



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Nate Smith, Deputy Director of Public Works/City Engineer
Art Vela, Director of Public Works

MEETING DATE: January 14, 2025

SUBJECT: Consideration of Resolution 2025-03, Awarding a Professional Services Agreement to CASC Engineering Consulting, Inc. for National Pollutant Discharge Elimination System (NPDES) Inspections and Environmental Compliance Services in the Amount of \$40,049

RECOMMENDATION:

Adopt Resolution 2025-03.

BACKGROUND:

The National Pollutant Discharge Elimination System (NPDES) is a federally mandated program to control non-point sources of runoff pollution. The NPDES program is part of the Clean Water Act enacted by Congress in 1987. The California Regional Water Quality Control Board, Colorado River Basin, Region No. 7, in implementing the U.S. Environmental Protection Agency's storm water NPDES permit program, requires that the Districts and Incorporated Cities within the Whitewater River Basin obtain a joint permit to discharge storm water into the various storm channels and washes throughout the Whitewater River Watershed area. The Riverside County Flood Control and Water Conservation District (RCFC&WCD) and Riverside County are acting as the Lead Agency with the City of Banning being a co-permittee, along with the various other agencies and municipalities located within the Whitewater River Basin. This current Permit was adopted by the Regional Board on June 20, 2013, expired on June 19, 2018 and has been negotiated and worked on with the affected parties over the past six years. A new permit (2025 NPDES Permit) that has been negotiated with the Regional Board is in review. It is anticipated to be adopted by the end of FY 2024/2025 and will take effect 90 days later.

The City of Banning is required, through Best Management Practices (BMPs), to implement practices within our community which reduce pollutants entering into the storm drain system to the maximum extent practicable. The major components of the existing and 2025 NPDES Permit to implement the BMPs include: project management, attendance at Desert Task Force meetings, record keeping and Annual Report preparation; illegal dumping and illicit connection detection, inspection, spill prevention and cleanup activities; commercial and industrial facilities inspections (about 80 per year) and the review of all City issued business licenses for SB 205 compliance; implementing land development and plan review procedures including plan check, preparing Conditions of Approval, reviewing erosion control plans and WQMPs and ensuring post construction self-inspections are performed annually by required businesses; enforcing and implementing construction activities requirements of City and private development projects including construction site inspections, review of developer's BMPs, erosion control plans and SWPPPs (Stormwater Pollution Prevention Plans), and ensuring compliance with the Regional Board's Construction General Permit requirements; maintaining City facilities, including the City Corporate and Water Yards and Fire Station, and storm drains and performing inspections and

maintenance, removing trash and debris from the storm drain system, and from roads through street sweeping; and implementing public education and outreach programs by providing brochures to the public at City events and at the public counter, to businesses and contractors through inspections and storm water training of municipal staff.

The main new requirements of the 2025 NPDES Permit are:

- Asset Management
- Fiscal Cost Analysis/Cost Reporting
- Urban Pesticides
- Trash Amendment/Trash Capture Device Installation
- New Construction General Permit
- Continued SB 205 Compliance, business license verification of SIC Codes

The NPDES program is managed in-house by the Public Works Department, Engineering Division staff with the exception of WQMP plan checks and storm water compliance inspections for commercial and industrial businesses. The Public Works Inspector used to perform these inspections when there were thirty or so per year. About ten (10) years ago after the 2013 NPDES Permit was implemented, more businesses were required to be inspected and thus a consultant was needed to assist with this additional workload. The Public Works Inspector still performs all of the required NPDES construction inspections, which totaled 58 this past fiscal year.

The City is co-permittee on NPDES Permit No. R7-2013-0011 in the Whitewater River Region and the Permit requirements are explained in the Storm Water Management Plan. The County Department of Environmental Health (DEH) issues Hazardous Material Permits to facilities that are required to be inspected by the City either annually or every three years. Additionally, retail food service facilities with Food Establishment Permits must be inspected once per Permit term. Facilities with Regional Board issued Industrial General (IG) Permits require annual inspections and SB205 business license review (checking SIC codes) to ensure IG Permit compliance is also required. It is estimated 120 or so NPDES commercial and industrial inspections will be required this calendar year, due to many three- and five-year inspections being due.

