



Meeting Date: 06/28/11

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Anthony Emmert, Water Resources Manager Agenda Item No. **I.15**

Reviewed By: City Manager [Signature] City Attorney SMF Finance [Signature] Public Works

DATE: June 20, 2011

TO: City Council

FROM: Rob Roshanian, Interim Public Works Director

SUBJECT: Fourth Amendment to Agreement with Aquatic Bioassay and Consulting Laboratories, Inc. for Receiving Water Monitoring Services

RECOMMENDATION

That City Council approve and authorize the Mayor to execute the Fourth Amendment to the Agreement with Aquatic Bioassay and Consulting Laboratories, Inc. (ABC Labs) to increase the amount by \$279,240 for a total of \$1,396,200 for receiving water monitoring services (Agreement No. A-6892) and extend the contract expiration date to June 30, 2012.

DISCUSSION

Wastewater treatment plants which discharge to the Pacific Ocean are required to monitor the ocean water to assure compliance with Federal and State discharge regulations. The Environmental Protection Agency and the Regional Water Quality Control Board provide permit requirements with which the City must comply. In order to meet these requirements, the City hires a qualified firm to perform receiving water monitoring activities and issue reports in conformance with the City's Wastewater Treatment Plant National Pollutant Discharge Elimination System Permit.

The scope of services to be performed by ABC Labs include, but are not limited to, offshore monitoring, benthic monitoring, sediment toxicity monitoring, demersal fish and macroinvertebrate monitoring, annually surveying the ocean outfall, attending quarterly meetings, and preparing and producing reports.

On May 15, 2007, the City issued a Request for Proposals to qualified firms to conduct monitoring of the Wastewater Treatment Plant's receiving waters. Based on the firm's technical and professional qualifications, and its previous experience conducting the City's receiving water monitoring program, the Water Resources Division selected ABC Labs to provide the required services. The City and ABC Labs subsequently executed an agreement for one (1) year of monitoring service, with option to extend up to five (5) additional one-year terms. ABC Labs has completed the first four years of monitoring.

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Execution of the Fourth Amendment represents the fourth of five (5) one (1) year extensions as approved by Council.

FINANCIAL IMPACT

The estimated cost for services for the Fourth Amendment is not to exceed \$279,240 and will increase the total cost of the Agreement from \$1,116,960 to \$1,396,200. The recommended FY 2011-12 budget includes funds in the Wastewater Treatment Operation Fund Account No. 621-6201-842-8209.

AAE:ls

Attachment #1 – Fourth Amendment to Agreement No. A-6892

FOURTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES

This Fourth Amendment ("Fourth Amendment") to the Agreement for Professional Services ("Agreement") is made and entered into in the County of Ventura, State of California, this 28th day of June, 2011, by and between the City of Oxnard, a municipal corporation ("City"), and Aquatic Bioassay and Consulting Laboratories, Inc. ("Consultant"). This Fourth Amendment amends the Agreement entered into on June 19, 2007, by City and Consultant. The Agreement previously has been amended on June 24, 2008, by a First Amendment, on June 16, 2009, by a Second Amendment, on June 8, 2010, by a Third Amendment.

City and Consultant agree as follows:

1. In Section 12 of the Agreement, the expiration date of "June 30, 2011" is deleted and replaced with the date "June 30, 2012."
2. In Section 14a of the Agreement, the figure "1,116,960" is deleted and replaced with figure "1,396,200".
3. As so amended, the Agreement remains in full force and effect.

CITY OF OXNARD

CONSULTANT

Dr. Thomas E. Holden, Mayor

Thomas K. Mikel Jr., Laboratory Director
Aquatic Bioassay and Consulting
Laboratories, Inc.

ATTEST:

APPROVED AS TO INSURANCE

Daniel Martinez, City Clerk

James Cameron, Risk Manager

APPROVED AS TO CONTENT::

APPROVED AS TO FORM:

Rob Roshanian, Interim Public Works Director

Alan Holmberg, City Attorney

Anthony Emmert, Project Manager

APPROVED AS TO AMOUNT:

Edmund F. Sotelo, City Manager