

ITEM 4.7

CITY MANAGER'S REPORT OCTOBER 10, 2022 CITY COUNCIL REGULAR MEETING

ITEM: **APPROVE TASK ORDER NO. 6 WITH WOODARD & CURRAN FOR THE SURFACE WATER DISCHARGE PROJECT PERMITTING SUPPORT, CIP WW 20-17**

RECOMMENDATION: **Adopt Resolution Approving Task Order No. 6 with Woodard & Curran for Continued Permitting Support for the Consolidated Treatment Facility Surface Water Discharge Project, CIP WW 20-17**

SUMMARY:

The Surface Water Discharge Project Capital Improvement Project (CIP) WW 20-17 was created to obtain a National Pollutant Discharge Elimination System (NPDES) permit to discharge effluent generated by the Lathrop Consolidated Treatment Facility (LCTF) to the San Joaquin River. This project is needed to minimize future sewer rate increases and support growth as the City's wastewater flows to increase and land becomes unavailable for the storage and disposal of recycled water.

Approval of Task Order No. 6 is requested to provide continued permitting support related to the WDRs rescission, NPDES permit amendment to include recycled water production and moving all recycled water distribution and use (including storage) under the General Order.

Staff is recommending Council approve Task Order No. 6 with Woodard & Curran in the amount of \$45,100. Sufficient funds were included in the adopted Fiscal Year 22/23 budget for CIP WW 20-17 to pay for these services.

BACKGROUND:

Wastewater from the City of Lathrop is treated at two separate facilities, the City of Manteca's Wastewater Quality Control Flow (WQCF) and the City of Lathrop's CTF. Treated wastewater effluent from the Manteca WQCF is primarily disposed of via discharge to the San Joaquin River. Treated wastewater effluent from the Lathrop CTF is currently discharged to land via ponds and sprayfields. Lathrop CTF effluent disposal and reuse is regulated by the Central Valley Regional Water Quality Control Board (Central Valley Water Board).

In 2022, the City worked with the Regional Water Quality Control Board (RWQCB) to secure an NPDES permit. Woodard & Curran has provided engineering and permitting support consulting services under various task orders related to the LCTF Waste Discharge Requirements (WDRs), NPDES and General Order for Recycled Water Use (General Order) under a Master Agreement dated June 10, 2019. Task Order No. 5 to the Master Agreement was approved in October 2021 to provide engineering and permit compliance consulting services related to the CIP WW 20-17 Surface Water

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APPROVE TASK ORDER NO. 6 WITH WOODARD & CURRAN FOR THE SURFACE
WATER DISCHARGE PROJECT PERMITTING SUPPORT, CIP WW 20-17

Discharge Project. Approval of Task Order No. 6 is requested to provide continued permitting support related to the WDRs rescission, NPDES permit amendment to include recycled water production and moving all recycled water distribution and use (including storage) under the General Order.

REASON FOR RECOMMENDATION:

The ability to dispose of effluent from the Lathrop CTF to the San Joaquin River is necessary to minimize future rate increases and support growth as the City's wastewater flows increase and land becomes unavailable for the storage and disposal of recycled water.

FISCAL IMPACT:


The cost of the permit compliance support services from Woodard & Curran under Task Order No. 6 is not to exceed \$45,100. Sufficient funds were included in the adopted Fiscal Year 22/23 budget for CIP WW 20-17 to pay for these services.

ATTACHMENTS:

- A. Resolution Approving Task Order No. 6 with Woodard & Curran for Continued Permitting Support for the Consolidated Treatment Facility Surface Water Discharge Project, CIP WW 20-17
- B. Task Order No. 6 with Woodard & Curran for Continued Permitting Support for the Consolidated Treatment Facility Surface Water Discharge Project, CIP WW 20-17

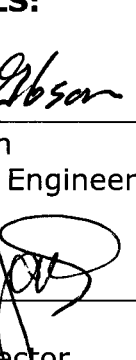
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OCTOBER 10, 2022 CITY COUNCIL REGULAR MEETING
APPROVE TASK ORDER NO. 6 WITH WOODARD & CURRAN FOR THE SURFACE
WATER DISCHARGE PROJECT PERMITTING SUPPORT, CIP WW 20-17

