

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION**

Date: August 8, 2013

SUBJECT: Consulting Agreement with Burgess & Niple (Upper Verde River Watershed Protection Coalition)

SUBMITTING DEPARTMENT: Management

PREPARED BY: John Munderloh, Water Resources Manager

AGENDA LOCATION: Comments/Communications , Consent , Work/Study ,
New Business , Public Hearing , Second Reading

ATTACHMENTS: a) Agreement w Burgess & Niple, Inc.

SUMMARY BACKGROUND: On June 8, 2006 the Upper Verde River Watershed Protection Coalition (Coalition) was created by intergovernmental agreement (IGA) between and among the Town of Prescott Valley and other jurisdictions in the area to address water management issues in the Prescott Active Management Area and to protect the base flows of the Upper Verde River. In November 2007, the Coalition hired the engineering firm of Burgess & Niple, Inc. (B&N) to provide program management services and to complete projects identified and approved by the Coalition executive board. B&N was selected through a competitive bid process initiated in July 2007.

The IGA provides considerable flexibility for Coalition members to work together on projects and initiatives. Under the IGA, the initial contract with B&N was approved separately by all members. However, the exercise of one-year options after the initial three-year term was done by the Town's representative based on the Town's role as fiscal agent for the Coalition. After exercise of the two one-year options, the agreement expired on November 27, 2012. On November 8, 2012, an amendment was proposed to the governing boards of the separate coalition members extending the contract until June 30, 2013. The Prescott Valley Council and Chino Valley Council were the two entities that approved the extension. On June 26, 2013, the Coalition executive board approved sending a new contract for separate approval that involved a three-year extension. However, there has since been discussion about whether a one-year contract with two (2) one-year renewable options is preferable and whether the process might be streamlined by having the Town of Prescott Valley approve it as agent (with other board approvals being optional at the request of other entities).

However the matter may ultimately be handled, it is proposed that the Town Council consider approving the attached contract with B&N for one year. This new contract includes the following:

- Modifies the role of B&N from Program Manger to Project Manager to reflect the Coalition's focus on project implementation rather than program-based approaches.
- Includes a 1 year contract period with two (2) one-year optional renewal periods.
- Provides considerable flexibility as to the projects that may be carried out by B&N.

Over the past 5 ½ years, B&N has consistently delivered services on-time and within budget and has performed well.

PREVIOUS ACTIONS: Contract extension approved November 8, 2012. Initial contract with B&N approved November 8, 2007. Initial IGA forming the Coalition approved on June 8, 2006. Projects,

program manager concepts and costs discussed on February 9, 2007. Contributions to Coalition budget of \$44,000 per year approved with adoption of Town budget.

OPTION ANALYSIS: The Council may vote to:

- 1.) approve this Agreement, **OR**
- 2.) not approve this Agreement, **AND/OR**
- 3.) direct staff to pursue other options.

ACTION OPTION: Motion to approve the one-year Agreement for Consulting and Other Services with B&N by the Town and on behalf of the Coalition, **OR** Motion not to approve this Agreement. **VOTE.**

RECOMMENDATION: Staff recommends approving this one-year Agreement with B&N for Consulting and Other Services for the Town and on behalf of the Coalition

FISCAL ANALYSIS: The Town's annual contribution of \$44,000 (temporarily reduced fee from original \$55,000) to support Coalition activities has been budgeted.

REVIEWED BY:

Management Services Director _____

Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____