





**DEPARTMENT OF PUBLIC UTILITIES
MEMORANDUM**

DATE: February 16, 2018

TO: WILMA QUAN-SCHECTER, City Manager
Office of the Mayor & City Manager Admin and Management

THROUGH: THOMAS C. ESQUEDA, Director 
Department of Public Utilities

MICHAEL CARBAJAL, Planning Manager 
Department of Public Utilities – Utilities Planning and Engineering

FROM: GLENN KNAPP, Professional Engineer
Department of Public Utilities – Utilities Planning and Engineering

SUBJECT: 5 YEAR SANITARY SURVEY UPDATE SAN JOAQUIN RIVER /
FRIANT KERN CANAL

The City of Fresno (City) utilizes surface waters from the San Joaquin River and the Friant Kern Canal providing groundwater recharge in available Fresno Metropolitan Flood Control District (FMFCD) storm water basins and City owned basins. Additionally, these waters are also sent to Fresno's surface water treatment facility for direct use via canals owned and operated by the Fresno Irrigation District.

In accordance with the California State Water Resources Control Board (SWRCB) requirements, and surface water treatment plant permitting, Watershed Sanitary Surveys (Surveys) were conducted for these two sources in 1998, and 2008. The SWRCB has notified the public water utilities that a 5-year update of the 2008 Survey is past due and must be completed.

The original Survey was performed through Keller/Wegley Consulting Engineers who subconsulted to Boyle Engineering (now AECOM) for completion of the San Joaquin River portion of the Survey. The original Survey was implemented in a coordinated effort between ten (10) agencies through development of a Memorandum of Understanding (MOU). This combined effort replaced numerous individual studies dealing with only a particular portion of the watershed that would have otherwise been required, resulting in significant cost savings. The original Survey had been implemented by other agencies prior to City participation. Upon completion of the original Survey, the City submitted \$39,000 to the lead agency (Lindsay-Strathmore Irrigation District) for its proportional share. Thereafter, the original MOU participants were proportionally reimbursed by the lead agency. For the 2008 Survey, and



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through approval of the Assistant City Manager, the City entered into a separate agreement with Keller/Wegley and submitted \$45,039 for its proportional share.


In recognition of notification by the SWRCB for an updated Survey, Keller/Wegley submitted a multi-party MOU identifying the Lindsay-Strathmore Irrigation District to act as the lead agency, and provide for inclusion of the City and many of the original stakeholders as participants in satisfying Survey update requirements.

Work related to performing the Survey is anticipated to start in March 2018, and at present, nearly all stakeholding agencies have accepted, and are party to the submitted MOU. Other agencies such as Fresno County are engaged as participants through direct contract with Keller / Wegley, as recommended by their legal office.

In review of the MOU by the City's Attorney's office, return comments identify several issues with the MOU as it is written. Because the majority of the other agencies have entered to the MOU, making changes exclusive for the City of Fresno would be difficult, causing significant project delays. The Attorney's office did offer a recommendation to enter into a separate agreement directly with Keller/Wegley to perform the same services as identified by the MOU.

Normal processing in accordance with Administrative Order (A.O.) 6-19 would require staff to solicit RFP/RFQ's from several consultants for retention of facilitating services. Due to Keller/Wegley's intimate long-term experience and unique qualifications in providing these Sanitary Survey Updates, and to benefit from the cost savings attributed to multi-agency participation, the City would need to contract with Keller/ Wegley. Based on the MOU's proportional share, the City's financial obligation would be \$55,385 which includes a 10% contingency. We can enter into a separate agreement without increasing costs only if the update efforts can be coordinated with all other parties identified in the MOU.

Therefore, the Department finds Keller / Wegley to be uniquely qualified to perform the Sanitary Survey Update. According to A.O. 6-19, the uniquely qualified finding must be memorialized in writing and signed by the City Manager or designated Assistant City Manager.


Wilma Quan-Schechter

2/22/18
Date