APPROVALS:



Greg Gibson
Senior Civil Engineer

9/28/2022
Date




Cari James
Finance Director

10/4/2022
Date




Michael King
Assistant City Manager

9.29.2022
Date



Salvador Navarrete
City Attorney

10-30-2022
Date



Stephen J. Salvatore
City Manager

10.5.22
Date

RESOLUTION NO. 22 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING TASK ORDER NO. 6 WITH WOODARD & CURRAN FOR CONTINUED PERMITTING SUPPORT FOR THE CONSOLIDATED TREATMENT FACILITY SURFACE WATER DISCHARGE PROJECT, CIP WW 20-17

WHEREAS, the CIP WW 20-17 Surface Water Discharge project was created to construct the necessary infrastructure and obtain a National Pollutant Discharge Elimination System (NPDES) permit from the Central Valley Regional Water Quality Control Board (RWQCB) to allow discharge of tertiary treated effluent from the Lathrop CTF to the San Joaquin River; and

WHEREAS, the ability to dispose of effluent from the Lathrop CTF to the San Joaquin River is necessary to minimize future rate increases and support growth as the City's wastewater flows increase and land becomes unavailable for the storage and disposal of recycled water; and

WHEREAS, in 2022, the City worked with the Regional Water Quality Control Board (RWQCB) to secure an NPDES permit; and

WHEREAS, Woodard & Curran has provided engineering and permitting support consulting services under various task orders related to the LCTF Waste Discharge Requirements (WDRs), NPDES and General Order for Recycled Water Use (General Order) under a Master Agreement dated June 10, 2019; and

WHEREAS, Task Order No. 5 to the Master Agreement was approved in October 2021 to provide engineering and permit compliance consulting services related to the CIP WW 20-17 Surface Water Discharge Project; and

WHEREAS, at the request of staff, Woodard & Curran has provided a proposal to provide additional permit compliance support services for an amount not to exceed \$45,100; and

WHEREAS, approval of Task Order No. 6 is requested to provide continued permitting support related to the WDRs rescission, NPDES permit amendment to include recycled water production and moving all recycled water distribution and use (including storage) under the General Order; and

WHEREAS, sufficient funds were included in the adopted Fiscal Year 22/23 budget for CIP WW 20-17 to pay for these services.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop does hereby approve Task Order No. 6 with Woodard & Curran for an amount not to exceed \$45,100 to provide continued permitting support for the Consolidated Treatment Facility Surface Water Discharge Project, CIP WW 20-17.

The foregoing resolution was passed and adopted this 10th day of October, 2022, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:


ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

**CITY OF LATHROP
TASK ORDER NO. 6**

**PURSUANT TO MASTER AGREEMENT DATED JUNE 10, 2019 WITH
WOODARD & CURRAN, INC.**

**TO PROVIDE ENGINEERING AND PERMIT COMPLIANCE
CONSULTING SERVICES TO PROVIDE CONTINUED RECYCLED
WATER PROGRAM EXPANSION PERMITTING SUPPORT
CIP WW 20-17**

THIS TASK ORDER NO. 6, dated for convenience **October 10, 2022** is by and made and entered into by and between **WOODARD & CURRAN, INC.** ("CONSULTANT") and the CITY OF LATHROP, a California municipal corporation ("CITY");

RECITALS:

WHEREAS, on June 10, 2019, CONSULTANT entered into a Master Agreement ("AGREEMENT") and Task Order No. 1 with the CITY, by which the CONSULTANT has agreed to provide Engineering and Permit Compliance Consulting Services; and

WHEREAS, on July 8, 2019, CONSULTANT entered into Task Order No. 2 to provide Engineering and Permit Compliance Consulting Services Related to Addition of Mossdale Urban Use Areas; and

WHEREAS, on December 3, 2019, CONSULTANT entered into Task Order No. 3 to provide Engineering and Permit Compliance Consulting Services to Provide NOI Assistance for General Order for Recycled Water Use; and

WHEREAS, on September 14, 2020, CONSULTANT entered into Task Order No. 4 to provide Engineering and Permit Compliance Consulting Services to Provide Recycled Water Program Expansion Permitting Support; and

