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CITY OF AMESBURY, MA

CITY OF AMESBURY
IN THE YEAR TWO THOUSAND TWENTY-TWO

SPONSORED BY: Kassandra Gove BILL No. 2022- 011
Kassandra Gove, Mayor

An Order to authorize the Mayor to expend a FY 21 604B Water Quality Grant from the Commonwealth of Massachusetts, Department of Environmental Protection (MassDEP)

Summary: This \$70,540 state grant from MassDEP will fund development of a City-wide plan of prioritized water quality restoration recommendations to be used as a roadmap over the next decade. Watershed-Based Plans (WBPs) will be developed or updated for the Powwow River, Lake Gardner, Back River, and Lake Attitash. Additionally, a preliminary Green Streets survey will be completed for downtown Amesbury, which will focus on improving water quality, reducing stormwater flows, and controlling stormwater volume. The total project cost will be \$75,820; the City will provide \$5,280 to match the \$70,540 grant.

Be it Ordered by the City Council of the City of Amesbury assembled, and by the authority of the same as follows:

That the City of Amesbury authorizes the Mayor to expend a FY 21 604B Water Quality Grant from MassDEP in the amount of \$70,540.

Paul Fahey

From: Robert Desmarais
Sent: Wednesday, December 8, 2021 11:18 AM
To: Paul Fahey
Subject: FW: FFY 21 604b Water Quality Management Grant - City of Amesbury
Attachments: Authorized Signatory.pdf; commbuys.eft-form.8.6.20.pdf; MA_Form-W9.pdf; 4. 21-04 Amesbury Scope Final.pdf

Importance: High

Here is the grant that needs to go to council in January.

Robert Desmarais
Director
Department of Public Works

City of Amesbury
39 South Hunt Road
Amesbury, MA

t: (978) 388-8116
e: rob@amesburyma.gov
www.amesburyma.gov



From: Cummings, Aiesha (DEP) [mailto:aiesha.cummings@state.ma.us]
Sent: Wednesday, December 1, 2021 12:34 PM
To: Robert Desmarais
Cc: Selby, Meghan (DEP); Todd, Earl R (DEP)
Subject: FFY 21 604b Water Quality Management Grant - City of Amesbury
Importance: High

Good afternoon,

Attached please find three legal forms required to initiate the Commonwealth Standard Contract for the FFY 21 604b grant award. Please email me a scanned copy of the EFT with voided check, the notarized Contractor Authorized Signatory Listing Form, and the W-9 Form. Be sure to include the Dunn and Bradstreet Universal Numbering System (DUNS) on the W-9 Form. The approved scope of services is attached for your reference. Once the legal forms are returned I will finalize and send the Standard Contract Form for signature.

Please let me know if you have any questions.

Thank you,

Aiesha Cummings
Accountant
MassDEP, Division of Municipal Services
One Winter Street, 5th Floor
Boston, MA 02108

Phone: (617) 620-4293

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Visit our website: mass.gov/dep

Notice: Please be aware the Massachusetts Secretary of State has determined that most emails to and from the City of Amesbury are public records and therefore cannot be kept confidential. [MGL: Chpt.66, Sec.10 Public Records Law.](#)

ATTACHMENT C: PROJECT TIMELINE
Comprehensive Watershed Based Planning for a Sustainable Future
Section 604(b) Water Quality Management Planning Grant: 2021-04/604b

2022

TASK	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Task #1 Project Kickoff	X											
Task #2 QAPP Development	X	X										
Task #3 Existing Data		X	X	X								
Task #4 Watershed Survey				X	X							
Task #5 Green Street				X	X							
Task #6 WBP					X	X	X	X				
Task #7 BMP Design								X	X			
Task #8 Reporting				X			X			X	X	X

ATTACHMENT B: PROJECT BUDGET
Comprehensive Watershed Based Planning for a Sustainable Future
Section 604(b) Water Quality Management Planning Grant: 2021-04/604b

