



CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Charlie Hales, Mayor ■ Dean Marriott, Director

City Council
Agenda Item
Staff Supplemental Report

TO: Mayor Charlie Hales
THROUGH: Chad Stover

FROM: Joel A. Bowker, Pollution Prevention Program, 503-823-6997

DATE: 2/1/2013

RE: * Authorize a contract with GSI Water Solutions, Inc. for as-needed services to support implementation of the City's Water Pollution Control Facility and National Pollutant Discharge Elimination System Municipal Separate Storm Sewer Discharge Permits (Ordinance)

Requested Council Hearing Date: 3/6/2013

I. RECOMMENDATION

Authorize contract with GSI Water Solutions, Inc. to provide professional and technical services for Underground Injection Control (UIC) and National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer (MS4) Program implementation to ensure compliance with the City's Oregon Department of Environmental Quality issued permits.

II. BACKGROUND

The federal Safe Drinking Water Act (SDWA) of 1974 provides a comprehensive national framework to ensure the quality and safety of drinking water supplies. The Underground Injection Control (UIC) program under the SDWA protects underground sources of drinking water by regulating various classes of underground injection. BES uses UICs (drywells) to infiltrate stormwater runoff from public roads. The City currently operates approximately 9,000 public UIC systems under a Water Pollution Control Facility (WPCF) Permit issued by the Oregon Department of Environmental Quality (DEQ) in 2005. The WPCF permit establishes numerical limits for stormwater discharges to UICs and the construction, operation and maintenance requirements the City must implement to comply with the federal SDWA and Oregon Administrative Rules (OAR) for UICs (OAR 340-044) and groundwater protection (OAR 340-040).

The City holds a National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer (MS4) Discharge permit issued by DEQ in accordance with the requirements of the federal Clean Water Act. The five-year permit, reissued in 2011, requires the reduction of pollutants in stormwater discharges from the MS4 to the "maximum extent practicable" and includes specific pollution prevention and stormwater management programmatic requirements. The permit also requires extensive programmatic technical evaluations that include assessing

progress towards pollutant load reduction benchmarks, conducting an assessment of hydromodification impacts from MS4 discharges and developing a retrofit plan to address the impacts from stormwater runoff from existing development.

Under this legislation, BES, with the assistance of GSI Water Solutions, Inc. through mutually signed task orders, will perform work that meets permit established requirements and schedules. Task orders will be developed by BES and issued based on project needs.

III. FINANCIAL IMPACT

The contract will provide funding for professional and technical services not to exceed \$500,000 over the next three years.

IV. LEGAL ISSUES

None

V. CONTROVERSIAL ISSUES

None

VI. LINK TO CURRENT CITY POLICIES

VII. CITIZEN PARTICIPATION

Prior to the release of the RFP, the BES Business Opportunity Program conducted an outreach meeting to encourage M/W/ESB subconsultants to network with potential successful proposers.

VIII. OTHER GOVERNMENT PARTICIPATION

None.

IX. FINANCIAL IMPACT ON LOCAL ECONOMY

The total cost is not to exceed \$500,000 over three (3) years.

IF APPLICABLE, PROVIDE INFORMATION ON ESTIMATED NUMBER OF JOBS CREATED BY THIS ACTION

IF THIS ACTION IS CONTRACT-RELATED, PROVIDE INFORMATION ON M/W/ESB PARTICIPATION (NUMBER AND PERCENTAGE)

A total of two certified M/W/ESB subconsultants will participate as part of this contract. They will assume approximately 40% of the prime contract amount.

