



## Legislation Text

File #: 2024-0510, Version: 1

### Report to Mayor and City Council

Tuesday, July 16, 2024

Consent

#### **SUBJECT:**

**CONSIDER AN AWARD OF A CONTRACT SERVICES AGREEMENT TO CRAFTWATER ENGINEERING FOR ENGINEERING SERVICES TO DESIGN PROJECT NO. 1776: CALAS PARK STORMWATER AND WATER QUALITY IMPROVEMENTS SUPPLEMENTAL ENVIRONMENTAL PROJECT (CITY COUNCIL)**

#### **I. SUMMARY**

In early 2023, the Los Angeles County Sanitation Districts (Sanitation District) contacted the City with an opportunity to put potential civil liability fines towards a stormwater project which would benefit the City and its residents by capturing polluted stormwater, cleaning it, and reusing or injecting it into the groundwater table while improving the park. The project is planned to divert stormwater from drains surrounding Calas Park, treat the water, and store it underground to be potentially reused as cleaner water.

Throughout the year, the City worked with the Sanitation District to move this project forward, culminating in an Administrative Civil Liability (ACL) order from the California Regional Water Quality Control Board in the amount of \$5,980,000.00 to be used towards construction of the Calas Park Stormwater and Water Quality Improvements Supplemental Environmental Project. In February 2024, the City signed off and entered into an escrow agreement with the Sanitation District to execute this project (Exhibit No. 1).

On March 14, 2024, the City issued Request for Proposals No. 24-002 for design and engineering services (Exhibit No. 2). Five proposals were received, and staff determined Craftwater Engineering, Inc. to be the most qualified and responsible party with a total not-to-exceed amount of \$719,942.00. Staff is requesting that the City Council award a Contract Services Agreement to Craftwater Engineering, Inc. (Exhibit No. 3), to perform the needed design engineering services for \$719,942.00

#### **II. RECOMMENDATION**

TAKE the following actions:

1. APPROVE a Professional Services Agreement with Craftwater Engineering, Inc. to perform surveying, design engineering, bid and construction support for a not-to-exceed amount of \$719,942.00.
2. AUTHORIZE the Mayor to execute the Professional Services Agreement with Craftwater Engineering, Inc. following approval as to form by the City Attorney.

### **III. ALTERNATIVES**

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

### **IV. BACKGROUND**

Between January 2018 and September 2022, Los Angeles County Sanitation District No. 2 inadvertently discharged more than 8.6 million gallons of untreated wastewater into the waters of The United States, including approximately 8.5 million gallons into the Dominguez Channel Estuary, in Carson, on December 30-31, 2021. Due to this mishap, the Sanitation District was to be fined \$6 million by the California Regional Water Board - Los Angeles (Regional Water Board).

In late 2022, the Sanitation District reached out to the City's Public Works Department in anticipation of a potential collaborative opportunity to perform a Supplemental Environmental Project (SEP) in lieu of payment to the Regional Water Board for the fines. A SEP is a project, as defined by the Regional Water Board, that benefits the neighboring community that was affected by the actions which caused the violation. In collaboration with the Sanitation District, the City submitted an application to perform a SEP using the anticipated fines from the ACL.

In January 2024, Regional Water Board issued Order No. R4-2023-0088 (Exhibit No. 4), Settlement Agreement and Stipulation for Entry of Administrative Civil Liability (ACL) order for the spills. According to the ACL, the Sanitation District must pay \$5,980,000 to the City to be utilized to implement the Calas Park Stormwater and Water Quality Improvements Supplemental Environmental Project, referencing the City's original application. The project is to capture and treat 2.8 acre-feet of stormwater and infiltrate or reuse per the original work plan. By capturing stormwater, pollution to the local waterways can be reduced, and water can be reused or injected into the water table to provide drought resilience, while also providing improvements to the park in which the facility will lie under. The Project was given a strict 48-month timeline from the execution of the Order to completion of construction, meaning the project must be completed by January 2028.

In February 2024, the City entered an escrow agreement with the Sanitation District to transfer the funds and execute the Calas Park SEP. The Escrow agreement abides by the original workplan submitted by the City.

Following the official execution of the contract, the Sanitation Districts hosted a kick-off meeting with City staff and preparations began to advertise the project for design as a capital improvement project. On March 14, 2024, the City issued Request for Proposals 24-002 to provide professional engineering services for Project No. 1776 - Calas Park Stormwater and Water Quality Improvements Supplemental Environmental Project. The scope of work for the request for proposals is intended to comprehensively cover the design and engineering requirements to bring the project to construction, including preliminary engineering investigations, data gathering, plans, specifications and estimate (PS&E), California Environmental Quality Act and other permitting needs, stakeholder outreach, operations, maintenance and monitoring, bid support, and construction support.

On April 30th, 2024, bids were opened. In total, five proposals were received, as follows (Exhibit No. 5):

<b>Consultant</b>	<b>Not to Exceed Contract Sum</b>
CDM Smith	\$899,289.40
Craftwater Engineering, Inc.	\$719,942.00
CWE Corporation	\$841,524.00
Huitt Zollars	\$799,257.00
PACE	\$702,121.00

The proposals were reviewed for cost, completeness, qualifications, references, and project approach (Exhibit No. 6). Based on the proposals received, Craftwater Engineering, Inc. was determined to be the most qualified responsive and responsible bidder, in compliance with Carson Municipal Code Section 2611(c) (Exhibit No. 7). Craftwater Engineering, Inc's original proposed fee schedule totaled \$769,899.00. After negotiations with City staff, the fee schedule was reduced to \$719,942.00 (Exhibit No. 8). Craftwater Engineering, Inc. is a consultant licensed by the State of California, and a responsible bidder under the State law. The consultant's references have been checked, and it has been verified that the consultant has previously completed similar projects in an acceptable manner. Based on the above information, staff is requesting that the City Council award a Professional Services Agreement to Craftwater Engineering, Inc. for an amount not to exceed \$719,942.00.

## **V. FISCAL IMPACT**

The project is funded by contributions from the Los Angeles County Sanitation Districts as part of their Administrative Civil Liability Order, therefore, there is no fiscal impact to the City. Stormwater Account 295-80-820-904-8011 will be utilized for expenses related to the Craftwater Engineering contract. The agreement to execute this project has previously been executed by the City.

## **VI. EXHIBITS**

1. Calas Park SEP Escrow Agreement (pgs. 5 - 80)
2. RFP 24-002 (pgs. 81 - 97)

3. Draft Contract Services Agreement with Craftwater Engineering, Inc. (pgs. 98-149)
4. Regional Water Board Order No. R4-2023-0088 (pgs. 150-200)
5. Bid Register (pg. 201)
6. Scoring Sheets (pgs. 202-204)
7. Craftwater Engineering, Inc. Proposal (pgs. 205-279)
8. Craftwater Engineering Inc. Revised Fee Schedule (pgs. 280-281)

Prepared by: Dr. Arlington Rodgers, Director of Public Works, Gilbert Marquez, P.E., City Engineer and Roland Jen, P.E., Stormwater Engineer