Expense Items	Grant Amount	Cost Share	Total Amount
Applicant's Salary – By title and salary range	-	\$5,280	\$5,280
Sub-contractual Services - Comprehensive Environmental Inc.	\$70,540	-	\$70,540
Equipment	-	-	-
Supplies (including printing, mailing)	-	-	-
Travel (for mileage only @ 0.45 cents/mile)	-	-	-
Other (Meeting space, events, outreach)	-	-	-
Total Amounts:	\$70,540	\$5,280	\$75,820

OVERHEAD RATE (%): n/a

TOTAL REQUEST FOR GRANT: \$70,540

TOTAL COST SHARE: \$5,280 (Not Required)

TOTAL BUDGET AMOUNT: \$75,820

Method of Compensation under the Contract

1. The method of compensation under the Contract will be cost reimbursable based on the Contractor's completion of the deliverables listed in the Scope of Services (Section II) as approved by Department and in accordance with the Contract, up to **\$70,540**.
2. The Department shall retain ten percent (10%) of the total maximum obligation for the Contract (**\$7,054**) or the final invoice submitted by the Contractor, whichever is greater, until all contract provisions are satisfied and final products are delivered and accepted by the Department. This 10% retainage shall be reflected on each invoice submitted by the Contractor and will be cumulative.
3. The DMBE and DWBE goals for this project are \$3,184.44 (4.2%) and \$3,411.90 (4.5%), respectively. **All Invoices submitted for this project shall also include a P.V. Attachment for Reporting DMBE/DWBE Activity.**

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Comprehensive Watershed Based Planning for a Sustainable Future
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include in their outreach strategies communication in non-English languages. Translation costs for this purpose are allowable, provided the costs are reasonable.

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The data submittal should include: a cover letter, data files containing the data elements described in the data submittal template, a statement of data integrity, and an electronic copy of the approved QAPP/SOP for the data being submitted. Electronic data files and related information can be sent via email to the DWM-WPP at: WQData.Submit@state.ma.us. For regular mail delivery (e.g., CD), data can be sent to the following address:

EXTERNAL DATA COORDINATOR
MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATERSHED MANAGEMENT-WATERSHED PLANNING PROGRAM
8 New Bond St., Worcester, MA 01606

3. During the project, title to any and all real and personal property, equipment and accessories purchased and used for the project scope of work and funded in whole or part by this contract shall be in the name and control of the Grantee.
4. After termination of the project, the manner of use and disposition of any equipment and accessories purchased and used for the project and funded in whole or part under this contract shall be determined by the Department.
5. Grantees must immediately notify the Department if the loss or reassignment of any key employee or subcontractor identified in the proposal, and the Department requires that a replacement employee or subcontractor be assigned within 60 days. The Department reserves the right to terminate the contract if the Grantee fails to replace a key employee or subcontractor within this time frame or the substitute appropriately qualified key employee.
6. Materials distributed, whether funded wholly or in part, whether printed or distributed in digital form, must contain the following acknowledgement: *"This project has been financed partially with Federal Funds from the Environmental Protection Agency (EPA) to the Massachusetts Department of Environmental Protection (the Department) under a s. 604(b) Water Quality Management Planning Grant. The contents do not necessarily reflect the views and policies of EPA or of the Department, nor does the mention of trade names or commercial products constitute endorsement or recommendation for use."*
7. Prior written approval from the Department is required before materials derived from the deliverables received under this contract are presented for publications.
8. Any changes to the contract scope of work or budget categories must be approved in writing by the Department. Requests for contract scope or budget modifications must be submitted in writing to the 604(b) Project Officer for review and approval.
9. Statements to the press are authorized as long as proper acknowledgement is given to the Department and EPA.
10. The award of this Grant by the Department does not constitute a permit or any other approval that may be required for the implementation of the project funded by the Grant. The grantee shall timely obtain, and comply with, all federal, state, and local permits and approvals required for the project.
11. Limited English Proficiency Communities: To increase public awareness of projects serving communities where English is not the predominant language, recipients are encouraged to

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- 8g:** Prior written approval from the Department is required before material derived from the deliverables received under this Agreement is presented for publication or posted on the internet.
- 8h:** Statements to the press are authorized as long as proper acknowledgment is given to the Department and EPA.

