

**CONSIDERATION OF A RESOLUTION AUTHORIZING THE DIRECTOR, OR
DESIGNEE, TO EXECUTE WORK ASSIGNMENT 2 UNDER
TASK ORDER 1, FOR CONFLICT RESOLUTION FOR
WATER USE EFFICIENCY PROGRAM ACTIVITIES
Agenda Item: 10**

Meeting Date: 08-14-03

Summary: This resolution would authorize the Director, or designee, to execute a work assignment under an existing contract with CH2M Hill, to provide conflict resolution services to Bay-Delta participants to resolve issues related to the California Bay-Delta Authority Water Use Efficiency (WUE) program element.

Recommended Action: Adopt Resolution No. 03-08-50.

Staff Recommendation: Staff recommends the Authority adopt the attached resolution approving the proposed scope of work for water use efficiency facilitation.

Background

The focus of the Bay-Delta Water Use Efficiency program is to support local water conservation and recycling projects that can contribute to the Bay-Delta solution. The implementing agencies, including the California Department of Water Resources, the State Water Resources Control Board, and the U.S. Bureau of Reclamation provide financial support through grants and loans and technical support through technical assistance programs. The California Bay-Delta Authority provides oversight and coordination to the implementing agencies. To assure the public of high water use efficiency, the implementing agencies are investing in scientifically-based performance measures including quantifiable objectives for agriculture. Efforts to establish appropriate water measurement and urban water conservation certification are integral parts of these assurances.

This proposed Work Assignment to an existing contract with CH2M Hill, would engage CH2M Hill and its sub-contractee, CONCUR, Inc., to perform conflict resolution services related to the following activities:

- Facilitate WUE Public Advisory Sub-Committee
- Facilitate Measurement Ad Hoc Groups
- Facilitate WUE Comprehensive Evaluation Ad Hoc Groups
- Facilitate Certification of Urban Water Suppliers' Compliance Ad Hoc Group
- Facilitate WUE Science Review Panel

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Fiscal Information

Funding Source: WUE General Fund

Term: FY 2003-2004

Total Amount: Not to exceed \$310,000.00

List of Attachments

Proposed Scope of Work

Contact

Name: Tom Gohring

Phone: (916) 445-0936

CALIFORNIA BAY-DELTA AUTHORITY
RESOLUTION NO. 03-08-50

CONSIDERATION OF A RESOLUTION AUTHORIZING THE DIRECTOR, OR DESIGNEE, TO EXECUTE WORK ASSIGNMENT 2 UNDER TASK ORDER 1, FOR CONFLICT RESOLUTION FOR WATER USE EFFICIENCY PROGRAM ACTIVITIES

WHEREAS, the Department of Water Resources, CALFED Bay-Delta Program, executed Contract No. 4600002623 with CH2M Hill, to provide planning, environmental analysis, scientific, and technical services for oversight and coordination related to the Bay-Delta Program; and

WHEREAS, the California Bay-Delta Authority is statutorily authorized to conduct oversight and coordination related to the Bay-Delta Program; and

WHEREAS, the California Bay-Delta Authority will consider accepting assignment of Contract No. 4600002623 from the Department of Water Resources; and

WHEREAS, the CALFED Programmatic Record of Decision (ROD) established that the goal of the Water Use Efficiency Program is to accelerate the implementation of cost-effective actions to conserve and recycle water throughout the State; and

WHEREAS, the ROD directed the implementing agencies to convene a public advisory committee and that committee has been established as the WUE Sub-Committee to the Bay-Delta Public Advisory Committee (BDPAC); and

WHEREAS, the ROD directed the implementing agencies to develop a consensus definition of appropriate water use measurement and draft legislation requiring appropriate measurement of all water use in California; and

WHEREAS, the ROD directed the implementing agencies to prepare comprehensive evaluation of the performance of CALFED Water Use Efficiency programs by December 2004; and

WHEREAS, the ROD directed implementing agencies to implement a process for certification of urban water suppliers' compliance with the terms of the California Urban Water Conservation Council's Memorandum of Understanding, including implementation of best management practices for urban water conservation; and

WHEREAS, the ROD directed the implementing agencies to develop quantitative performance measures through independent scientific review; and

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WHEREAS, the California Bay-Delta Authority Act directs the Authority to provide oversight and coordination to the implementing agencies in implementing the Water Use Efficiency Program;

NOW, THEREFORE, BE IT RESOLVED that the California Bay-Delta Authority authorizes the Director, or his designee, to execute Work Assignment 2 under Task Order 1, of Contract No. 4600002623 (CH2M Hill, Inc.), for conflict resolution for Water Use Efficiency program activities, as generally described in the attached proposed scope of work, for an amount not to exceed \$310,000.00, subject to appropriation of adequate funds.

