



**Background Paper for Proposed Ordinance**

**COUNCIL MEETING DATE: March 28, 2022**

**TO:** President Heather Graham and Members of City Council  
**CC:** Nicholas A. Gradisar, Mayor  
**VIA:** Marissa Stoller, City Clerk  
**FROM:** Andra Ahrens, Interim Wastewater Director  
**SUBJECT:** AN ORDINANCE APPROVING AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES IN THE AMOUNT OF \$111,949 BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND BROWN AND CALDWELL, INC., FOR CONSULTING ENGINEERING SERVICES RESPECT TO THE GROUNDWATER DEWATERING WELL PERMIT COMPLIANCE AND AUTHORIZING THE MAYOR TO EXECUTE SAME

**SUMMARY:**

This Ordinance accepts an agreement between the City of Pueblo and Brown and Caldwell, Inc. for consulting engineering services relating to identify a feasible and compliant discharge that can be implemented to meet Pueblo's schedule for clarifier maintenance.

**PREVIOUS COUNCIL ACTION:**

On November 12, 2018, the City Council Approved Resolution No. 14081, selecting Brown and Caldwell, Inc as the Engineer of Record for the Wastewater Treatment Department.

**BACKGROUND:**

The Wastewater Department is requesting Brown & Caldwell, Inc. to evaluate different methods for the Wastewater Department to comply with the compliance schedule in General Permit Certification to Discharge. This certification requires the James R Dilorio Water Reclamation Facility to submit a plan or report by June 1, 2022, that identifies treatment system upgrades or other measures to meet the final limits for manganese and selenium.

**FINANCIAL IMPLICATIONS:**

The cost of the agreement with Brown and Caldwell to provide design services for the evaluation will not exceed \$111,949. Funds are available from the Professional Services Budget.

**BOARD/COMMISSION RECOMMENDATION:**

Not applicable

**STAKEHOLDER PROCESS:**

None

**ALTERNATIVES:**

The no-action alternative will cause the James R. Dilorio plant to be in non-compliance with the permit certification #CO318070.

**RECOMMENDATION:**

Approval of the Ordinance.

**Attachments:**

Professional Engineering Services Agreement between the City of Pueblo and Brown and Caldwell, Inc.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES IN THE AMOUNT OF \$111,949 BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND BROWN AND CALDWELL, INC., FOR CONSULTING ENGINEERING SERVICES WITH RESPECT TO THE GROUNDWATER DEWATERING WELL PERMIT COMPLIANCE AND AUTHORIZING THE MAYOR TO EXECUTE SAME

WHEREAS, the Pueblo Wastewater Department operates a Water Reclamation Facility and collection system providing municipal wastewater treatment; and

WHEREAS, consulting engineering services are required with respect to the relating to identify a feasible and compliant discharge that can be implemented to meet Pueblo's schedule for clarifier maintenance, and

WHEREAS, Brown and Caldwell is the consulting Engineer of Record and is the most qualified to serve the Pueblo Wastewater Department for such project; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF PUEBLO, that:

SECTION 1.

An agreement by and between the City of Pueblo, a Municipal Corporation, and Brown and Caldwell, Inc., a copy of which is attached hereto and made part hereof by reference ("Agreement"), after having been approved as to form by the City Attorney, is hereby approved.

SECTION 2.

Work Performed under the Agreement may include, but not limited to, the following items:

1. Compliance Approaches
2. Water Management and Treatment Approach
3. Technical Memorandum
4. Project Management and Administration

SECTION 3.

The Mayor is hereby authorized to execute said Agreement on behalf of Pueblo, a Municipal Corporation, and the City Clerk shall affix the seal of the City thereto and attest the same.

SECTION 4.

Funds for work performed under this agreement shall be from the Professional Services Budget

SECTION 5.

The officers and staff of the City are authorized to perform any and all acts consistent with the intent of this Ordinance and the Agreement approved to implement the transactions described therein.

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SIGNATURE PAGE TO FOLLOW*

**SECTION 6.**

This Ordinance shall become effective on the date of final action by the Mayor and City Council.

**Action by City Council:**

Introduced and initial adoption of Ordinance by City Council on \_\_\_\_\_.

Final adoption of Ordinance by City Council on \_\_\_\_\_.

\_\_\_\_\_  
President of City Council

**Action by the Mayor:**

- Approved on \_\_\_\_\_.
- Disapproved on \_\_\_\_\_ based on the following objections:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Mayor

**Action by City Council After Disapproval by the Mayor:**

- Council did not act to override the Mayor's veto.
- Ordinance re-adopted on a vote of \_\_\_\_\_, on \_\_\_\_\_.
- Council action on \_\_\_\_\_ failed to override the Mayor's veto.

\_\_\_\_\_  
President of City Council

ATTEST

\_\_\_\_\_  
City Clerk