Deliverables:

1. Quarterly progress and fiscal reports
2. Draft Final Report at least two (2) months prior to the contract end date.
3. Final Report

III. Method of Compensation under the Contract

1. The method of compensation under the Contract will be cost reimbursable based on the Contractor's completion of the deliverables listed in the Scope of Services (Section II) as approved by Department and in accordance with the Contract up to \$70,540.
2. The Department shall retain ten percent (10%) of the total maximum obligation for the Contract or the final invoice submitted by the Contractor, whichever is greater, until all Contract provisions are satisfied and final products are delivered and accepted by the Department. This 10% retainage (\$7,054) shall be reflected on each invoice submitted by the Contractor and will be cumulative.
3. The DMBE and DWBE goals for this project are \$3,184.44 (4.2%) and \$3,411.90 (4.5%), respectively. All invoices submitted for this project shall also include a Payment Voucher (P.V.) Attachment for Reporting DMBE/DWBE Activity.

IV. Duration of the Contract

The expected duration of the Contract is from on or about **January 1, 2022** through **December 31, 2023** plus an option to renew twice for one year each time. The Department reserves the option to modify or extend this Contract for another two years depending on the needs of the Department and the availability of funding.

V. Additional Contract Conditions

1. All materials, software, maps, reports, and other products produced through this Contract shall be considered in the public domain and thus available at the cost of production. If GIS products are produced, a copy of any spatial data developed, and full meta-data documentation must be provided as part of the project deliverables. A template for meta-data documentation is available from MassGIS. Data should be provided in either an ESRI file geo-database or shapefile.
2. All surface water quality or quantity data or other assessment data collected under this contract shall be submitted to the Watershed Planning Program following the external data submittal requirements provided at:
<http://www.mass.gov/eea/agencies/massdep/water/watersheds/external-data-submittals-for-the-wpp.html>.

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Task 7 Deliverables:

1. 5 conceptual BMP designs
 2. Site specific information to support each of the 5 conceptual designs for funding (to include ownership information, anticipated permitting, estimated pollutant load reductions, estimated construction costs, and soils information, as applicable).
-

Task 8: Reporting and Project Oversight

The Grantee will submit the following deliverables to MassDEP in accordance with the Milestone Schedule in Attachment C:

- 8a:** Quarterly progress reports will be submitted to the 604(b) Project Officer. Quarterly reports must be submitted by email in a format compatible with the Department's software (MS Word unless otherwise specified). These reports must contain a summary of all work completed, by task and as a percentage of each task completed, during the reporting period; and planned activities for the next quarter.
- 8b:** The Fiscal Reporting Cover Sheet, Invoices, Attachment for DMBE/DWBE Reporting, and Match Certification forms should be signed by the authorized signatory, scanned, and submitted via email to the Department's Contract Manager. Hard copies are not required. Supporting documentation can also be submitted via email to the Department's Contracts Manager.
- 8c:** Quarterly reports described above must be submitted to the Department within 15 days following the end of the reporting quarter (i.e.; by January 15th, April 15th, July 15th and October 15th of each year).
- 8d:** A draft final report shall be submitted to the 604(b) Project Officer for review and comment at least two (2) months prior to the contract end date. This report must include a description of all activities undertaken as part of the project and a summary of the project.
- 8e:** **Three complete hard copies of the final report and two electronic versions of the final report on either CDs or Flash Drives will be submitted to the Department by the project end date.** The electronic report shall be authored in MS Word and then converted to tagged PDF files for compatibility with the Department's internet web site. CDs/Flash Drives should include both Word and PDF versions of the report and other project deliverables as appropriate.

Any files that are intended for publication on the MassDEP web site must comply with accessibility guidelines found at www.mass.gov/accessibility

- 8f:** An Acknowledgment of Support must be made in connection with the publishing or Internet posting of any material based on or developed under this Agreement. The acknowledgment will be in the form of a statement substantially as follows: "This project has been financed with Federal Funds from the Environmental Protection Agency (EPA) to the Massachusetts Department of Environmental Protection (the Department) under a Section 604(b) competitive grant. The contents do not necessarily reflect the views and policies of EPA or of the Department, nor does the mention of trade names or commercial products constitute endorsement or recommendation for use."