Consultant Contract

A Request for Proposals (RFP) 24-084, "NPDES (National Pollutant Discharge Elimination System) Inspections and Environmental Compliance Services" was prepared to hire an environmental engineering consultant firm. On September 27, 2024, Purchasing Division staff released the RFP through the Open Gov electronic bidding program notifying qualified firms of the opportunity to provide proposals. The RFP was advertised in the Press Enterprise on October 2, 2024, shown as Attachment 2. The Scope of Work provides for performing the NPDES inspection per the City's inspection form at the frequency described in the NPDES Permit and updating and maintaining the current Spreadsheet and providing this to the Project Manager monthly. There is an additional Task 2. Environmental Compliance Services, that will be used for unanticipated work on an as needed basis.

The deadline for submitting proposals was November 4, 2024 and three (3) firms responded with submittals. An evaluation committee consisting of three (3) City staff members, evaluated the three (3) proposals that were received based on qualifications of key personnel, experience in performing NPDES storm water related inspections under the Regional Board No. 7 issued NPDES Permit, approaches in providing the scope of work services, references, and price proposals.

Listed below are the three (3) firms that submitted proposals in order of the total combined score received from the three (3) evaluators:

Consultant	Total Score
CASC Engineering and Consulting, Inc.	91.33
G&G Environmental Compliance, Inc. LLC	88.33

Alisto Engineering Group	67.33
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CASC Engineering Consulting, Inc. received the highest score, and their Proposal and Fee Proposal are shown as Attachments 3 and 4, respectively. The company is a reputable, qualified firm that has successfully provided these services, and they continue to do so, for several cities within the same Regional Board No. 7 issued NPDES Permit as Banning, and as a result, staff recommends the contract award to CASC Engineering Consulting, Inc. in the amount of \$40,049.

JUSTIFICATION:

The current NPDES Permit No. R7-2013-0011 and upcoming 2025 NPDES Permit require businesses within the City with County DEH and State Water Resources Control Board (SWRCB) issued Permits be inspected for stormwater compliance to ensure that potential pollutants do not drain into the storm drain system. A consultant firm is needed to perform these inspections for the City to ensure compliance with the NPDES Permit.

FISCAL IMPACT:

The Public Works Department, Streets Division, assists with the implementation and Engineering Division staff manages the NPDES program in-house. Consultants are utilized for Water Quality Management Plan and Erosion Control Plan review (the developer pays these fees through deposits) and for NPDES storm water and industrial waste inspections (with a fee of \$158 charged per inspection). Storm water program responsibilities are completed by about ten (10) Public Works Department staff members on a part-time and as-needed basis, but there are no full-time staff assigned to the program.

In anticipation of the upcoming new 2025 NPDES Permit cost/fiscal reporting requirements, a new stormwater fund, Fund 105, was created to track expenses. A budget transfer and appropriation in the amount of \$40,049 from the Streets Fund to Account No. 105-6100-455.33-11 (Professional Services) is needed to fund the Professional Services Agreement. The Agreement term is up to five years, based upon satisfactory performance each year. A "not to exceed" total five year contract amount of \$240,000 is requested to assist with each year's required NPDES inspections, which may increase under the new 2025 NPDES Permit, and Task 2 Environmental Compliance Services, projects such as updating the City and Water Yard's Facility Pollution Prevention Plans, and any unanticipated work that could not be done in house, if needed.

The requested appropriation and transfer of funds does not impact the General Fund.

ALTERNATIVES:

If the City Council elects to not approve this Resolution, then to maintain compliance with the NPDES Permit, additional staff resources will have to be trained and diverted from other necessary City tasks. The inspection fee is partially offset from an authorized inspection fee on the Public Works Fee Schedule.

BUDGETED?:

No

CONTRACT/AGREEMENT:

Yes

ATTACHMENTS:

1. [Resolution 2025-03, CASC NPDES.docx](#)
2. [Exhibit A C01107 - CASC PSA.pdf](#)
3. [Att. 2 - Press Enterprise Proof of Ad, 10.2.24.pdf](#)
4. [Att. 3 - CASC Proposal.pdf](#)
5. [Att. 4 - CASC, Detailed Cost Estimate, Bid Sheet.pdf](#)