

CITY OF NEWPORT
TASK ORDER NO. 24
TO ENGINEERING SERVICES AGREEMENT (CONSULTANT OF RECORD)
FOR THE NEWPORT PRETREATMENT PROGRAM

This TASK ORDER NO. 24 to the Engineering Services Agreement dated March 09, 2017, hereinafter called Agreement, between the City of Newport, (CITY), and Brown and Caldwell, Inc., (ENGINEER).

A. SCOPE OF SERVICES

CITY agrees to utilize the services of ENGINEER and ENGINEER agrees to perform the services set forth in Attachment A.

B. CITY'S RESPONSIBILITIES

CITY to provide ENGINEER with the following information:

- CITY will lead coordination with DEQ and industrial users.
- CITY will provide quick/timely coordination throughout the project to facilitate/maintain the schedule.
- CITY shall provide timely review of submitted products (CITY staff will provide written comments on Technical Memorandums).

C. COMPENSATION

1. CITY shall pay ENGINEER according to the fee schedule set forth in the Master Engineering Services Agreement.
2. CITY shall pay ENGINEER as complete compensation for the services as listed in the attached Exhibit B, a fee not to exceed \$ 50,929. Phase 004 is Optional and requires written notice from the CITY prior to use.

D. MISCELLANEOUS

All terms and conditions of the Agreement apply to this Task Order as though fully set forth therein. In the event of a conflict between this Task Order and the Agreement, the terms of this Task Order shall apply.

The parties do mutually agree to all mutual covenants and agreements contained within this Task Order No. 24.

CITY OF NEWPORT:

By: Margaret M Hawker

Title: Acting City Manager

Date: 1/4/19

Brown and Caldwell, Inc.:

By: Timothy A Mills

Title: Tim Mills, Managing Engineer

Date: January 4, 2019

Attachment A

City of Newport

Pretreatment Program – Local Limits

Scope of Services

This scope of services describes engineering activities that Brown and Caldwell (BC) will complete that relate to development of local limits for pretreatment and for coordination with development of other aspects of the overall pretreatment program for the City of Newport (City).

The City provides wastewater collection and treatment services to a number of industrial users. Recently, interference and pass-through at the City's wastewater treatment plant has been attributed to high-strength discharges from industrial users. In an effort to provide its established level of service to all its customers and to attribute the cost of service fairly, the City has asked BC for assistance in developing elements of its pretreatment program.

The engineering services consist of:

- Project management activities
- Development of technically-based permit limits for discharges of high-strength wastewater or wastewater with extreme pH. These discharges are suspected of causing pass through or interference at the wastewater treatment plant, and the City's current sewer use ordinance (SUO) gives the City the authority to place additional regulations on these discharges. Draft permits or discharge authorization letters based on these limits.
- Review and summarize findings of the industrial user surveys conducted under Phase 1 of the Master Plan project. Based on the results of these surveys, provide a determination based on BC's professional judgement as to whether a delegated pretreatment program is required or whether the City may proceed with pretreatment regulation through implementation of a voluntary pretreatment program. (Portions of this work were originally scoped in the Phase 1 Master Plan project but were deferred to this project based on discussions with City staff.)
- Review data to determine the pollutants of concern (POCs) the City should regulate under a delegated pretreatment program. Develop a Sampling and Analysis Plan for these POCs.
- Upon completion of sampling, develop recommendations for local limits based on the EPA *Local Limits Development Guidance* document (EPA 833-R-04-002A, July 2004).

Phase 1. Project Management

Activities The following activities are included in Phase 1:

- Prepare a Project Management Plan that describes roles and responsibilities, schedule, budget, and a staffing plan required for execution of the project.
- Oversee, coordinate, and provide technical direction to BC project team.
- Communicate with the City's Project Manager (PM) to coordinate City/BC activities and discuss progress and issues.

- Conduct internal status reviews to assess progress and monitor the engineering budget.
- Prepare invoices, schedule updates, and written status reports monthly. Monthly reports will include a description of work completed, budget analysis by phase, and a description of issues and potential resolutions.

Deliverables: The deliverables included in Phase 1 include monthly invoices with status reports.

