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Title: CONSIDER APPROVAL OF THE OPERATION AND MAINTENANCE SUPPORT AGREEMENT WITH THE LOS ANGELES COUNTY SANITATION DISTRICT NO. 2, TO SUPPORT THE CITY IN REQUIRED MANAGEMENT AND INITIAL STARTUP FOR PROJECT 1515-CARSON STORMWATER CAPTURE FACILITY AT CARRIAGE CREST PARK AND CONSIDER RESOLUTION NO. 21-160 AMENDING THE FISCAL YEAR 2021-2022 BUDGET IN THE AMOUNT OF \$250,000

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit No 1 - Operations and Maintenance Agreement.pdf, 2. Resolution 21-160 - Carriage Crest.pdf

Date	Ver.	Action By	Action	Result
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Report to Mayor and City Council

Tuesday, December 07, 2021

Consent

SUBJECT:

CONSIDER APPROVAL OF THE OPERATION AND MAINTENANCE SUPPORT AGREEMENT WITH THE LOS ANGELES COUNTY SANITATION DISTRICT NO. 2, TO SUPPORT THE CITY IN REQUIRED MANAGEMENT AND INITIAL STARTUP FOR PROJECT 1515-CARSON STORMWATER CAPTURE FACILITY AT CARRIAGE CREST PARK AND CONSIDER RESOLUTION NO. 21-160 AMENDING THE FISCAL YEAR 2021-2022 BUDGET IN THE AMOUNT OF \$250,000

I. SUMMARY

On July 19, 2016, the City of Carson (City) Council approved Item No. 19 - the Stormwater Project Services Agreement with the County Sanitation District No. 2 of Los Angeles County (District) authorizing the Design and Construction Management of Project No. 1515 - Carson Stormwater Capture Facility at Carriage Crest Park.

The construction of the project is nearing completion. The District is willing to provide its expertise for the first five months to start up the facility, provide an O&M manual, be responsible for the water quality monitoring requirements and operate the facility. These tasks are not part of the construction contract and the City does not have internal expertise

to operate this facility or develop a start-up manual. A private contractor will need to be hired to begin once the District completes the start-up period after 5 months.

On November 1, 2021, staff received a proposal from the District and recommends that City Council approve the Operation and Maintenance Support Agreement (Agreement) with the District. Per the Agreement, the District will:

- a) provide short-term bridge Operation & Maintenance (O&M) support through April 30, 2022,
- b) prepare an Operation & Maintenance Manual approved by the City and any required agency,
- c) prepare the maintenance plan so that the City can hire a contractor to take on the lead of the O&M, and
- d) accommodate the construction management timeline.

The above scope of work will be provided for a negotiated fee of not-to-exceed \$250,000.00 for Project No. 1515 - Carson Stormwater Capture Facility at Carriage Crest Park. Staff requests that the City Council approve the Agreement with the District to allow staff to proceed with the initial startup for the project.

II. RECOMMENDATION

TAKE the following actions:

1. APPROVE the Operations and Maintenance Support Agreement with the County Sanitation District No. 2 of Los Angeles County, to support the City in the required management and initial startup for Project No. 1515 - Carson Stormwater Capture Facility at Carriage Crest Park for a negotiated fee of not-to-exceed \$250,000.00.
2. APPROVE Resolution No. 21-160, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON AMENDING THE FISCAL YEAR 2021-2022 BUDGET IN THE AMOUNT OF \$250,000."
3. AUTHORIZE the Mayor to execute the Agreement and the Resolution, following approval as to form by the City Attorney.

III. ALTERNATIVES

1. DO NOT APPROVE the Agreement.
2. TAKE another action the City Council deems appropriate, consistent with the requirements of the law.

IV. BACKGROUND

The City's Municipal Storm Sewer Separate System permit (MS4) is a US EPA requirement

that stems from the Federal Clean Water Act. The City's stormwater obligations are regulated by both the State Water Resources Control Board (SWRCB) and the LA Regional Water Quality Control Board (Water Board). The City of Carson is a member of the South Santa Monica Bay Watershed and the Dominguez Channel Watershed Management Group. The City joining the Dominguez Channel Enhanced Watershed Management Plan (EWMP) group has benefited the City financially and is a plus because it helps safeguard our waterbodies by capturing polluted stormwater. Under State law and as a member of these groups, the City receives extra time to comply with the MS4 requirements but still must demonstrate to the Regional Water Board its ability and commitment to fund and construct specific stormwater capture projects.

