



Legislation Text

File #: R2024-064, Version: 1

Consider approving Resolution No. 2024-064 approving the First Amendment to the Professional Service Agreement with Freese and Nichols, Inc. for the development of a Lead and Copper Rule Revision Compliance Plan, increasing the original contract by \$75,267; and take appropriate action.

BACKGROUND:

The Lead and Copper Rule Revisions (LCRR) were released on January 15, 2021, setting new standards to remove harmful levels of lead and copper from drinking water. The LCRR went into effect on December 16, 2021, with a compliance date of October 16, 2024. This revision will require cities and other water utilities to take significant action to protect customers from the health risks associated with lead and copper in the supply lines of the water distribution system to comply with the LCRR. The compliance process for LCRR will be achieved through a five-phased approach. The five phases of the compliance plan are:

- Phase 1: LCRR Effort Assessment
- Phase 2: Initial Service Line Inventory Development
- Phase 3: Service Line Inventory Completion by Field Inspections
- Phase 4: Sample Plan Update, Preliminary Sampling, and Other Compliance Preparations
- Phase 5: Lead Service Line Replacement Planning and Mitigation

After the initial LCRR regulations were released, the Environmental Protection Agency (EPA) unveiled the final section of regulation, the Lead and Copper Rule Improvements (LCRI), clarifying the existing LCRR regulations to regulated entities. The LCRI was released on November 30, 2023, and it proposes a delayed compliance date on several items of the LCRR while upholding the requirements to submit an initial inventory and commence related annual public communications in October 2024. The major goals of LCRI are eliminating all unknowns, performing random inspections of the distribution system to verify inventory entries, and replacing all lead and galvanized requiring replacement (GRR) lines to the customer building inlet by 2037. The replacement requirement applies to all systems, regardless of lead detection levels.

DISCUSSION:

City Council approved Resolution No. 2023-027, approving a Professional Services Agreement with Freese and Nichols (FNI) on February 7, 2023. Phases 1 and 2 are completed. The City and its consultant are ready to begin Phase 3. Therefore, the Public Works Department needs to amend the previous agreement so the City can complete the service line inventory and maintain compliance with the current State and EPA regulations. The City and FNI have negotiated changes to the original scope of work for the Professional Services Agreement to address the upcoming requirements of the LCRI. The increased scope requires an increase of \$75,267, bringing the new total from \$265,608 to \$340,875. This scope increase will include:

- Project management and coordination meetings,
- Public-facing inventory and communication materials,
- Final inventory review and submittal support, and
- Updated LSL compliance plan.

FISCAL IMPACT:

This is an unbudgeted item that will increase the Professional Services Agreement from \$265,608 to \$340,875 from the Utility Replacement and Improvement CIP fund.

DISTRICT:

Citywide

POSSIBLE COUNCIL ACTION:

1. I move to approve Resolution No.2024-064 as presented.
2. I move to approve Resolution No. 2024-064, with modifications.
3. I move to table the issue for further study or take no action.

ATTACHMENT(S):

1. Resolution No. 2024-064
2. Resolution No. 2023-027 and Original Contract
3. Freese and Nichols - First Amendment to Agreement for Professional Services
4. Presentation