

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT
AND RECORD OF ACTION**

July 28, 2020

FROM

LUTHER SNOKE, Interim Director, Flood Control District

SUBJECT

Agreement with Westbound Communications for Public Education and Outreach Tasks for the Mojave River Watershed Group

RECOMMENDATION(S)

Acting as the governing body of the San Bernardino County Flood Control District, approve an **Agreement No. 20-627** with Westbound Communications, in the amount not to exceed \$625,000, to provide public outreach and educational activities for the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer Phase II Permit for the period of August 1, 2020 through July 31, 2025.

(Presenter: Brendon Biggs, Chief Flood Control Engineer, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Pursue County Goals and Objectives by Working with Other Agencies.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The County of San Bernardino (County) allocates Discretionary General Funding to administer the County's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Phase II Permit (Permit) implementation activities. Under the County's Mojave River Watershed Group (MRWG) Implementation Agreement (Implementation Agreement, County Contract No. 14-59, Item No. 39 of February 25, 2014), expenditures will continue to be jointly funded by the MRWG. Sufficient appropriation and revenue has been included in the San Bernardino County Flood Control District (District) 2020-21 budget and will be included in future recommended budgets (1990002548, RLD-099-76D20151). The cost share for 2020-21 will be distributed between the MRWG as described in the Implementation Agreement.

BACKGROUND INFORMATION

This Agreement allows the County to more effectively achieve and maintain compliance with the MS4 Permit-required public outreach and education activities by providing for the implementation of specific public education and awareness activities. The work described in this Agreement will focus on fulfilling the Residential Program requirement in the MS4 Permit and conducting campaigns and utilizing tactics to most effectively reach the target audience.

This action is aligned with the County and Chief Executive Officers goals and objectives by providing the County with experienced consultant staff to assist in the implementation of the MS4 Permit's public education and outreach requirements in the most cost-effective manner,

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July 28, 2020**

utilizing a cooperative cost sharing agreement amongst the MRWG participants, as described below. Achieving and maintaining compliance with the MS4 Permit will reduce the potential for incurring permit violations and significant fines and penalties, as well as protect the beneficial uses of the Mojave River Watershed.

The State Water Resources Control Board first adopted a General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems in 2003. On February 5, 2013, the California State Water Resources Control Board (SWRCB) adopted NPDES General Permit and Waste Discharge Requirements for Storm Water Discharges from Small MS4 Order No. 2013-0001-DWQ. The cities of Hesperia and Victorville, the Town of Apple Valley, and the County of San Bernardino were named as permittees. The new MS4 Permit became effective on July 1, 2013, and contained a significantly expanded list of requirements for compliance. Because the MS4 Permit was administratively extended, the MRWG continues to implement the requirements of this MS4 Permit until the SWRCB approves a new MS4 Permit.

Services performed under the Agreement include, but are not limited to: preparing outreach materials to educate targeted audiences; strengthening social media outreach efforts; participating in community events to raise awareness and educate specific audiences; maintaining the MRWG website with links to multiple resource and information locations; and implementing methodologies (i.e. in-person discussion, on-line and telephone surveys) to measure changes in awareness as a result of outreach and education efforts. The results of activities performed in each calendar year will provide guidance on the type, focus and extent of the outreach and educational components implemented in the following year(s).

Examples of focused public outreach activities that may be performed include campaigns regarding proper pet waste disposal; Household Hazardous Waste disposal, and appropriate use of fertilizers, pesticides and herbicides; as well as development and implementation of new campaigns and tactics to most effectively reach the target audience. The specific work executed under this category will be administered using work plans and/or task orders mutually developed by the parties.

The District is entering into this Agreement with Westbound Communications, acting on behalf of the County, who is the facilitator for the MRWG because the District is fiscally responsible for the MRWG member agencies and tracks expenditures specific to the MRWG Program.

The District may terminate the Agreement in whole or in part upon 30 calendar days' advance written notice to Westbound Communications. If the Agreement is terminated in this manner, then Westbound Communications shall receive equitable compensation for services rendered and expenses incurred prior to the effective date of termination.

PROCUREMENT

On December 2, 2019, the District released Request for Proposal (RFP) No. PWG120-LANDD-3457 on the County of San Bernardino Electronic Procurement Network (ePro), with the intention of retaining a vendor to provide MS4 Permit-required public education and outreach services. On December 17, 2019, two proposals were received from S. Groner Associates and Westbound Communications.

The proposals were evaluated by a selection committee comprised of three MRWG staff. The selection committee conducted a thorough evaluation of the proposals and selected Westbound Communications as the most qualified vendor based on their technical approach to the scope of work and understanding of the needs of the MRWG. Contract negotiations were conducted to

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July 28, 2020**

determine a fair and reasonable cost for the scope of services. With this Agreement, the District recommends a five-year contract with Westbound Communications for the term July 1, 2020 through June 30, 2025, for a not to exceed amount of \$625,000. No appeal/protest letters were received.

In the event the SWRCB issues a new MS4 Permit with new public education and outreach requirements beyond the scope and within the term of this Agreement, the District will either choose to amend the Agreement with Westbound Communications or terminate it and issue a new RFP.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Sophie A. Akins, Deputy County Counsel, 387-5455) on June 16, 2020; Purchasing (Jason Cloninger, Lead Buyer, 387-8258) on July 1, 2020; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on July 2, 2020; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on July 12, 2020.

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Record of Action of the Board of Supervisors
San Bernardino County Flood Control District

APPROVED (CONSENT CALENDAR)

Moved: Josie Gonzales Seconded: Robert A. Lovingood
Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: July 28, 2020



cc: SBCFCD- Dillon/Zamora w/agree
 Contractor- C/O SBCFCD w/agree
 File- w/agree
la 08/3/2020