



STAFF REPORT

DATE: March 19, 2024

CONSENT

AGENDA ITEM: Authorize Engineering Support Services for the Lead Service Line Inventory

SUBMITTED BY: Jack Griffin, City Engineer

REVIEWED BY: Clark Schroeder, Interim City Administrator

Marty Powers, Public Works Director

Chad Isakson, Assistant City Engineer

ISSUE BEFORE COUNCIL: Should the City Council authorize engineering support services to support the City Engineering and Public Works Departments in the completion of the Lead Service Line Inventory?

BACKGROUND: On December 16, 2021, the Environmental Protection Agency (EPA) issued Lead and Copper Rule Revisions (LCRR) to support development of actions to reduce lead in drinking water. In accordance with the revised rules, the Minnesota Department of Health (MDH) is requiring all Public Water Systems to complete and submit to the state a lead service line inventory by October 16, 2024.

The Lead and Copper Rule Revisions require public water systems to identify the service line (SL) materials of all service connections in their distribution system regardless of ownership status. The rule determines the minimum information required to be needed as part of the lead service line (LSL) inventory, how to communicate about your system inventory, and how often to update the inventory. The MDH is recommending that communities consider gathering additional or more detailed information than required for compliance to be prepared for customer questions, asset management, or future rule revisions.

PROPOSAL DETAILS/ANALYSIS: To initiate the Lead Service Line Inventory, staff prepared and submitted an application for grant assistance through the MDH. However, the MDH recently announced that the initial grant funds will not become available for communities exceeding 1,000 service connections until future years, and indicated that all communities should begin work on the Lead Service Line Inventory in order to meet the October 16, 2024 deadline.

A Lead Service Line Inventory work plan was prepared and the attached service proposal was obtained from SEH, Inc. to support the City Engineering and Public Works Departments in completing the required inventory work through the initial deadline of October 16, 2024.

FISCAL IMPACT: Engineering Support Services from SEH, Inc. will be completed in the not to exceed amount of \$19,300. All associated work on the project will be paid from the Water Enterprise Fund.

RECOMMENDATION: Staff is recommending that the City Council approve, *as part of the Consent Agenda*, the engineering support services Task Order for SEH, Inc. for the Lead Service Line Inventory.

***“Move to approve the Engineering Support Services Task Order for SEH, Inc.
for the Lead Service Line Inventory.”***

ATTACHMENTS:

1. SEH, Inc. Proposal for Lead Service Line Inventory.



Building a Better World
for All of Us®

March 12, 2024

RE: City of Lake Elmo, Minnesota
Proposal for Water Service Line
Inventorying
SEH No. P-LAKMO 177547

Jack Griffin, PE
City Engineer
City of Lake Elmo
3800 Laverne Avenue N
Lake Elmo, MN 55042

Dear Mr. Griffin:

The United States Environmental Protection Agency (EPA) published the Lead and Copper Rule Revisions (LCRR) in the Federal Register on January 15, 2021 (USEPA, 2021c). The LCRR applies to all community water systems (CWSs). A requirement of the LCRR is that CWSs must complete and submit an initial inventory of water services to their primacy agency by October 16, 2024.

Short Elliott Hendrickson Inc. (SEH®) is pleased to submit this proposal for providing assistance to develop an initial water service line inventory (hereinafter called the "Project") for the City to comply with the EPA requirements. This letter supplements the Agreement for Professional Services between the City of Lake Elmo, Owner, and SEH dated August 13, 2014, and addresses providing these services in connection with the Project.

Based on our recent scoping discussion with City staff, we have prepared a proposed scope of services based on our understanding of the City's goals and desired outcomes for this work. The proposed scope of services is attached.

LCRR INVENTORY REQUIREMENTS

Material Classification

Classify each service line or portion of the service line where ownership is split as lead, galvanized requiring replacement (GRR), non-lead, or lead status unknown.

All Service Lines and Ownership

Prepare an inventory that includes the system- and customer-owned portions of all service lines in the system's distribution system.

Information to Identify Material

Use previous materials evaluations, construction and plumbing codes/records, water system records, distribution system inspections and records, information obtained through normal operations, and state-specified information.

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 934 Main Avenue, Durango, CO 81301

SEH is 100% employee-owned | sehinc.com | 970.385.4546 | 800.325.2055 | 888.908.8166 fax

Initial Inventory Deadline for Submission

Submit an initial inventory or demonstrate the absence of lead service lines (LSLs) by October 16, 2024.

Updates to Primacy Agency

Submit updated inventories to the primacy agencies annually or triennially based on lead tap sampling frequency, but not more frequently than annually. Water systems that have demonstrated the absence of LSLs by October 16, 2024, are not required to provide an update. However, if these systems subsequently find any LSL or GRR service line, they have 30 days to notify the state and prepare an updated inventory on a schedule established by the state.

