AGENCY:	**City Council**
MEETING DATE:	**November 25, 2024**
DEPARTMENT:	**Public Works**
PRESENTED BY:	**C. O'Neal**
EMAIL ADDRESS:	**coneal@fortbragg.com**

AGENDA ITEM SUMMARY

TITLE:
Adopt City Council Resolution Approving Professional Services Agreements with Schaaf & Wheeler to Provide 30% Conceptual Design Services for the Stormwater Trash Capture Device Project, PWP-00119 and Authorizing City Manager to Execute Contract (Amount Not to Exceed $56,135)

ISSUE:

On November 14, 2024, two (2) civil engineering consulting firms submitted proposals for engineering and design services for the Stormwater Trash Capture Device Project (TCD). The Public Works Department reviewed the proposals and recommends that Schaaf & Wheeler as the engineering firm for the project. All proposals were timely. Schaaf & Wheeler has completed many projects similar in size and scope to the City's project including work for Mendocino County. The budget proposed by both consultants exceeds the funds available in the 24/25 Capital Improvement Program, however, Schaaf & Wheeler, understanding the needs of the City proposed a phased approach whereby they can deliver 30% plans for a fraction of the cost and in time to provide necessary technical documents for an upcoming NOAA grant due date.

ANALYSIS:

Background:

The City of Fort Bragg is a designated Phase II Municipal Separate Storm Sewer System (MS4), regulated by the California State Water Resources Control Board (SWRCB). In June of 2017, the City received notice from the SWRCB Water Code Order Section 13383 requiring all Small MS4's to address the pervasive impacts trash has on waters of the state. All public storm drain systems throughout the entire State are legally required to install implement a plan to comply with the order. Fort Bragg elected to install, operate, and maintain full capture systems for their storm drain network to achieve the established water quality standards for trash. MS4's are required to work toward compliance each year over a 10-year period in order to meet the 100% trash capture requirement by December 2030.

The Trash Provisions Order details a strategic planning process to capture 100% of trash runoff from priority land use areas using state certified trash capture devices. In 2017, the City of Fort Bragg began identifying key points along the storm drain system where end-of-line large capture devices could be installed to capture and remove trash from the runoff stream. The process of selecting locations for capture devices included identifying priority land use areas within the City (developed residential lots with at least ten developed dwelling units/acre, industrial land uses, commercial land uses, and public transportation stations), identifying basin drainage patterns, evaluating the stormdrain utility maps, and finding key endpoints along each storm drain line (node) within the City limits so that the fewest number of large devices could be installed to catch the maximum amount of trash.

Once the locations were selected (see Attachment 3), preliminary investigations at each site were completed to determine the size of the existing underground infrastructure. City Staff has completed preliminary research into selecting the preferred HFC devices from the certified list and prepared a condensed list that can be used as a starting point for the analysis and device selection for this project. A Coastal Development Permit (CDP) Exemption (Attachment 4) and a California Environmental Quality Analysis (CEQA) Notice of Exemption (NOE) were processed and circulated on August 27, 2024 (Attachment 5).

Request for Proposals

Staff released a request for proposals (RFP) on October 18, 2024, seeking qualified engineering consultants interested in contracting with the City of Fort Bragg to prepare complete construction documents for the Stormwater Trash Capture Device Project PWP-00119. The scope of design services requested generally included:

1. Project Management
2. Data Gathering and Analysis
3. Investigations
4. Preliminary Design and Trash Capture Device Selection
5. Final Design and Contract Documents
6. Support During Bid Period
7. Support During Construction

Emphases were included in the work schedule section regarding the City's intent to submit for an FY25 NOAA Marine Debris Interception Grant. A requirement for submitters was to build a schedule that would ensure that Device Type Selection and 30% conceptual design and engineer estimates could be completed in time to meet the grant due dates. Schaaf & Wheeler requested all the available material (staff research to date), analyzed that information, and came to the conclusion based on their extensive experience that our initial budget was too low, that construction of the 12 devices was likely to cost two four times what is currently reflected in the CIP. Given the revised construction costs, the proposed design is more in line with the industry standard percentage costing formula (12%-15 of construction). Realizing the City's low budget, Schaaf & Wheeler offered a phased approach in their scope of charges, which will allow the City to:

- Obtain the necessary information for the grant submittal;
- Build a relationship with the consultant;
- Continue to make successive progress on the design documents as funds allow; and
- Allow the consultant to better understand the City's needs and challenges.