X. IF THIS IS A CONTRACT, DOES CONTRACTOR HAVE A CURRENT BUSINESS LICENSE? Yes WHAT IS THEIR BUSINESS LICENSE NUMBER? 655331
IS THEIR ACCOUNT WITH THE CITY CURRENT? Yes IF NOT, HOW MUCH IS OWING? _____

Portland, Oregon

FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Joel A. Bowker		2. Telephone No. 503-823-6997	3. Bureau/Office/Dept. BES/Pollution Prevention/Underground Injection Control Program
4a. To be filed (hearing date): 3/6/2013	4b. Calendar (Check One) Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/>		5. Date Submitted to Commissioner's office and FPD Budget Analyst: 2/20/2013
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

1) Legislation Title:

Authorize a contract with GSI Water Solutions, Inc. for as-needed services to support implementation of the City's Water Pollution Control Facility and National Pollutant Discharge Elimination System Municipal Separate Storm Sewer Discharge Permits (Ordinance)

2) Purpose of the Proposed Legislation:

The federal Safe Drinking Water Act (SDWA) of 1974 provides a comprehensive national framework to ensure the quality and safety of drinking water supplies. The Underground Injection Control (UIC) program under the SDWA protects underground sources of drinking water by regulating various classes of underground injection.

BES uses UICs (drywells) to infiltrate stormwater runoff from public roads. The City currently operates approximately 9,000 public UIC systems under a Water Pollution Control Facility (WPCF) Permit issued by the Oregon Department of Environmental Quality (DEQ) in 2005. The WPCF permit establishes numerical limits for stormwater discharges to UICs and the construction, operation and maintenance requirements the City must implement to comply with the federal SDWA and Oregon Administrative Rules (OAR) for UICs (OAR 340-044) and groundwater protection (OAR 340-040).

The National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer (MS4) Discharge permit establishes controls and limitations for stormwater discharges from the MS4 to receiving waters. The City's stormwater permit area includes sections of the City within the urban services boundary that drain to a separate storm sewer system.

The MS4 permit, reissued in January 2011, satisfies the requirements of the federal Clean Water Act (as amended in 1987 to regulate pollution in stormwater runoff from urban areas), as defined in Code of Federal Regulations (CFR) 122.26 and 122.42. The 2011 permit requires programmatic technical evaluations that include assessing progress towards pollutant load reduction benchmarks, conducting an assessment of hydromodification impacts from MS4 discharges and developing a retrofit plan to address the impacts from stormwater runoff from existing development

Under this legislation, BES, with the assistance of GSI Water Solutions, Inc. through mutually signed task orders, will perform work that meets permit established requirements and schedules. Task orders will be

developed by BES and issued based on project needs.

185917

3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?

- | | | | |
|--|------------------------------------|------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast | <input type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> East |
| <input type="checkbox"/> Central City | | | |

FINANCIAL IMPACT

4) **Revenue:** Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

This legislation will not generate nor reduce current or future revenue coming to the City.

5) **Expense:** What are the costs to the City as a result of this legislation? What is the source of funding for the expense? (Please include costs in the current fiscal year as well as costs in future years. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the level of confidence.)

Not to exceed \$500,000 for three (3) years. The source of funding is through the Sewer System Operation Fund.

6) Staffing Requirements:

- Will any positions be created, eliminated or re-classified in the current year as a result of this legislation? (If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)

No positions will be created, eliminated, or re-classified as a result of this legislation.

- Will positions be created or eliminated in future years as a result of this legislation?

No positions will be created or eliminated in future years as a result of this legislation.

(Complete the following section only if an amendment to the budget is proposed.)

7) **Change in Appropriations** (If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

--	--	--	--	--	--	--	--

[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]

PUBLIC INVOLVEMENT

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

☐ **YES:** Please proceed to Question #9.

☒ **NO:** Please, explain why below; and proceed to Question #10.

Public involvement related to the selection of a contractor to assist with implementation of the City's WPCF and NPDES MS4 permits was not included. The work requested under this contract is specific to permit requirements as required by the State of Oregon Department of Environmental Quality.

9) If "YES," please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?

c) How did public involvement shape the outcome of this Council item?

d) Who designed and implemented the public involvement related to this Council item?

e) Primary contact for more information on this public involvement process (name, title, phone, email):

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

Future public involvement is not anticipated with regards to tasks orders generated from this specific contract. Public involvement as it relates to requirements specific to WPCF and NPDES MS4 permits is coordinated through the State of Oregon Department of Environmental Quality.



APPROPRIATION UNIT HEAD (Typed name and signature)