Phase 2. Local Limits Development

Activities The following activities are included in Phase 2:

Task 201 Develop High-Priority Permits

Brown and Caldwell will develop technically-based permit conditions for biochemical oxygen demand (BOD) and pH for industrial users discharging high-strength wastewater or wastewater with extreme pH levels determined to cause pass through or interference at the wastewater treatment plant. Brown

- Review applicable pretreatment technologies and assess the degree of BOD removal and pH control achievable by industries believed to be responsible for pass-through or interference.
- Using the wastewater treatment plant model developed in the Phase 1 Master Plan, assess the impact to the wastewater plant's treatment processes if industries achieve the BOD removal and pH control deemed achievable.
- Review model results with City staff and determine the level of BOD reduction and pH control required to address pass through and interference at the wastewater treatment plant while maintaining the City's planned level of service.
- Document results in a Technical Memorandum (TM1).
- Draft permits or discharge authorization letters based on the recommended level of BOD reduction and pH control. Permits / discharge authorization letters may include other applicable conditions, such as limitations on batch or slug discharges.

Task 202 Industrial User Survey Analysis

Brown and Caldwell will evaluate the responses to industrial user surveys carried out as part of the Phase I Master Plan project and write a Technical Memorandum (TM2): Industrial User Survey Analysis summarizing the findings. Portions of this work were originally scoped in the Phase 1 Master Plan project but have been deferred to this project based on discussions with City staff.

TM2 will include:

- A narrative of the survey process.
- Identification of any Significant Industrial Users (SIUs) or Categorical Industrial Users (CIUs), with a discussion of each SIU or CIU.
- A summary of the total projected industrial flows and loads based on the survey results. This will update the industrial flow and load assessment in the *Capacity Assessment* memo written as part of the Phase 1 Master Plan project.

- Recommended next steps, such as follow-up surveys.
- An analysis of whether the applicable Federal and State regulations require a delegated pretreatment program, or whether a voluntary pretreatment program is allowed.

A draft memo will be submitted to the City, and a final memo incorporating City comments on the draft will be produced.

The final TM2 will be submitted to the Oregon Department of Environmental Quality (DEQ) for review. Following submittal of the memo, a meeting or conference call will be held to discuss and confirm the direction for the pretreatment program recommended in TM1. DEQ coordination activities are described in Task 301.

Task 203 Local Limits Sampling Plan

Task 203 assumes the outcome of Task 202 and the DEQ workshop is a delegated pretreatment program. In the event a delegated program is required, Brown and Caldwell will:

- Using the procedures in the EPA *Local Limits Development Guidance* document (EPA 833-R-04-002A, July 2004), identify pollutants of concern (POCs) based on EPA recommended POCs; NPDES permit conditions; applicable water, sludge, and air quality criteria; reviews of industrial user surveys; and potential for discharge to the plant through acceptance of hauled waste.
- Review available plant data for influent, effluent, and sludge concentrations for the identified POCs.
- Document the process for establishing POCs and recommended POCs in a technical memorandum (TM3)
- Develop a Sampling and Analysis Plan for POCs for which the plant does not have sufficient data. The Sampling and Analysis Plan will be included as an attachment to TM3. The purpose of the sampling and analysis plan will be to collect data to perform the analysis described in Task 204.

A draft memo will be submitted to the City, and a final memo incorporating City comments on the draft will be produced. The final TM3 will be submitted to DEQ for review.

Task 204 Calculate Headworks Loadings and Designate Limits

This task assumes the outcome of Task 202 and the DEQ workshop is a delegated pretreatment program. In the event a delegated pretreatment program is required, Brown and Caldwell will:

- Perform maximum allowable headworks loading (MAHL) and maximum allowable industrial loading (MAIL) calculations per the *Local Limits Development Guidance* document.
- Based on the MAHL and MAIL calculations, recommend local limits for POCs.
- Document MAHL and MAIL calculations and recommended local limits in a technical memorandum (TM4).

Assumptions The following assumptions have been made in developing the Phase 2 scope of work:

- The City's existing Sewer Use Ordinance (SUO) allows issuance of the permits / discharge authorizations described in Task 201. Permits / discharge authorizations will be issued by the City.
- The scope and effort for Tasks 203 and 204 assume that the outcome of Task 202 and the DEQ workshop described is a delegated pretreatment program. If DEQ allows a voluntary pretreatment program, the scope and effort for these tasks will be renegotiated to develop voluntary pretreatment program elements.