With a better understanding of our needs and challenges, the Consultant can more accurately predict the costs of completing the 60% and 100% design documents.

The second proposal was received from Whitchurch Engineering. While the proposals provided what staff perceive to be an adequate level of service at an appropriate cost,

Whitchurch showed no experience with designing trash capture devices and their scope of charges does not clearly outlay how their anticipated budget was developed. A review of the content and quality of the submittals side-by-side, made it clear to staff, that Schaaf & Wheeler clearly understand the scope of work, incorporated several value-engineering elements not suggested by the other firm, and was a stand out amongst the proposals received. While Whitchurch' s proposal was approximately half that of Schaaf & Wheeler, staff feel that the more experienced firm costs are reflective of the actual expense to perform the work which will inevitably lead to a better product and far fewer challenges and change orders both in design and construction.

RECOMMENDED ACTION:

Adopt City Council Resolution Approving Professional Services Agreements with Schaaf & Wheeler to Provide 30% Conceptual Design Services for the Trash Capture Device Project, PWP-00119, and Authorizing City Manager to Execute Contract (Amount Not to Exceed $56,135).

ALTERNATIVE ACTION(S):

1. Allocate more funds to cover the full cost of designing the project;
2. Adopt a Resolution approving Professional Services Agreement with an Alternate Design Firm, to Provide Design and Engineering Services for the Trash Capture Device Project, City Project No. PWP-00132; or
3. Reject all proposals and solicit a new Request for Proposals (RFPs).

FISCAL IMPACT:

Two proposals were received:

1. Whitchurch Engineering, for $222,750
2. Schaaf & Wheeler, for $456,542 with a phase I option for $56,135.

The Design and Engineering portion of this project is budgeted at $165,000 to be expended in the 24/25 Fiscal year. The $165,000 budgeted in the CIP is funded with storm drain capacity fees collected in previous years. Neither proposer could be invited to enter into an agreement with the City at their base rate proposed. However, Schaaf & Wheelers proposal to provide services to get the City to 30% Design is sufficient to allow staff to prepare and submit grant applications necessary to secure future funding. The $56,135 Phase I Proposal is within the budgeted amount available this fiscal year.

ENVIRONMENTAL ANALYSIS:

There is little to no anticipated increase in Greenhouse gas emissions associated with the Design Engineering portion of this project. A Coastal Development Permit (CDP) Exemption (Attachment 4) and a California Environmental Quality Analysis (CEQA) Notice of Exemption (NOE) were processed and circulated on August 27, 2024 (Attachment 5). The Project is exempt under the California Environmental Quality Act ("CEQA") and Title 14, the California Code of Regulations ("CEQA Guidelines"); Sections 15301(c) all trash devises will be located within existing storm drain facilities and at least 200 feet from any wetland.

CONSISTENCY:

- This project is consistent with the City's Capital Improvement Plan (CIP) budget for stormwater.
- The use of storm drain capacity fees is consistent with the intended use of this fund type.
- Implementation of this project is consistent with the 2024-2028 Strategic Plan 2D. Comply with the National Pollution Discharge Elimination System (NPDES) permit to meet state and federal water quality requirements, which include the installation of trash capture devices to reduce marine debris.

IMPLEMENTATION/TIMEFRAMES:

Schaaf & Wheeler is ready to begin work on this project as soon as the contract is awarded, given the aggressive timeline associated with the pending grant due dates. The 30% Project design engineering is scheduled to commence immediately upon award and deliverables are due to the City on January 25, 2025.

ATTACHMENTS:

1. Resolution to Approve Professional Services Agreement with Schaaf & Wheeler
2. RFP Response Matrix
3. Device Location Map
4. Coastal Development Permit (CDP) Exemption
5. CEQA NOE
6. Professional Services Agreement

NOTIFICATION:

1. Robin Lee, PE; Schaaf & Wheeler
2. Jeffrey Laikam, PE; Whitchurch Engineering