANTA ROSA
BOARD OF PUBLIC UTILITIES

TO: BOARD OF PUBLIC UTILITIES
FROM: ANDREW WILT, ASSOCIATE CIVIL ENGINEER
CAPITAL PROJECTS ENGINEERING
SUBJECT: APPROVAL OF SECOND AMENDMENT TO PROFESSIONAL
SERVICES AGREEMENT NUMBER F001923 WITH GHD, INC. –
LAGUNA TREATMENT PLANT FLOOD PROTECTION PROJECT

AGENDA ACTION: MOTION

RECOMMENDATION

It is recommended by Santa Rosa Water and the Transportation and Public Works Department that the Board of Public Utilities, by motion, approve the Second Amendment to Professional Services Agreement Number F001923 with GHD Inc. of Santa Rosa, California, to provide professional environmental services for the Laguna Treatment Plant Flood Protection project, increasing the contract amount by \$123,020 for a total of \$446,292.

EXECUTIVE SUMMARY

This motion will approve the second amendment to the Professional Services Agreement (PSA) No. F001923 with GHD, Inc. (GHD) of Santa Rosa, California, to provide professional environmental services for CEQA and permitting for the Laguna Treatment Plant (LTP) Flood Protection project.

BACKGROUND

Santa Rosa Water operates the Regional Water Reuse System, which consists of the LTP for treating wastewater, the Compost Facility for processing biosolids, and the reclamation system for distributing recycled water. The LTP is considered a critical facility.

The Laguna de Santa Rosa (Laguna), located south of the LTP, has been subjected to historical storm events that have overtopped its banks and contributed to significant flooding at the LTP. Flooding during the New Year's storm of 2005-2006 was particularly intense, inundating much of the southern portion of the LTP. Flooding at the site has the potential to create hazards for City staff, damage physical assets, cause the release of raw or partially treated wastewater to the Laguna, pose a threat to public health and water quality, and subject the city to environmental regulatory noncompliance. Flood protection at the LTP will serve to mitigate these risks.

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In April 2008, a feasibility report entitled “Laguna Wastewater Treatment Plant Flood Protection Project” by HDR Engineering, Inc. was completed. The report provided conceptual flood protection alternatives and recommended that more comprehensive hydrologic and hydraulic analyses be performed before the design phase.

In 2016, under Contract No. C02016, a temporary emergency floodwall comprised of interlocking concrete blocks, was installed in the southwest corner of the LTP site to protect the existing UV disinfection facilities during future flood events. This temporary barrier provided only limited protection to a portion of the LTP.

In July 2016, a new feasibility study entitled “Flood Protection at the Laguna Treatment Plant Feasibility Study” by GHD was completed. The study recommended the installation of a combination flood berm and wall protection system for the LTP, which became the initial basis of design for the project. The study included limited hydrologic and hydraulic modeling to determine the design storm conditions and the approximate correlating flood water elevation at the LTP. Concurrent with the effort, a limited desk-top geotechnical study was performed, including a conceptual design analysis of the required stormwater system.

The proposed project (Project) includes the installation of a flood protection berm, floodgate across Llano Rd, warning system and barrier arms, pier and lagging retaining wall, modifications to the existing stormwater system, and removal of the existing temporary floodwall.

Staff publicly solicited proposals to environmental engineering firms using Planet Bids, the Procurement Technical Assistance Center Program, the Minority Business Development Agency, and advertising through the Press Democrat. This procedure is consistent with Federal Emergency Management Agency (FEMA) guidelines for reimbursement. The city received three proposals by the deadline of September 14, 2018.

A review panel comprised of an Associate Civil Engineer, a City Planner, a Biologist, and a Supervising Engineer reviewed and evaluated the proposals. GHD, Inc. was selected as the most qualified consultant for this project. In February 2019, the Board awarded a Professional Services Agreement (PSA) with GHD to provide professional environmental services in the amount of \$228,321.

On January 22, 2023, the City Manager approved Amendment No. 1 to PSA Number F001923 with GHD for Professional Environmental Services to expand the scope of services associated with Natural Resource Agency Permit Coordination and Project Management tasks, in the amount of \$94,951.

On January 26, 2023, the City received notification from the California Dept of Fish and Wildlife (CDFW) that the Incidental Take Permit Application was complete. However, in May of 2023, CDFW requested numerous revisions to the application. These additional

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efforts to provide numerous revisions to the Incidental Take Permit were not included in the original PSA Number F001923 with GHD.

In May of 2023, the Board of Public Utilities (Board) adopted the Initial Study / Mitigated Negative Declaration (ISMND) and the Mitigation Monitoring and Reporting Program (MMRP) for the Project.

