

**CITY OF COOS BAY CITY COUNCIL**  
**Agenda Staff Report**

<b>MEETING DATE</b> September 6, 2016	<b>AGENDA ITEM NUMBER</b>
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TO: Mayor Shoji and City Councilors

FROM: Rodger Craddock, City Manager

ISSUE: Approval to Pay Wastewater Consulting Attorneys and Engineers

**BACKGROUND:**

At the Council meeting on June 21<sup>st</sup>, a Council Wastewater committee was established by a majority vote of the Council for the purposes of selecting an attorney who specializes in wastewater treatment for the purpose of assessing the city's wastewater treatment operations with the intent of developing a request for proposal for private wastewater treatment with best available technology. Councilor Daily provided a name of a possible attorney / law firm out of California for consideration.

City Attorney Nate McClintock contacted Skip Spaulding the attorney from Farella, Braun and Martel (the San Francisco law firm), and he scheduled a phone conference for him and the Council Wastewater Committee. The meeting occurred on June 27<sup>th</sup>.

On June 29<sup>th</sup> the hourly cost for the services was shared with the Council; and later, July 28<sup>th</sup>, after the Council Wastewater Committee agreed upon the scope of work, a cost estimate of \$98,000 to \$128,000 to complete the scope of work by Farella, Braun and Martel as well as work by their sub-contractor, EEC Environmental was also shared with the Council.

On August 9<sup>th</sup>, the City received a draft report from Farella, Braun and Martel; and on August 12<sup>th</sup>, the Council Wastewater Committee met with representatives from Farella, Braun & Martel and EEC Environmental via a conference call to review their draft report.

On August 17<sup>th</sup>, I directed Farella, Braun and Martel to stop all work on the project and to provide us a bill for their services. On August 25<sup>th</sup>, we received invoices in the amount of \$114,640.40 (\$36,035 for work conducted by EEC Environmental and \$78,605.40 from Farella, Braun and Martel).

While the Council / Council Wastewater Committee approved the work to be done, the City's purchasing rule requires the Council's formal approval for all work in excess of \$25,000.

**BUDGET IMPLICATIONS:**

Funds to pay for the work completed will come from the Wastewater Improvement Fund. This project was not foreseen and not included within the adopted FYE2017 budget. As such, this will limit other wastewater capital projects from being funded.

**ACTION REQUESTED:**

If it pleases the Council, approve the payment of \$114,640.40 (\$36,035 for EEC Environmental and \$78,605.40 for Farella, Braun, and Martel Environmental).