



City of Palo Alto

City Council Staff Report

(ID # 7137)

Report Type: Consent Calendar

Meeting Date: 8/15/2016

Summary Title: Regional Water Quality Control Plant Air Regulatory Support Contract Extension

Title: Approval of Amendment Number 2 to Contract S12142714 With Golder Associates, Inc. for Air Regulatory Support to Extend the Contract Term One Year to September 20, 2017 With No Additional Costs

From: City Manager

Lead Department: Public Works

Recommendation

Staff recommends that Council approve and authorize the City Manager to execute Amendment No. Two to Contract S12142714 (Attachment A) with Golder Associates, Inc. to extend the contract term one year to September 20, 2017.

Executive Summary

Staff continues to evaluate obligations and conduct compliance activities pursuant to the new federal regulations for sewage sludge incinerators (40 CFR Part 62, Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010; Final Rule). Due to unforeseen compliance requirements that developed during finalization of the regulation, the project is estimated to extend beyond the consultant's contract termination date. Staff requests a one-year time extension with Golder Associates, Inc. to complete the work. Funds remain in the contract and staff is asking for a time-only extension.

Background

On March 21, 2016, the new federal regulations for sewage sludge incinerators promulgated by the United States Environmental Protection Agency (USEPA) became effective (CMR ID# 1625). The new regulations require a formal incinerator operator training program, expanded emissions testing, a new Title V

Permit, additional recordkeeping, minor equipment modifications, and additional compliance monitoring and reporting. Contract S12142714 was approved by Council (CMR ID# 2370) on February 6, 2012, to support staff efforts in incinerator regulatory compliance and analysis. The continued, compliant operation of the incinerators must be maintained as the City of Palo Alto Regional Water Quality Control Plant (RWQCP) continues to progress in the biosolids dewatering/truck loadout facility. The loadout facility will allow the termination of incinerator use and the temporary trucking of biosolids to another treatment facility.

Discussion

Staff has been tracking, analyzing, and conducting compliance activities for the new federal sewage sludge incinerator regulation since 2009. As part of this effort, staff contracted with Golder Associates, Inc. for technical support on compliance with incinerator air regulations beginning in 2012. Since then, the regulation has undergone numerous changes that have altered the original estimated schedule for technical support under this contract and now necessitates a contract term extension. Contract S12142714 was amended in the Spring to extend the contract term by 6 months, from March 26, 2016 to September 20, 2016. The currently recommended term extension is required to fulfill the remaining contract scope items.

Resource Impact

There is no anticipated resource impact as the contract time extension does not require any additional funds to complete all necessary work.

Policy Implications

Extending the term of the existing contract is consistent with Council policy.

Environmental Review

The recommended action is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (b), which exempts repair and maintenance of an existing use including operation of publicly-owned sewerage services, structures, facilities, mechanical equipment, or topographical features.

Attachments:

- Attachment A: S12142714 Golder Associates Inc.- Amendment No. 2 (PDF)

**AMENDMENT NO. TWO TO CONTRACT NO. S12142714
BETWEEN THE CITY OF PALO ALTO AND
GOLDER ASSOCIATES, INC.**

This Amendment No. Two to Contract No. S12142714 (“Contract”) is entered into August 15, 2016, by and between the CITY OF PALO ALTO, a California chartered municipal corporation (“CITY”), and GOLDER ASSOCIATES, INC., a California Corporation, located at 425 Lakeside Drive, Sunnyvale, CA 94085 (“CONSULTANT”).

RECITALS

A. The Contract was entered into between the parties for the provision of regulatory analysis and compliance support for sewage sludge incinerator air regulations.

B. The parties wish to amend the Contract by extending the term for a continuation of services as specified in Exhibit “A”.

NOW, THEREFORE, in consideration of the covenants, terms, conditions, and provisions of this Amendment, the parties agree:

SECTION 1. Section 2 “TERM” is hereby amended to read as follows:

The term of this Agreement shall be from the date of its full execution through completion of the services in accordance with the Schedule of Performance attached at Exhibit “B” unless terminated earlier pursuant to Section 19 of this Agreement.

SECTION 2. The following exhibit(s) to the Contract is/are hereby amended to read as set forth in the attachment(s) to this Amendment, which are incorporated in full by this reference:

a. Exhibit “B” entitled “SCHEDULE OF PERFROMANCE”.

SECTION 3. Except as herein modified, all other provisions of the Contract, including any exhibits and subsequent amendments thereto, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have by their duly authorized representatives executed this Amendment on the date first above written.

CITY OF PALO ALTO

City Manager

APPROVED AS TO FORM:

Senior Asst. City Attorney

GOLDER ASSOCIATES, INC.

DocuSigned by:
By: William Fowler
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Name: william Fowler

Title: Principal

Attachments:

EXHIBIT "B": SCHEDULE OF PERFORMANCE

EXHIBIT "B"
SCHEDULE OF PERFORMANCE

CONSULTANT shall perform the Services so as to complete each milestone within the number of days/weeks specified below. The time to complete each milestone may be increased or decreased by mutual written agreement of the project managers for CONSULTANT and CITY so long as all work is completed within the term of the Agreement. CONSULTANT shall provide a detailed schedule of work consistent with the schedule below within 2 weeks of receipt of the notice to proceed.

Milestones

Completion Date

1. EPA Regulatory Compliance

September 20, 2017