Public Accessibility

Make the inventory publicly available and include a locational identifier for LSL and GRR service lines.

Consumer Confidence Report (CWSs only)

For CWSs with LSLs, indicate how the public can access the service line inventory information. For CWSs with only non-lead service lines, provide a statement there are no LSLs and how to access the service line inventory or a statement in lieu of the publicly accessible inventory with a description of methods used to make this determination as specified in 40 CFR Section 141.84(a)(9).

Service Line Consumer Notification

Provide notification to persons served by the water system at the service connection with an LSL, GRR, or lead status unknown service line. If the water system serves communities with a large proportion of non-English speaking consumers, as determined by the state, public education materials must be in appropriate languages or contain a telephone number or address where persons served may contact the water system to obtain a translated copy of the materials or to request assistance in the appropriate language.

Notification within 30 days after completion of initial inventory and repeated annually until only non-lead remains. For new customers, water system owners must also provide this notice at the time of service initiation. Notice must include a statement about service line material, lead health effects, and steps to minimize lead exposure in drinking water. If:

- Confirmed LSL, must include opportunities to replace the LSL, any available financing programs, and statement that the system must replace its portion if property owners notify the system they are replacing their portion.
- GRR, must also include opportunities for service line replacement.
- Lead status unknown, must also include opportunities to verify the material of the service line.

Delivery of notification must be by mail or by another method approved by the state. Must also report to the state demonstrating that the water system owner delivered the notification and provide a copy of the notification and information materials to the state annually by July 1 for the previous calendar year.

PROPOSED PROJECT

For this project, SEH proposes to perform the initial inventory of Lake Elmo's approximately 2,500 service lines in conformance with the EPA's Guidance for Developing and Maintaining a Service Line Inventory utilizing the following two methods:

- Historical records review
- Self-identification by homeowners and businesses

SEH will review the City's billing data and County records to develop a draft inventory map based on year of construction for buildings served by the City's community water system. Following the draft inventory map development, SEH will meet with City staff to review areas of the City with known service line materials and those with unknown service line materials. After review of the draft inventory map, as determined and directed by the City, SEH will assist City staff in developing public outreach materials such as website content and bill stuffers, develop and publish self-identification materials for residents to self-identify their service line, and review historical records. Historical records reviewed will include those in electronic format such as as-built drawings, construction and plumbing codes/records, etc. For self-identification by homeowners and businesses, SEH will develop an instruction sheet to be mailed out by the City, as well as develop an online submittal form, to allow homeowners and businesses to submit information about their service line material.

The inventory results will be provided to the City in the EPA and MDH required inventory template spreadsheet as well as geographic information system (GIS) data in the form of mapping using Esri™ ArcGIS Pro.

Following the completion of the inventory, SEH will review the inventory results with the City and following approval, SEH will assist the City with submitting the inventory to MDH and issuing consumer notifications.

PROJECT SCOPE

For this proposal, SEH proposes to perform the following seven (7) tasks as listed below:

1. Task No. 1 – Project Management
Consultant will provide general project coordination, monitoring of project status and monthly invoicing. SEH's Project Manager will manage staffing, project schedule, and budget. Monthly invoices will be prepared and submitted to the City.
2. Task No. 2 - Initial Data Request and Draft Map Development
 - a. Request, collect, and review water service billing data and building construction dates.
 - b. Draft initial service line inventory map utilizing date of construction for homes and other buildings.
3. Task No. 3 - Meeting No. 1 - Kick-Off meeting
 - a. Review and confirm project scope and schedule.
 - b. Discuss needed public outreach requirements.
 - c. Discuss available historical records.
 - d. Review draft map.
4. Task No. 4 - Data Review
 - a. Develop and publish public outreach materials.
 - b. Develop and publish self-identified service line material survey.
 - c. Review historical records.
 - d. Update inventory map and spreadsheet based on historical records review.
5. Task No. 5 - Meeting No. 2 - Draft No. 2 Inventory Review
 - a. Review draft map with updates from the records review.

6. Task No. 6 - Finalize Inventory & Inventory Submission
 - a. Review survey responses and City comments from Meeting No. 2.
 - b. Update inventory map and spreadsheet.
 - c. Transfer spreadsheet data to the MDH required spreadsheet.
 - d. Consult with MDH on accuracy of inventory.
 - e. Meeting No. 3 - Review of Finalized Inventory.
 - f. Submit final inventory to MDH.
 - g. Assist City with consumer notifications for those with a lead, GRR, or unknown service line.

