



Interoffice Memo

DATE: September 18, 2023

TO: Kirk DeJesus, Port Director

FROM: Jeff Wingfield, Deputy Port Director, Regulatory & Public Affairs
Jason Cashman, Environmental & Regulatory Affairs Manager

RE: Port of Stockton Phase 1 MS4 NPDES Program Support Agreement (Consent Item)

REQUESTED ACTION

Authorize the Port Director to amend (increase by \$200,000.00) the contract with Compliance First/RBI to perform MS4 NPDES Program Support for a revised total amount not-to-exceed \$900,000.00 through October 31, 2023.

OVERVIEW OF PROJECT

The contract is to provide support for the implementation of the Port's Phase I municipal separate storm sewer system (MS4) National Pollutant Discharge Elimination System (NPDES) program. The services provided by the consultant involves NPDES permit compliance and general program oversight which includes annual reporting to State Water Resources Control Board, annual work plan, performance and effectiveness evaluation, storm water management plan, and permit renewal. The consultant will provide specific support for the following program elements: construction program; commercial/industrial program; municipal program; illicit discharge detection and elimination program; storm water development standards; and monitoring and reporting.

The Port issued an RFP in July 2022, the Port received one bidder, Compliance First/RBI. A contract was awarded to the bidder with an option of two (2) one-year extensions.

ADDITIONAL SCOPE OF WORK

The Port is requesting this amendment to help cover unforeseen costs associated with this year's winter storms. The severe weather cause significant and unexpected cost overruns associated with increased oversight, repairs, maintenance and cleaning of the Port's storm drains and other facilities. The Port also incurred additional costs for increased storm water sampling events due to the storms. In addition, the Port has increased inspections for tenant and Port projects along with additional Best Management Practices (BMPs) oversight of the initial landfill remediation project (Denmar) due to the storms.

Typically, a significant portion of the total annual costs associated with Port's MS4 NPDES Program occurs in late August, September and October (approximately \$200,000.00). The reason being annual reporting is due on October 1 of each year and significant maintenance and repair activities on the Port's storm drain system occurs during these months in preparation of the upcoming winter storms. Since another wet winter is projected, the Port expanded various stormwater drainage features to accommodate increased stormwater flows. The Port also directed Compliance First to focus their efforts in October on upgrading materials used for BMPs for our storm water system to be prepared for weather conditions similar to last winter.

COST

The Real Estate Department collects the storm water tariff fees. The total fees collected through the storm water tariff were approximately \$1,184,436 for CY2022. FY22 (07/01/22 to 06/30/22 storm water fees were \$1,134,548).

STAFF RECOMMENDATION

Port staff recommends that the Port Board of Commissioners authorize the Port Director to amend the contract with Compliance First/RBI for a not-to-exceed amount of \$900,000.00 through October 31, 2023.