APPROVE ISSUANCE OF REQUEST FOR PROPOSALS FOR STORMWATER PROGRAM MANAGEMENT AND MONITORING SERVICES

RECOMMENDATION

It is recommended that the City Council approve two motions accepting findings and authorizing the City Manager to issue Request for Proposals for the solicitation of consultant services to provide Stormwater Program management and water quality monitoring services.

It is also recommended that Council authorize the City Manager to establish the appropriate selection committees comprised of City staff, and be authorized to take the appropriate actions to carry out the purpose and intent of these motions.

Summary

The City operates the Stormwater Program under a joint permit with San Joaquin County that was issued by the State. In order to comply with some of the requirements of the permit, the City uses consultant services to assist with program management and water quality monitoring. The current contracts are scheduled to expire and, in order to have new contracts with consultants in place when the permit is renewed, staff is requesting authorization to issue RFPs for those services.

DISCUSSION

Background

The City of Stockton and San Joaquin County are co-permittees for the Stormwater National Pollutant Discharge Elimination System (NPDES) permit due to stormwater pipeline and outfall infrastructure that is common to both the City and County. The permit requires the implementation of programs to effectively reduce contaminants in urban runoff. These programs and maintenance activities have included:

- various outreach and education programs;
- collection system inspection, maintenance, and repair;
- catch basin inspection and cleaning;
- pump station repair, maintenance and rehabilitation;
- water quality monitoring, reporting and studies;
- characterization of urban runoff discharging directly to receiving waters; and
- identification of pollutants of concern and contaminant source analysis.

Implementation of these programs designed to fulfill the needs of the stormwater permit has required
the assistance of consultant services with expertise in the area of stormwater management, regulatory requirements, reporting and monitoring.

This permit is currently up for renewal and issuance is anticipated by the State next spring. Staff requests the authority to solicit new proposals to continue to provide management and monitoring services over the next 5-year term of the City/County stormwater permit.

Present Situation

The current NPDES Permit expired in December 2012. On June 6, 2012, the City and County as co-permittees submitted a permit renewal application to the State under the required deadline. City and County staff are currently working with their consultants to provide responses to the State in the development of the new permit, which is anticipated to be adopted prior to the close of Fiscal Year 2013-2014. Until such time that a new permit is issued by the State, it is the normal practice that the City and County continue to operate under the regulations, mandates and requirements of the expired permit.

As co-permittees, the City and County have contracted with Larry Walker & Associates and Condor Earth Technologies to provide the program management and monitoring support over the past permit term. This agreement was last renewed in 2012, where these consulting firms were tasked to provide program management and water quality monitoring support for the final year of the permit. Both professional services contracts will expire prior to the close of FY 2013-14 and new agreements for consultant services will be needed to provide technical support to ensure the City and County continue to remain in compliance with new permit requirements.

The passage of Article XX of the Stockton City Charter gives the Council the authority to use the Request for Proposals (RFP) process for negotiated contracts so long as the Council adopts findings to support and justify the use of that process. Council Policy 300-1 establishes guidelines for the policies and procedures to be followed in the use of the RFP process. The procedures for the RFP process are intended to give emphasis to those factors which demonstrate an ability to provide competent services and specialized products, rather than using a fee based determination as the sole consideration for the contract award.

The use of the RFP process is an appropriate selection mechanism for the selection of consultant services to provide Stormwater Program management and stormwater quality monitoring because it relies on the evaluation of professional conduct, qualifications and past performance as a basis for the selection of a consultant that meets the highest ethical, technical, and professional standards.

Therefore, staff recommends that, due to the technical nature of the Scope of Services for each RFP, a Professional Services Selection Committee be formed for evaluation of the proposals for each RFP; and both committees to be comprised of City staff.

Findings

The findings to support the Request for Proposals process for retaining both a Professional Services Consultants for Stormwater Program Management and for Stormwater Quality Monitoring are as follows:
a) A strict cost competitive basis for the selection of a consultant for this type of effort may lower the quality and thoroughness of the requested service;

b) Selection of a professional consultant solely on the basis of initial cost can result in unnecessary long-term costs to the City’s system operation, maintenance and modifications;

c) The Programs involves a very specialized field and its success requires an experienced professional who has successfully implemented and performed such services; and

d) The City does not presently possess the necessary expertise or personnel to perform work of these functions.

FINANCIAL SUMMARY

There are no financial impacts related to issuing these RFPs other than staff time and efforts. Two separate contracts will be brought before Council for consideration following the selection committee’s evaluation.

There are no impacts to the General Fund, or any other unrestricted funds, from this action.