



# Santa Clara Valley Water District

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**File No.:** 17-0313

**Agenda Date:** 6/27/2017

**Item No.:** 6.1.

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## BOARD AGENDA MEMORANDUM

### **SUBJECT:**

Consultant Agreement with Environmental Science Associates, Inc. for a not-to-exceed fee of \$1,450,000 to Prepare Stream Maintenance Guidelines for the Watersheds Maintenance Guidelines Update Project (Project), Project No. 62042050.

### **RECOMMENDATION:**

Approve the Agreement with Environmental Science Associates, Inc. (ESA) for consulting services to prepare stream maintenance guidelines for the Watersheds Maintenance Guidelines Update Project (Project), for a not-to-exceed fee of \$1,450,000.

### **SUMMARY:**

Stream maintenance guidelines are a critical component to ensuring the District fulfills its responsibility for continued flood protection to the community and to comply with regulatory permits. In regards to flood protection, stream maintenance guidelines better inform inspection and maintenance obligations related to stream maintenance (e.g., sediment removal, vegetation management). For regulatory compliance, the District is required to update 40 stream maintenance guidelines for its stream/creek facilities over ten years, pursuant to San Francisco Bay Regional Water Quality Control Board Order Number R2-2014-0015. This permit, along with others from federal and state regulatory agencies, allows the District to perform routine stream maintenance activities under the District's multi-year Stream Maintenance Program.

With existing staff supporting capital and operations and maintenance projects, consultant services are needed to augment District resources to prepare stream maintenance guidelines. Through a competitive procurement process, staff has selected ESA to perform such services. Staff recommends Board approval of the Agreement with ESA for preparation of stream maintenance guidelines for a not-to-exceed fee of \$1,450,000.

### **Background**

On October 28, 2014, the Board approved Agreement No. A3788A with ESA for an amount not to exceed \$1,736,354 to prepare ten stream maintenance guidelines over two years. Staff has been working closely with the consultant to develop a format for the stream maintenance guidelines that not only complies with regulatory permit conditions, but is useful for staff who are responsible for

conducting inspections to better identify the time at which stream maintenance is required. To date, eleven guidelines have been completed and six are in draft form, close to completion; therefore, the District is currently on-track to complete or update forty guidelines by 2023. Executing the new consultant agreement would ensure the District continues to remain on schedule and compliant with regulatory permits. The Agreement, if approved by the Board, requires the Consultant to develop stream maintenance guidelines for ten other creek facilities over two years.

### ***Consultant Selection Process***

A Request for Proposals (RFP) for the Project's consulting services was published on the District's Contract Administration System (CAS) web portal on November 28, 2016. Over 200 consultant firms that are registered in CAS under the expertise code WQ30 were notified of the RFP.

A pre-proposal meeting was held on December 12, 2016, and five firms attended. During the 44-day proposal period, staff issued three addenda to clarify details and instructions in the RFP, respond to questions received from interested consultants, and provide additional technical information.

The District received one proposal. A Consultant Review Board (CRB) consisting of hydraulics, asset management, and operations and maintenance staff evaluated the written proposal. An oral interview was conducted by the CRB. Subsequently, the CRB recommended that staff undertake contract negotiations with ESA.

The District reached out to those who did not submit a proposal to better understand their reasons for not submitting a proposal. Some of the feedback received includes: firms already having existing commitments or projects, firms' belief that their chances of being selected were not good enough to warrant the level of effort required to prepare proposal (i.e., business decision), and firms' opinion that they do not have the expertise to perform the work.

### ***Consultant Agreement Scope of Services***

The Agreement scope of services includes the required tasks and budget to perform project management and coordination, data review and preliminary investigation, topographic survey, hydraulic analysis, and preparation of stream maintenance guidelines. The supplemental services task could include additional meetings or reports, expanded level of effort for field data collection or hydraulic modeling, and identification of vegetation that should be removed to maintain creeks' design capacities.

The Agreement is provided in Attachment 1.

Table 1 presents a summary of the tasks and associated costs for this Agreement.

**Table 1 - Summary of Tasks and Associated Costs  
for Preparation of Stream Maintenance Guidelines**

<b>Task</b>	<b>Description</b>	<b>Total Fixed (Not-to- Exceed) Fees</b>
1	Project Management and Coordination	\$142,000
2	Data Review	\$176,000
3	Topographic Survey	\$347,000
4	Hydraulic Analysis	\$239,000
5	Stream Maintenance Guidelines	\$401,000
6	Supplemental Services	\$145,000
Total Not-to- Exceed Fees		\$1,450,000

**FINANCIAL IMPACT:**

There are adequate funds in the Fiscal Year 2016-2017 budget to fund this Agreement.

**CEQA:**

The recommended action to approve the Agreement does not constitute a project under CEQA because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

**ATTACHMENTS:**

Attachment 1: Consultant Agreement

**UNCLASSIFIED MANAGER:**

Sue Tippetts, 408-630-2253