WHEREAS, on September 14, 2020, CONSULTANT entered into Task Order No. 5 to provide Engineering and Permit Compliance Consulting Services to Provide Recycled Water Program Expansion Permitting Support, CIP WW 20-17; and

WHEREAS, on September 22, 2022, CONSULTANT submitted a scope of work as shown in Exhibit "A"; to provide Engineering and Permit Compliance Consulting Services for Continued Recycled Water Program Expansion Permitting Support; and

WHEREAS, CONSULTANT is specially trained, experienced, and competent to perform Engineering and Permit Compliance Consulting Services, which are required by this agreement; and

CITY OF LATHROP – TASK ORDER NO. 6 WITH WOODARD & CURRAN, INC. FOR CONTINUED ENGINEERING AND PERMIT COMPLIANCE SUPPORT SERVICES TO PROVIDE CONTINUED RECYCLED WATER PROGRAM EXPANSION PERMITTING SUPPORT – WW 20-17

WHEREAS, CITY selected the CONSULTANT pursuant to said qualifications; and

WHEREAS, CONSULTANT is willing to render such Engineering and Permit Compliance Consulting Services, as hereinafter defined, on the following terms and conditions.

NOW, THEREFORE, CONSULTANT and the CITY agree as follows:

AGREEMENT

(1) **Incorporation of Master Agreement**

This Task Order No. 6 hereby incorporates by reference all terms and conditions set forth in the Master Agreement for Consulting Services for this project, unless specifically modified by this Task Order No. 6.

(2) **Scope of Service**

CONSULTANT agrees to perform Engineering and Permit Compliance Consulting Services in accordance with the scope of work and fee proposal attached hereto as Exhibit “A” to this Task Order No. 6.

CONSULTANT agrees to diligently perform these services in accordance with the upmost standards of its profession and to the CITY’S satisfaction.

(3) **Effective Date and Term**

The effective date of this Task Order No. 6 is **October 10, 2022** and it shall terminate no later than **June 30, 2023**.

(4) **Compensation**

CITY hereby agrees to pay CONSULTANT hourly rates and other charges not to exceed **\$45,100** for the Engineering and Permit Compliance Consulting Services. CONSULTANT shall be paid any uncontested sum due and payable within thirty (30) days of receipt of billings containing all information pursuant to Paragraph 5 below. Compensation for any task must be equal to or less than the percentage of task complete. In no event shall CONSULTANT be entitled to compensation for work not included in Exhibit “A”, unless a written change order or authorization describing the extra work and payment terms has been executed by CITY’s authorized representative prior to the commencement of the work.

CITY OF LATHROP – TASK ORDER NO. 6 WITH WOODARD & CURRAN, INC. FOR CONTINUED ENGINEERING AND PERMIT COMPLIANCE SUPPORT SERVICES TO PROVIDE CONTINUED RECYCLED WATER PROGRAM EXPANSION PERMITTING SUPPORT – WW 20-17

(5) **Notice to Proceed**

Prior to commencing work under this agreement, CONSULTANT shall receive a written “Notice to Proceed” from CITY. A Notice to Proceed shall not be issued until all necessary bonds and insurance have been received. City shall not be obligated to pay CONSULTANT for any services prior to issuance of the Notice to Proceed.

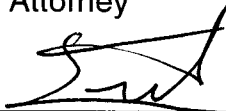
(6) **Signatures**

The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of the CONSULTANT and the CITY. This agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

CITY OF LATHROP – TASK ORDER NO. 6 WITH WOODARD & CURRAN, INC. FOR CONTINUED ENGINEERING AND PERMIT COMPLIANCE SUPPORT SERVICES TO PROVIDE CONTINUED RECYCLED WATER PROGRAM EXPANSION PERMITTING SUPPORT – WW 20-17

Approved as to Form:

City of Lathrop
City Attorney



Salvador Navarrete

10-4-2022

Date

Recommended for Approval:

City of Lathrop
Assistant City Manager

Michael King

Date

Approved By:

City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Stephen J. Salvatore
City Manager

Date

CONSULTANT:

Woodard & Curran, Inc.
David L. Richardson, P.E., Senior Vice President
2175 N. California Blvd., Ste. 315
Walnut Creek, CA 94596

Fed ID # 01-0363222

Bus License # 20849

Signature

Date

David Richardson, P.E.