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Comprehensive Watershed Based Planning for a Sustainable Future
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Task 3 Deliverables:

1. Collection of existing water quality data and watershed reports
 2. Summary of recent water quality data for each watershed
-

Task 4: Watershed Survey

The project team will conduct a field investigation in each of the three watersheds (Powwow River/Lake Gardner, Back River, and Lake Attitash) to identify problem areas and potential locations for structural BMP improvements.

Deliverables:

1. Summary of survey results for each watershed
 2. List of potential improvement locations with recommended actions
-

Task 5: Green Street Survey

CEI and the City will conduct an initial Green Streets Survey of Downtown Amesbury to identify opportunities for change based on the green streets concepts to improve water quality, reduce stormwater flows, and control stormwater volume.

Deliverables:

1. Green Streets survey results focused on recommendations for structural changes as well as non-structural recommendations for the City with an emphasis on climate change, sustainability, and resiliency.
-

Task 6: Watershed-Based Plans

Utilize MassDEP's online Watershed-Based Plan Tool to:

1. Develop a WBP for the Powwow River/Lake Gardner.
2. Develop a WBP for the Back River.
3. Update the current WBP for Lake Attitash.

Each plan will incorporate deliverables developed in the previous tasks.

Deliverables:

1. Draft WBP for Powwow River/Lake Gardner and Back River
 2. Draft updated WBP for Lake Attitash
 3. MassDEP approved WBPs for the Powwow River/Lake Gardner and the Back River
 4. MassDEP approved WBP update for Lake Attitash
-

Task 7: Conceptual BMP Designs

Based on information obtained during the previous tasks, CEI and the City will select 5 prioritized stormwater BMPs to advance through conceptual design with field information (soils, permitting, ownership) appropriate for future funding applications.

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I. Purpose

The City of Amesbury (Grantee or Contractor) will develop a City-wide plan of prioritized water quality restoration recommendations that can be used as a road map over the next 10 years. This plan will entail reviewing existing data and the success of prior implementation projects to assess, prioritize and develop structural and non-structural conceptual plans for future implementation with a focus on climate change impacts, sustainability and long-term resiliency, and agricultural/backyard farming pollution abatement. Watershed-Based Plans (WBP) will be developed or updated for the Powwow River (MA84A-08, MA84A-25, and MA84A-28) and Lake Gardner, Back River (MA84A-16), and Lake Attitash (MA84002) watersheds. As part of the proposed WBP work, a Quality Assurance Project Plan will be created, data will be compiled and reviewed, and a watershed field survey will be conducted. BMP conceptual designs will be developed for the top five sites prioritized across all the project watersheds. Additionally, a preliminary Green Streets survey will be completed for downtown Amesbury, which will focus on improving water quality, reducing stormwater flows, and controlling stormwater volume.

II. Scope of Services

The Scope of Services for this Contract shall consist of the tasks and deliverables as outlined below and in the Grantee's proposal dated April 12, 2021. In order for a deliverable to be complete under Contract, the deliverable must be done in accordance with the Contract specifications (and the Contract schedule). Deliverables must be approved by the Department and otherwise satisfy the Contract provisions, as determined by the Department. The scope of services shall consist of the following tasks.

Task 1: Project Kick-Off Meeting

A stakeholder kick-off meeting to review grant management and tasks. CEI will lead this effort with the City to start preliminary data gathering, identification of existing problem areas and coordinate watershed assessment field surveys.

Deliverables:

1. Kick-Off meeting agenda and minutes
2. Preliminary data gathering from stakeholders
3. Initial coordination of field surveys

Task 2: Quality Assurance Project Plan (QAPP) Development

The project team will develop a QAPP to cover the use and assessment of existing water quality data to support the Watershed Based Plan and recommendations.

Deliverables:

1. EPA and MassDEP approved QAPP

Task 3: Compile and Review Existing Data

The Grantee will collect and complete a qualitative assessment of pertinent existing data and reports for each watershed with a summary of recent data to be included in the Watershed-Based Plan developed under Task 6.