



# Santa Clara Valley Water District

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**File No.:** 18-0154

**Agenda Date:** 4/10/2018

**Item No.:** 5.2.

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## BOARD AGENDA MEMORANDUM

### **SUBJECT:**

Agreement with Environmental Science Associates for Environmental and Permitting Services for the Expedited Purified Water Program Project, Project No. 91304001 (San Jose, Santa Clara, and Campbell) (Districts 2, 3, 4).

### **RECOMMENDATION:**

Approve the Agreement with Environmental Science Associates for Environmental and Permitting Services for a not-to-exceed fee of \$1,786,624.

### **SUMMARY:**

The Expedited Purified Water Program (Program) was initiated in 2015 as part of the District's strategy to respond to a multi-year drought and is consistent with Board direction to expand recycled water use in the county.

On October 10, 2017, the Board directed staff to pursue a Public-Private Partnership (P3) delivery method for the Program. On December 12, 2017, the Board considered staff's recommendation to proceed with expansion of the Silicon Valley Advanced Water Purification Center for indirect potable reuse (IPR) at the Los Gatos Recharge Ponds. The Board directed staff to:

1. Issue another Request for Qualifications (RFQ) to expand the P3 shortlist;
2. Initiate development of a Request for Proposal Process assuming up to 24,000 acre-feet per year (AFY) of purified water production at the expanded SVAWPC and conveyance of purified water to the Los Gatos Recharge Ponds;
3. Initiate the California Environmental Quality Act (CEQA)/National Environmental Policy Act (NEPA) assessment and documentation for the staff-recommended IPR project; and
4. Execute an accelerated MOU with the City of San Jose

Staff's recommendation for Board approval of the Standard Consultant Agreement between Santa Clara Valley Water District and Environmental Science Associates for Environmental and Permitting Services (Agreement) will allow staff implementation of item 3 of the Board's December 12, 2017 direction.

### ***Environmental and Permitting Consultant Selection Process***

On November 12, 2015, staff published a Request for Proposals (RFP) for environmental and permitting services and sent the RFP to firms on the District's self-registered list of Environmental Planning consultants. In addition, the RFP was posted on the District's Contract Administration System internet portal and advertised in the Silicon Valley-San Jose Business Journal and the Small Business Exchange.

An optional pre-proposal meeting was held on November 24, 2015, and was attended by 15 interested persons. During the 8-week proposal period, staff issued two addenda to clarify details and instructions in the RFP and respond to questions received from interested consultants. Two proposals were received by the proposal deadline of January 14, 2016.

A Consultant Review Board (CRB), consisting of two subject matter experts from the District and three external subject matter experts evaluated the proposals and interviewed both consultants on February 11, 2016. Based on the combined (written and oral) rating scores, the CRB recommended that staff undertake contract negotiations with Environmental Science Associates.

### **Consultant Services Scope of Work**

The Agreement includes the required tasks for Consultant to perform all necessary California Environmental Quality Act (CEQA) and permitting support services for the Expedited Purified Water Program's Phase 1 Project-an up to 24,000 acre-feet per year water purification facility adjacent to the existing Silicon Valley Advanced Water Purification Center, and a pipeline to convey purified water to the Los Gatos Recharge Ponds.

A summary of the tasks and budget for this Agreement is presented in Table 1. The basic scope of services includes project management; environmental investigations and studies; biological studies; wetland and riparian habitat delineation; preparation of necessary draft and final CEQA documents; and preparation of permit applications and support in securing necessary permits. The supplemental services include additional work for cultural resource investigations and preparation of National Environmental Policy Act documents if federal funding will be made available for the Expedited Purified Water Program. Prior to performing any supplemental services, Consultant will be required to obtain written authorization from the Water Utility Capital Division Deputy Operating Officer.

**Table 1. Summary Tasks and Fees for Proposed Consultant Agreement with Environmental Science Associates**

Task	Description	Total Not-to-Exceed Fees
1	Project Management	\$279,629
2	Environmental Investigations and Studies	\$101,369
3	Biological Studies/Wetland and Riparian Habitat Delineation and Mapping	\$38,026
4	Project Description and Initial Study	\$35,396
5	Notice of Preparation and Scoping	\$28,787
6	Administrative Draft EIR	\$187,938

7	Administrative Draft EIR 2	\$74,913
8	Camera-Ready Draft EIR	\$46,888
9	Draft EIR	\$33,750
10	Public Review of the Draft EIR	\$34,096
11	Responses to Public and Agency Comments on Draft EIR, Administrative Final EIR	\$119,618
12	Draft Final EIR and Draft Mitigation Monitoring and Reporting Program (MMRP)	\$41,895
13	Final EIR and MMRP	\$22,234
14	Notice of Determination (NOD) and Findings of Fact and Statement of Overriding Considerations	\$9,738
15	Assist with Public Hearing/Certification of EIR	\$3,986
16	Draft and Final Permit Applications	\$227,859
17	Prepare Application Package for SRF	\$50,502
18	Supplemental Services	\$450,000
<b>Total Not-to-Exceed Fee (Tasks 1 through 18)</b>		<b>\$1,786,624</b>

**FINANCIAL IMPACT:**

Approval of this Agreement will result in a not-to-exceed fee of \$1,786,624. There are adequate funds in the Expedited Purified Water Program's Board-adopted FY 2017-2018 budget to encumber the necessary fees to support Consultant's services through the remainder of the current fiscal year. Fees for work to be performed in future fiscal years will be budgeted accordingly. This Agreement will increase the total Program cost estimate of \$277 million in the draft FY19-23 Capital Improvement Program by \$1.8 million.

**CEQA:**

The recommended action 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. Once Project development is complete, a CEQA environmental analysis will be provided for the Board to consider as part of its Project approval process.

**ATTACHMENTS:**

Attachment 1: Agreement

**UNCLASSIFIED MANAGER:**

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