Deliverables The following deliverables are included in Phase 2:

- TM1 documenting the process for establishing technology-based BOD and pH limits for discharges of high-strength wastewater or wastewater with extreme pH.
- Draft permits or discharge authorization letters for these users. Final permits / discharge authorization letters will be issued to users by the City.
- TM2 summarizing the findings of the industrial user surveys and documenting BC's judgement as to whether a delegated voluntary pretreatment program is required by state and federal regulations.
- TM3 describing the process for establishing POCs, recommended POCs, and documenting the recommended Sampling and Analysis Plan for local limits development.
- TM4 summarizing MAHL and MAIL analysis and recommendations for local limits.

Phase 3. Program Coordination

Activities: The following activities are included in Phase 3:

Task 301 DEQ Coordination

Participate in up to two meetings or workshops with DEQ staff to coordinate local limits development with DEQ. The purpose of these workshops will be to determine whether a delegated pretreatment program is required, and to address DEQ comments on technical memoranda and other deliverables prepared in Phase 2. This task also includes routine communication with DEQ staff (emails, phone calls, etc.).

Task 302 Coordination with City-developed Program Elements

Coordinate with City staff or with other consultants developing other elements of the pretreatment program. These elements are expected to include development of the pretreatment program manual, development of the SUO, evaluation of legal authority for pretreatment and development of interlocal or multijurisdictional agreements, and development of specific action plans (for example, Enforcement Response Plan, Mercury Abatement Plan, etc.).

Task 303 Industrial User Coordination

Participate in up to two meetings with industrial users to coordinate industrial pretreatment systems implemented and operated by users with City program objectives.

Deliverables: Agendas and meeting minutes for workshops.

City's Role in Phase 3: City staff will:

- Lead coordination with DEQ
- Lead coordination with industrial users
- Develop program elements other than those described in Phase 2

Phase 3. Contingency (Optional)

Activities: This task is reserved for items not yet identified within the scope and will be used only after receiving written permission from the City.

Schedule

Activities under this scope of services will be completed per the schedule below.

Element	Date
TM1: BOD/pH technical basins and high-priority permits	30 days following notice to proceed
TM2: Industrial Survey Summary	60 days following notice to proceed
TM3: Recommended POCs and Sampling and Analysis Plan	30 days following determination that delegated pretreatment program is required
TM4: Local Limits Recommendations	30 days following delivery of sampling results
DEQ Coordination	Throughout project
Coordination with City-developed Program Elements	Throughout project
Industrial User Coordination	Throughout project

**Exhibit B
Budget**

Newport Pretreatment Program
Task Order 24
January 4, 2019

Newport, City of (OR)														
Phase	Description	Johnson, Joshua L.	Gage, Eva D.	Klein, Adam N.	Gish, Casey C.	Behrke, Quinn	Mills, Timothy A.	Dummer, Catherine A.	Agster, William P.	Pare, Wendy M.	Vasquez, Jesus E.	Total Labor Hours	Total Labor Cost	Total Fee
		PM	PA											
		\$186	\$106	\$220	\$120	\$139	\$254	\$186	\$220	\$120	\$106			
100	Project Management	19	16	0	0	0	4	0	0	1	9	49	7,409	7,409
200	Local Limits Development	28	0	20	34	52	0	8	1	13	0	156	24,184	24,184
201	Develop High Priority Permits	16	0	12	34	0	0	8	1	4	0	75	11,884	11,884
202	Industrial User Survey Analysis	4	0	2	0	16	0	0	0	3	0	25	3,768	3,768
203	Local Limits Sampling Plan	4	0	2	0	16	0	0	0	3	0	25	3,768	3,768
204	Calculate Headworks Loadings	4	0	4	0	20	0	0	0	3	0	31	4,764	4,764
300	Program Coordination	32	0	2	40	16	0	0	0	0	0	90	13,416	13,416
301	DEQ Coordination	12	0	2	0	0	0	0	0	0	0	14	2,672	2,672
302	Coord City Developed Prog Elements	8	0	0	0	16	0	0	0	0	0	24	3,712	3,712
303	Industrial User Coordination	12	0	0	40	0	0	0	0	0	0	52	7,032	7,032
400	Contingency (Optional Fee)	20	0	10	0	0	0	0	0	0	0	30	5,920	5,920
TOTALS		99	16	32	74	68	4	8	1	14	9	325	50,929	50,929

Rates are valid through December 31, 2019.