



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard • Long Beach, CA 90802

September 5, 2006

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to execute a Second Amendment to Agreement No. 28322 with Kinnetic Laboratories, Inc., for non-point source runoff water quality monitoring services required by the City under the Los Angeles Regional Water Quality Control Board Order No. 99-060 ("Waste Discharge Requirements for Municipal Storm Water and Urban Runoff Discharges within the City of Long Beach"), by extending the contract duration from October 1, 2006, to September 30, 2007, and to increase the "not-to-exceed amount" by \$450,000 for a total not to exceed amount of \$1,922,000. (Citywide)

DISCUSSION

On March 25, 2003, the City Council authorized an agreement with Kinnetic Laboratories, Inc., (Kinnetic) to perform water quality monitoring required under the City's National Pollutant Discharge Elimination System (NPDES) Municipal Permit for Storm Water and Urban Runoff Discharges for a period of three years. The services to be provided include water quality sampling, equipment procurement and installation, field observations, laboratory testing, data analysis, data interpretation, annual report preparation and submittal and liaison between the City of Long Beach and the Los Angeles Regional Water Quality Control Board (LARWQCB). At the time of contract award, it was determined that the requested services were of a unique and specialized nature that the Engineering Bureau staff is neither qualified nor licensed to perform.

On December 6, 2005, the City was notified by LARWQCB that the Board's Executive Director planned to modify the City's NPDES by changing the water quality monitoring requirements and that the details of the changes would be forthcoming. Because the original water quality monitoring contract with Kinnetic would expire shortly thereafter, staff recommended that the existing contract be extended until September 30, 2006 and the contract ceiling be increased from \$1,350,000 to \$1,472,000. On February 7, 2006, the City Council authorized these changes in a first amendment to the contract.

To date, the expected changes in testing requirements have yet to be generated by the Executive Director. It is unclear when changes will occur; it now appears to be a strong

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possibility that these changes will be made during the NPDES permit renewal process, which is expected to begin early next year.

We are now approaching another "wet season" (mid-October through mid-April). Because any interruption of water monitoring during the wet weather season could result in fines being imposed on the City under its existing NPDES permit, staff recommends that the City continue to work with Kinnetic rather than solicit new proposals for water quality monitoring at this time. The current contract expires on September 30, 2006. Staff recommends that the contract ceiling be increased and the duration extended for an additional year.

This matter was reviewed by Deputy City Attorney Lisa Peskay Malmsten on August 25, 2006, and Budget Management Officer David Wodynski on August 28, 2006.

TIMING CONSIDERATIONS

City Council action on this matter is requested on September 5, 2006, to avoid any interruptions in completing the non-point source water quality monitoring for FY 07.

FISCAL IMPACT

The recommended amendment to Kinnetic's contract will extend the period of performance by one year and increase the contract ceiling from \$1,472,000 to \$1,922,000. Sufficient funds to cover the contract amendment are budgeted in the General Fund (GP) in the Department of Public Works (PW) FY 07 budget.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CHRISTINE F. ANDERSEN
DIRECTOR OF PUBLIC WORKS

TL:SL:km

Kinnetic Contract Ext 9506REV1.doc

APPROVED:



GERALD R. MILLER
CITY MANAGER