Currently the City has obligations under its MS4 permit estimated at \$236 Million by 2032. The City had an opportunity to construct a stormwater capture and diversion facility underneath the Carriage Crest Park ball field to reduce stormwater pollution in the Machado Lake Watershed and the Wilmington Drain, which is part of Carson's MS4 permit compliance obligations. The Carriage Crest Park Stormwater Project provides the City credit towards our EWMP obligations and reduces the City's overall obligation by \$21 Million using grant funds (no City General Fund money was used to construct the project). Capital projects like the Carriage Crest Park vault and tanks under the park safeguard streams, lakes, and other waterbodies by capturing stormwater and sending it to the wastewater treatment plant for processing.

The City was able to secure a \$13 Million Cooperative Implementation Grant with Caltrans to fund the Project (the Caltrans Agreement) for the design and construction costs of this project. The Caltrans Agreement specified the design and construction of a joint use project to capture stormwater and the City will be responsible for all management, maintenance, and operation costs of the constructed Stormwater Capture Facility.

On July 19, 2016 the City Council approved item No. 19, Stormwater Project Services Agreement with the District for the design and construction management of Project No. 1515 - Carson Stormwater Capture Facility at Carriage Crest Park with a negotiated fee of not-to-exceed \$2,851,000. The City retained the services of the District on a time-and-materials basis to support planning, design, and construction management.

In February 2018, the City also entered a Memorandum of Understanding with the County of Los Angeles ("County") to expand the project capacity and to construct, operate and maintain Water Quality Improvements at the Park. Under the County MOU, the County agreed to contribute up to a total amount of \$5,720,000 to finance the capital cost of the Project and to provide the ongoing annual funding of 44% of the Operation and Maintenance costs of the Stormwater Capture Facility project including 44% of these startup costs. Per the County MOU, the City is required to prepare an operation and maintenance manual ("O&M Manual") describing in detail the operation and maintenance requirements of various components of the Stormwater Capture Facility project. The City is looking for additional grant funds for O&M to further reduce its annual obligation.

The design plans were completed by the District using a consultant that they hired, the PS&E was approved by the City Council, and the project was advertised for construction bid. In April 2018, a construction contract was awarded to the lowest responsive and responsible bidder, OHL, Inc. for the construction of Project No. 1515 - Carson Stormwater

Capture Facility at Carriage Crest Park.

On January 14, 2020 the City Council approved Item No. 26, Approval of the First Amendment to the Professional Services Agreement with the County Sanitation District No. 2 of Los Angeles County, for an additional \$925,000.00, from Measure W funds, extending the funds of the construction management services for Project 1515 - Carson Stormwater Capture Facility at Carriage Crest Park.

The project included the construction of a stormwater diversion and capture system by installing massive concrete stormwater chambers underground at Carriage Crest Park. The installation of the stormwater chambers required excavation approximately 30 feet below the ground surface. Wet-weather and dry weather runoff from the L.A. County Flood Control District storm drain will be intercepted and diverted to an underground storage facility at Carriage Crest Park. Any spills in this watershed of contaminated substances will be discharged to the Sanitation District's sanitary sewer for treatment at the Joint Water Pollution Control Plant and will not enter any body of water directly. This will address the surface water quality issues, provide new supplies of reclaimed water for irrigation, and enhance the groundwater supplies.

Due to construction challenges, the Project has been significantly delayed. The challenges to construction completion included:

- Rain delays occurring primarily in the winter of 2018/2019;
- Delays associated with the contractor's design and implementation of the shoring system associated with the main excavation;
- Characterization and management of contaminated soil;
- Various contractor-related productivity issues.

The construction of the Project is nearly complete and the City now needs to proceed to the operational phase.

V. FISCAL IMPACT

The budget will need to be increased by \$250,000 to cover this Agreement. Since this is an Operations and Maintenance agreement, LA County, based on their MOU with the City of Carson, will pay 44% of the total costs of \$250,000. Thus, the total net budget impact is \$140,000. Funds are requested to be appropriated from the unreserved, undesignated general fund balance to account no. 295-80-820-904-8011.

If the City does not move forward with operating the Carriage Crest Park Stormwater Project, the City would have to repay the grant funds and this project would not be credited against the \$236 Million in costs the City must incur by 2032.

VI. EXHIBITS

1. Operation and Maintenance Support Agreement (pgs. 5-105).
2. Budget Resolution No. 21-160 (pgs. 106-107)

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