As the design is nearing completion, refinements have been made to accommodate Low Impact Development (LID) requirements, the borrow areas, and the overall project footprint. Construction impacts to the lawn area and roadway drainage ditches adjacent to the south entrance road to LTP have been more accurately determined. As a result, the US Army Corps of Engineers (Corps) deemed some of the areas to be wetlands. These latest design refinements have pushed the wetland impact area from just below 0.5 acres to just above 0.5 acres, which triggered an Individual Permit rather than a Nationwide Permit. The original PSA did not include these additional efforts required to secure the Individual Permit.

Further, the U.S. Fish and Wildlife Service (USFWS) has indicated, although not currently, that adding the western pond turtle to the species listing is being proposed. Adding the turtle as part of the Biological Assessment (BA) efforts now will avoid reopening USFWS consultation again later if construction occurs after the USFWS formally lists the western pond turtle. Additionally, USFWS requested revisions to the BA to reflect the most updated project footprint. The original PSA did not include these additional efforts required to complete the BA.

The refined design calls for removing 3 to 4 trees in an area that CDFW considers a “riparian” habitat of the Laguna. CDFW has requested a Streambed Alteration Agreement (SAA) application. The original PSA did not include efforts to complete an SAA agreement application.

PRIOR BOARD OF PUBLIC UTILITIES REVIEW

On April 3, 2014, the Board recommended that the City Council authorize the issuance of Series 2014A Wastewater Revenue Bonds to finance several capital improvement projects, one of which was \$1 million for the “evaluation study and design of the construction of a flood protection project to reduce flood vulnerability.”

On November 19, 2015, the Board was advised of the plan to design and install a temporary flood wall to address flooding conditions similar to the 2005 storm flood level recurrence and that completion of a permanent flood wall was projected for 3 to 4 years.

On March 17, 2016, the Board was advised that the temporary flood protection wall around specific key facilities at the LTP was complete and likely to be in place for an estimated 5 years.

On April 24, 2017, the BPU Contract Review Subcommittee reviewed and approved a

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Project Work Order (PWO) under the Master Professional Services Agreement for engineering design services with Brelje and Race Consulting Civil Engineers.

On September 7, 2017, the Board approved a PWO with Brelje and Race Consulting Engineers of Santa Rosa, California, to provide professional engineering design services for the flood protection facilities serving the LTP.

On June 21, 2018, Santa Rosa Water provided a briefing to the Board describing the Federal Emergency Management Agency's (FEMA) Hazard Mitigation Grant Program (HMGP). During the presentation, staff also presented an update on the Project.

On August 2, 2018, the Board approved a resolution authorizing Santa Rosa Water to submit an HMGP grant application for the Project and authorizing a commitment to meet the local match share of funding.

On November 15, 2018, the Board approved Santa Rosa Water applying for Pre-Disaster Mitigation (PDM) grant funding through the FEMA and the California Office of Emergency Services for the Project and committed to meeting the local match fund requirements should the Project be selected.

In February 2019, the Board approved a Professional Services Agreement (PSA) with GHD to provide professional environmental services in the amount of \$228,321.

On May 18, 2023, the Board adopted the Initial Study/Mitigated Negative Declaration (ISMND) and mitigation, monitoring, and reporting program (MMRP) and approved the Project.

ANALYSIS

This amendment includes additional efforts related to refinements to the design, the recent proposed listing by the U.S. Fish and Wildlife Service (USFWS) of the western pond turtle, and to additional work that was required from direction provided by regulatory agencies. Increased efforts also involve permit coordination with the US Army Corps of Engineers Section 404 permit, USFWS Section 7 Consultation, California Department of Fish and Wildlife (CDFW) Incidental Take Permit, CDFW Streambed Alteration Agreement, Regional Board Section 401 Water Quality Certification, and associated project management. Attachment 1 describes the scope of work and the request for additional funds.

Professional Services Agreements less than or equal to \$100,000 may be executed by the City Manager. Agreements that exceed \$100,000 require the Board's approval.

FISCAL IMPACT

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Approval of this action does not have a fiscal impact on the General Fund. Funds for this project were previously appropriated in Santa Rosa Water's Capital Improvement Program Budget.

ENVIRONMENTAL IMPACT

Pursuant to the California Environmental Quality Act, an ISMND and MMRP were prepared for the Project and adopted by the Board on May 18, 2023. Based on the record, the Board determined that the project will not significantly affect the environment if the mitigation measures established in the ISMND and MMRP are implemented. Approval of this PWO amendment does not require any supplemental or subsequent environmental review under CEQA.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

ATTACHMENTS

- Attachment 1 – Second Amendment to Professional Services Agreement Number F001923 with GHD Inc. – Laguna Treatment Plant Flood Protection Project

CONTACT

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