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Title: Approve the second amendment to the consultant services agreement with Carollo Engineers, Inc., for the preparation of a Nitrate Initial Assessment to extend the term of the agreement (Council Districts 3 and 6).

Sponsors: Department of Public Utilities

Indexes:

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Attachments: 1. Attachment 1 - Second Amendment.pdf, 2. Attachment 2 - First Amendment.pdf, 3. Attachment 3 - Agreement.pdf

Date	Ver.	Action By	Action	Result
6/8/2023	1	City Council	ADOPTED	Pass

REPORT TO THE CITY COUNCIL

FROM: BROCK D. BUCHE, PE, PLS, Director
Department of Public Utilities

BY: JESUS A. GONZALEZ, PE, Assistant Director
Department of Public Utilities - Utilities Planning & Engineering

ANITA LUERA, Supervising Engineering Technician
Department of Public Utilities - Utilities Planning & Engineering

SUBJECT

Approve the second amendment to the consultant services agreement with Carollo Engineers, Inc., for the preparation of a Nitrate Initial Assessment to extend the term of the agreement (Council Districts 3 and 6).

RECOMMENDATION

Staff recommends that City Council approve the second amendment to the consultant services agreement (Agreement) with Carollo Engineers, Inc., (Carollo) for the preparation of a Nitrate Initial Assessment (NIA), to extend the term of the Agreement from June 30, 2023, to December 31, 2024; and authorize the Director of Public Utilities, or designee, to sign the second amendment on behalf of the City of Fresno (City).

EXECUTIVE SUMMARY

As part of a Nitrate Control Program (Program) to ensure the protection of drinking water supplies and to manage nitrate concentrations in groundwater, the City entered into an Agreement with Carollo for the preparation of an NIA to evaluate the potential influence existing wastewater facilities may have on nitrate levels in the groundwater.

The NIA and related documents were completed by Carollo and submitted to the Central Valley Regional Water Quality Control Board (Board) for review and approval. To date, the City has not received a letter of determination from the Board indicating compliance with the Program. The Agreement expires on June 30, 2023; however, it may be necessary to modify the NIA or related documents and address potential comments or concerns received from the Board as a result of their review. As such, the second amendment to the Agreement is required to extend the term of the Agreement to December 31, 2024. Additional funds will not be required.

BACKGROUND

The Board administers a Program that allows for the control and permitting of nitrate discharges across the Central Valley. The purpose of the Program is to ensure the protection of drinking water supplies and to manage nitrate concentrations in groundwater.

As part of the Program, the City entered into an Agreement with Carollo on June 19, 2020, to prepare an NIA for the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) and the North Fresno Wastewater Reclamation Facility (NFRF) to evaluate their potential influence on nitrate levels in the groundwater. The first amendment to the Agreement was executed on October 4, 2021, and expanded the scope of services to include the implementation of certain components of the NIA.

The NIA and related documents were completed in accordance with the Program and submitted to the Board for approval on May 6, 2021. To date, the City has not received a letter of determination from the Board illustrating the City's compliance with the Program. It may be necessary to modify the NIA or related documents and address potential comments or concerns received from the Board as a result of their review. As such, the second amendment is required to extend the term of the Agreement from June 30, 2023, to December 31, 2024. Additional funds will not be required. The City Attorney's Office has reviewed the second amendment and approved as to form. Upon approval by City Council, the second amendment will be executed by the Director of Public Utilities or designee.

ENVIRONMENTAL FINDINGS

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5), this is not a "project" for the purpose of CEQA, as this is an organizational or administrative action of the government to enforce an existing obligation and will not result in a direct or indirect physical change in the environment.

LOCAL PREFERENCE

Local preference does not apply to this action because this is an amendment to an existing consultant services agreement.

FISCAL IMPACT

There is no impact to the General Fund. Funding for the Agreement is included in the Wastewater

Management Division's Operations and Maintenance budget within the Wastewater Enterprise Fund 40501. No additional appropriations are necessary. The RWRF is located in Council District 3 and the NFRF is located in Council District 6, however, the benefit of the services described is citywide.

Attachments:

Attachment 1 - Second Amendment

Attachment 2 - First Amendment

Attachment 3 - Agreement