ASSUMPTIONS AND CONDITIONS

The following is our list of assumptions based on our scoping discussion with the City:

- City will provide SEH access to known historical records (in electronic format) useful in determining a service line's material.
- Anticipated historical records for review include year of construction dates for homes and businesses, and as-built drawings that are in electronic format.
- All public outreach materials, notifications, and self-identified service line material survey instructions will be printed and mailed by the City.
- Should the quality and availability of records not be sufficient to document enough service lines within the budgeted hours, as determined by the City, an additional fee will be negotiated.
- A draft inventory of the City's service lines will be completed by mid-August to consult with MDH for accuracy and the final inventory will be completed by October 16, 2024. Should an additional fee be needed, it is likely that work will extend beyond this date. Therefore, in the event that additional time is needed, SEH will submit the inventory to MDH with the non-reviewed service lines assigned as unknown and will complete them following the deadline.
- The remainder of the service lines are anticipated to be completed through responses to the self-identified survey. It is likely that some responses to the survey will occur after project completion. The City will update the inventory with those responses unless the project due date has been extended.
- Field verification of unknown service lines will be performed by City staff, or as part of a future inventory project.
- We understand that proceeding with Task No. 4 through 6 is conditional based on information collected during Task No. 1 through 3. Task No. 4 through 6 will not be billed until authorized to do so following Meeting No. 1.

DELIVERABLES

Project deliverables, also defined in the Task descriptions above, include:

1. EPA inventory template spreadsheet filled out with the City's initial inventory of service line materials.
2. GIS data and mapping of the initial inventory of service line materials.
3. Public outreach materials which the City will provide to its residents and businesses.
4. Service line self-identifying instructions which the City will mail out to each residence and business.
5. Service line material notifications which the City will mail out to each required residence and business.

PROJECT SCHEDULE

SEH anticipates the project to follow the schedule below:

Project Initiation	March 19, 2024
Initial Data Request and Draft Map Development	Early April 2024
Meeting No. 1 - Kick-Off Meeting	Early April 2024
Data Review	Mid-April 2024
Meeting No. 2 - Draft No. 2 Inventory Review	Early July 2024
Finalize Inventory & Inventory Submission	Early August 2024

CONSULTANT STAFF

We will utilize staff from our St. Paul office and propose the following personnel and their duties:

Project Manager - Simon McCormack, PE

Simon McCormack will serve as the Project Manager and will oversee the project through completion, ensure excellent customer service, and coordinate SEH staff to ensure all tasks are completed on schedule. Simon will be the primary contact for the City for all project communications.

Graduate Engineer - Andrew Knapp, EIT

Andrew Knapp will serve as the Project Engineer and will be responsible for completing the historical records review and inventory.

GIS Analyst - Tylor Schwarz

Tylor Schwarz will develop the GIS mapping of the service line inventory and self-identification online submittal form.

Communications Specialist - Jill Meskan

Jill and her team will serve as the communications specialist responsible for creating content for all public outreach materials, notifications, and survey instructions. Jill and her team will work closely with Simon as well as City staff to ensure all content is approved by the City.

COMPENSATION

The proposed services and list of assumptions are detailed in the attached work task breakdown based on our understanding of the desired scope of services. We propose to perform the proposed services on an hourly basis with a maximum fee of **\$19,300**, which includes reimbursable expenses. Payment for any additional services shall be based on the actual hours required to perform the services and the billable rates for the employees engaged directly on the project, plus any actual reimbursable expenses after review and approval by the City. All services will be invoiced monthly.

CLOSURE

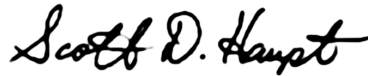
We are appreciative for the continued opportunity to serve the City of Lake Elmo with these proposed services. Please contact Simon McCormack (651.765.2916 or smccormack@sehinc.com) or Scott Haupt (651.490.2055 or shaupt@sehinc.com) if you have any questions or would like to discuss the proposal further.

Sincerely,

SHORT ELLIOTT HENDRICKSON INC.



Simon C. McCormack, PE
Project Manager
(Lic. MN)



Scott D. Haupt, PE
Client Service Manager
(Lic. MN, WI)

Accepted this _____ day of _____, 2024.

CITY OF LAKE ELMO, MINNESOTA

By _____

Attachment: Detailed Fee Estimate

	Role	Project Manager	Project Engineer	GIS Technician	Communications Specialist	Administrative Assistant	Accountant	
Task	Hours							Fee
Task 1	Project Management	8					12	
Task 2	Initial Data Request and Draft Map Development	1	6	4				
Task 3	Meeting No. 1 - Kick-Off Meeting	2	2	1	1			
Task 4	Data Review	7	22	12	6	2		
Task 5	Meeting No. 2 - Draft No. 2 Inventory Review	1	1.5	1	1			
Task 6	Finalize Inventory & Inventory Submission	5.75	11	11	1	2		
Estimated Project Totals		24.75	42.5	29	9	4	12	\$19,300