2175 N California Blvd
Suite 315
Walnut Creek, CA 94596
www.woodardcurran.com

T 800.426.4262
T 925.627.4100

EXHIBIT **A** "

Via Electronic Mail

September 22, 2022



Michael King
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Re: Amendment Request to Provide Continued Recycled Water Permitting Support

Dear Michael:

Woodard & Curran is happy to provide continued service to the City to support rescission of the existing Waste Discharge Requirements (WDR, Order R5-2016-0068) and the full transition of the recycled water system to the Recycled Water General Order (Order WQ 2016-0068-DDW-R5017).

In 2022, the City worked with the Regional Board to secure a surface water discharge permit (NPDES) as part of the next phase of the CTF to provide treatment and disposal capacity through buildout of the City (ORDER R5-2022-0004/NPDES CA0085359). The new NPDES permit covers wastewater treatment at the CTF and discharge of treated tertiary effluent through the new outfall currently under construction. With the new NPDES permitting in place, the City would like to rescind the existing WDR and move all recycled distribution and use (including storage) under the General Order.

Under the current contract, Woodard & Curran has been providing technical and permitting assistance including ongoing water balance evaluations and coordination with the City, RBI, and the Central Valley Regional Water Quality Control Board (CV Water Board) over the past 2 years. At a recent meeting with the CV Water Board, Board staff requested the City submit both a WDR rescission letter (inclusive of/similar to a Facilities Closure Plan) as well as a separate request to amend the NOA. With this amendment for continued support, Woodard & Curran will assist the City by developing the WDR rescission request letter and a subsequent letter request to update to the Notice of Applicability, both to be submitted to the Regional Board.

This amendment will add funds to the existing contract (Task Order No. 5 for Engineering and Permit Compliance Services to Provide Continued Recycled Water Program Expansion Permitting Support – CIP WW 20-17) to continue permitting support.

SCOPE OF SERVICES

TASK 1: Permitting Assistance

WDR Rescission Request Letter/Facilities Closure Plan – Woodard & Curran will develop a WDR Rescission request letter for Regional Board, covering the following information:

- Background summary of permitting moving to NPDES and RW General Order, therefore allowing WDR rescission/abandonment



- Summary of semi-annual GW monitoring City has done over last 6 years of current permit. Demonstrates RW application has not had any significant impacts on the GW quality compared to background conditions and all GW monitoring can stop
- Reaffirm ability to stop GW monitoring associated with LAS-2 and eliminate the 13267 Order
- Provide list of facilities in the WDR that will remain in service and move to regulatory coverage under the NPDES or RW General Order as well as those that will be closed (mainly the percolation pond)
- Identify updated GW monitoring well abandonment schedule/cost estimate (except for 2 SGMA wells).

An administrative draft letter will be developed for review by the City and a consolidated set up comments will be provided to Woodard & Curran. A draft request letter will be submitted to the CV Water Board for review and concurrence before the final letter is submitted.

General Order NOA Update Request Letter – Following the development of the draft Facilities Closure Plan, Woodard & Curran will develop the letter requesting the NOA be updated to reflect that the entirety of the recycled water distribution system is regulated under the General order, including all storage ponds, pump stations, and use areas. This short letter will document permitting conditions and affirm that the Title 22 report and NOI submitted in 2020 provided the relevant information for updating the NOA.

A draft letter will be developed for review by the City. A final letter will be submitted to the CV Water Board.

Deliverables

- Admin draft, draft, and final WDR Recission Request Letter, including updating the well abandonment schedule and cost estimate
- Draft and final NOA Update Request Letter

Assumptions:

- Well abandonment technical support and the Well Destruction Report will be completed by others under separate contract.
- The Groundwater Monitoring Well Condition Survey Report and Destruction Plan submitted by the City in 2016 will be cited as the abandonment methodologies and other information are still relevant. Additional condition surveys will not be completed as all wells are slated for abandonment unless otherwise noted.
- No additional groundwater monitoring or analysis will be completed under this contract. It is assumed that the quarterly, semi-annual, and annual groundwater monitoring reports submitted over the last 5 years provide sufficient data to meet the CV Water Board's needs. The data will be summarized, and a list of all groundwater reports submitted over the past 5 years will be provided within the WDR Recission Request Letter.
- City and its consultants will provide a single consolidated set of comments on the administrative draft WDR recission letter within 2 weeks of submittal.