CERTIFICATION

The undersigned Assistant to the California Bay-Delta Authority does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Bay-Delta Authority held on August 14, 2003.

Dated:

Heidi Rooks

Assistant to the California Bay-Delta Authority

Attachment 1
Conflict Resolution for WUE
Proposed Scope of Work
Work Assignment Number 2 - Task Order Number 1

1. Background

The following task descriptions are consistent with those in Task Order 1. This Work Assignment provides detailed work specifications to the Task Order listed above for Contract No. 4600002623. This Work Assignment does not authorize work or the expenditure of funds beyond the scope of the Task Order.

2. General Scope of Work

Subtask 1f – Contract Administration

The Contractor shall administer this Work Assignment in accordance with the terms specified in Contract no. 4600002623. Contract administration shall include developing agreements, processing invoices, and managing the flow of work with the sub-consultants necessary to complete the Subtasks described herein.

Subtask 1g – Facilitate WUE Public Advisory Sub-Committee

The CALFED Programmatic Record of Decision (ROD) requires the Authority to oversee and coordinate the Bay-Delta related water use efficiency activities of the implementing agencies and to convene the Water Use Efficiency Public Advisory Sub-Committee (WUE Sub-Committee) to the Bay-Delta Public Advisory Committee (BDPAC).

Under the direction of the Authority's Task Coordinator, the Contractor shall facilitate a minimum of six WUE Public Advisory Sub-Committee meetings. The Sub-Committee consists of approximately 25 members of various stakeholder groups and agencies and meets quarterly in public. As part of this task, the Contractor shall act as the lead point of contact for participant communication. Facilitation tasks include preparing review and guidance documents, scheduling meetings, preparing agendas and handouts, facilitating meetings, and recording meeting outcomes. Authority staff will be responsible for posting meeting notices.

Subtask 1h – Facilitate Measurement Ad Hoc Groups

Diverse stakeholder groups recognize the importance of appropriate measurement of water deliveries. Measurement will provide better information on statewide and regional water use, enable water purveyors to charge for water according to the amount used, allow water users to demonstrate the effects of efficiency measures, and facilitate water transfers. Per the ROD, the implementing agencies have initiated a public process to add greater definition to the concept of appropriate measurement. These existing technical groups are expected to develop draft definitions of appropriate agricultural and urban water use measurement by July 2003.

The Contractor shall provide support in convening and facilitating a minimum of eight Measurement Ad Hoc Group meetings. The members of the Ad Hoc group will be specified by the Authority's Task Coordinator. Measurement Ad Hoc Groups are informal groups that consist of six to ten representatives of stakeholders who provide guidance to the WUE Program Manager on measurement issues. These groups, as part of a stakeholder-oriented technical process, will provide guidance that will help the Authority incorporate the definitions of Appropriate Measurement into draft legislation while remaining sensitive to stakeholder concerns related to the practical limits of existing technology, regional variability in surface and groundwater usage, and the intent of Bay-Delta's Water Use Efficiency program.

As part of this task, the Contractor shall act as the lead point of contact for participant communication. Facilitation tasks include preparing review and guidance documents, scheduling meetings, preparing agendas and handouts, facilitating meetings, and recording meeting outcomes. Authority staff will be responsible for posting meeting notices.

Subtask 1i – Facilitate WUE Comprehensive Evaluation Ad Hoc Groups

The Contractor shall facilitate a minimum of eight Ad Hoc Group meetings to provide technical guidance to the Authority as they prepare the Comprehensive Evaluation of Bay-Delta's Water Use Efficiency program. The WUE Year-4 Comprehensive Evaluation Ad Hoc Group is an informal group that consists of six to ten representatives of stakeholders. The members of this Ad Hoc group will be specified by the Authority's Task Coordinator.

The WUE Year-4 Comprehensive Evaluation will be conducted consistent with the following ROD directive:

“In addition to the annual evaluations of program progress, by December of 2004 CALFED Agencies will conduct a comprehensive evaluation of the Program's first 4 years, and will make appropriate additional State and Federal investments and

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actions to assure continued aggressive implementation of water use efficiency measures in the State.” - ROD page 62

The Evaluation will be a rigorous technical analysis and include a “look back” estimate of water conservation costs and performance in California during the first four years of implementation. The Evaluation will also include a “look forward” projection of water conservation costs and performance expected in California by 2030.

As part of this task, the Contractor shall be the lead point of contact for participant communication. Facilitation tasks include preparing review and guidance documents, scheduling meetings, preparing agendas and handouts, facilitating meetings, recording meeting outcomes. Authority staff will be responsible for posting meeting notices.

Subtask 1j – Facilitate Certification of Urban Water Supplier Compliance Ad Hoc Group

The ROD directed the implementing agencies to develop a process for certifying urban water supplier compliance with the California Urban Water Conservation Council’s (CUWCC) Memorandum of Understanding as follows:

“CALFED Agencies will implement a process for certification of water suppliers’ compliance with the terms of the urban MOU, including implementation of best management practices for urban water conservation. CALFED Agencies will support ongoing efforts of the California Urban Water Conservation Council to address this issue.” – ROD page 62

The CUWCC Memorandum of Understanding is posted on the world wide web page at: <http://www.cuwcc.org/memorandum.lasso>).

During 2002, the implementing agencies developed a draft Framework for Certifying Urban Best Management Practices (BMPs) consistent with the ROD. The draft Framework was reviewed approved through consensus of the WUE Sub-Committee. The draft Framework was reviewed by the BDPAC. The BDPAC advised the implementing agencies revise the draft Framework (refer to BDPAC minutes of September 2002 at <http://www.calwater.ca.gov>).

The Contractor shall facilitate a minimum of five Certification Ad Hoc Group meetings. The Certification Ad Hoc Group is an informal group that consists of six to ten

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representatives of stakeholders who provide guidance to the WUE Program Manager on related issues. The members of this Ad Hoc group will be specified by the Authority's Task Coordinator.

The Certification Ad Hoc group will provide guidance to Authority staff on the most appropriate approach to revising the draft Framework. Under the direction of the Authority's Task Coordinator, the Contractor will revise the draft Framework.

Under the direction of the Authority Task Coordinator and using the guidance of the Measurement Ad Hoc committee, the Contractor shall revise the draft Certification Framework.

As part of this task, the Contractor shall act as the lead point of contact for participant communication. Facilitation tasks include preparing review and guidance documents, scheduling meetings, preparing agendas and handouts, facilitating meetings, and recording meeting outcomes. Authority staff will be responsible for posting meeting notices.

Subtask 1k – Facilitate WUE Science Review Panel

As with other Bay-Delta program elements, the WUE Program will be managed adaptively to allow for refinement of conceptual models and response to unforeseen conditions. Each WUE incentive grant agreement will include a significant monitoring effort to verify and refine conceptual models and provide a basis for scientifically based performance measures. The WUE Science Board will provide advice and guidance for these efforts.

The Contractor shall facilitate a minimum of six WUE Science Review Panel meetings. The WUE Science Review Panel will consist of five to seven members of nationally recognized scientists representing disciplines related to water conservation including irrigation engineering, statistics, economics, and social science.

During early-2003, Authority staff and consultants prepared Panel member criteria and a list of potential Panelists.

During late-2003 the Contractor will assist the Authority Task Coordinator in performing informal interviews of these candidates and forming a Science Board with a minimum of five members. The Authority Task Coordinator in consultation with the CALFED agencies will make the final selection of the WUE Science Board members and will provide the contractor with the final list of board members. As part of this task, the Contractor shall act as the lead point of contact for participant communication. Facilitation tasks include scheduling meetings, preparing agendas and handouts, facilitating meetings, and recording meeting outcomes. Authority staff will be responsible for posting meeting notices.

3. Deliverables

Deliverables and corresponding schedule for this Work Assignment is presented in Table 2 (attached).

This Work Assignment includes the production of documents which may include technical memoranda, memoranda, reports, and surveys. For every document listed in Table 2 (deliverables), the Contractor shall provide the following interim deliverables in the listed sequence:

- Outline
- Preliminary Draft
- Final Draft
- Final Document

The Contractor shall incorporate review comments from the WUE Program Manager on each of these interim deliverables and obtain approval from the WUE Program Manager for each step of this sequence.

4. Representative

Authority Program Manager
Tom Gohring
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5. Term

The term of this work assignment shall be for 1 year.

6. Payment

The maximum amount payable under this work assignment is \$310,000.00.