- Minor modifications to the draft report submitted to the CV Water Board may be incorporated, but significant edit or comment by Board staff would require a meeting and negotiations with the City.
- The Title 22 Report Addendum and the Notice of Intent submitted in 2020 are sufficient without modifications to support the NOA Amendment. Updates to these documents are not included.

TASK 2: Meetings and Project Management

Woodard & Curran will continue work with City and Regional Board staff to secure permit updates for the recycled water system and support on-going development in the City. This task includes the internal and external coordination and communication necessary to assure the project is completed on a schedule that meets the requirements of both the City and Regional Water Board staff. This task includes communication with City staff and team on the status of the project work, as well as preparation of monthly invoices and progress reports.

Deliverables

- Notes from interactions with the Regional Board.
- Meeting prep and attendance (virtual)
- Monthly progress reports.

Assumptions

- One virtual meeting with Regional Board staff after submittal of the WDR Recission Request Letter.
- Two virtual meetings with City staff and City's consultants.

BUDGET AND SCHEDULE

The estimated level of effort for the amended scope is not to exceed \$45,100 as presented in the attached fee estimate. If you have any questions about our proposal or would like additional information, please call me at (926) 627-4138.

Sincerely,

WOODARD & CURRAN, INC.

A handwritten signature in black ink that reads "David L. Richardson". The signature is written in a cursive, flowing style.

David L. Richardson, P.E.
Principal in Charge, Vice President
Attachment: Fee Estimate



City of Lathrop
 Recycled Water Engineering and Permit Compliance Services - Amendment Request

Fee Estimate

Tasks	Labor				Total Labor Hours	Total Labor Costs (1)	E&I	Outside Services			Total	
	Dave Richardson	Sarah Rhodes	Staff Engineer	Graphics/Admin.				Subtotal	Sub Consultant Total Cost (2)	ODCs		Total ODCs (3)
	PIC	PM	PE	Support Team			GW Eval Support					
Task 1: Permitting Assistance												
WDR Recession Request Letter	2	26	16	2	46	\$12,370	\$3,500	\$3,850	\$3,500	\$3,850	\$0	\$16,220
Well Abandonment Plan Updates		4	8		12	\$2,900	\$5,000	\$5,500	\$5,000	\$5,500	\$0	\$8,400
NOA Update Request Letter	1	8		2	11	\$3,090		\$0	\$0	\$0	\$0	\$3,090
Subtotal Task 1:	3	38	24	4	69	\$18,360	\$8,500	\$9,350	\$8,500	\$9,350	\$0	\$27,710
Task 2: Meetings and Project Management												
Project Management		6		6	12	\$2,610		\$0	\$0	\$0	\$0	\$2,610
CV Water Board Meeting & Prep	2	4	4		10	\$2,740		\$0	\$0	\$0	\$0	\$2,740
CV Water Board Negotiations and as-needed support	2	10	8		20	\$5,450	\$3,500	\$3,850	\$3,500	\$3,850	\$0	\$9,300
City Meetings & Prep	2	4	4		10	\$2,740		\$0	\$0	\$0	\$0	\$2,740
Subtotal Task 2:	6	24	16	6	52	\$13,540	\$3,500	\$3,850	\$3,500	\$3,850	\$0	\$17,390
TOTAL	9	62	40	10	121	\$31,900	\$12,000	\$13,200	\$12,000	\$13,200	\$0	\$45,100

1. The individual hourly rates include salary, overhead and profit.
2. Subconsultants will be billed at actual cost plus 10%.
3. Other direct costs (ODCs) such as reproduction, delivery, mileage (rates will be those allowed by current IRS guidelines), and travel expenses, will be billed at actual cost plus 10%.
4. W&C reserves the right to adjust its hourly rate structure and ODC markup at the beginning of the calendar year for all ongoing contracts.
5. Additional Woodard & Curran staff may perform work on the project, based on our standard billing rate schedule currently in effect.

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