



CITY OF HARRISONBURG PUBLIC WORKS

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To: Eric Campbell, City Manager
From: Thomas Hartman, PE, Director of Public Works
Brian Shull, Director of Economic Development
Date: September 8, 2020
Re: Blacks Run Stream Restoration – Unsolicited PPEA Proposal

Summary:

Consider conceptual phase acceptance of an unsolicited PPEA proposal for a stream restoration project along Black Run.

Background:

On June 30, 2020, the City received an unsolicited Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) proposal for a stream restoration project located on Blacks Run. The proposed restored segment of Blacks Run is located along the southern portion of Blacks Run where it passes through city parcels that house Public Works, the Fire Training Grounds, the Recycling Convenience Center, Central Stores, Public Utilities, Ramblewood Park, and the Police Training Grounds. The proposed project would provide nutrient removal credits, specifically Phosphorus, Nitrogen, and Sediment, as well as bank stabilization for this segment of Blacks Run. The nutrients removed by this project would be credited towards the city's Municipal Separate Storm Sewer System (MS4) pollutant removal regulations.

City staff has performed a preliminary review of the project proposal submitted by HGS, LLC, a wholly owned subsidiary of Resource Environmental Solutions, LLC, and is recommending that City Council accept the proposal for consideration at the conceptual phase. If accepted by City Council, city staff will give public notice of the unsolicited proposal and begin a 45-day period where other interested parties may submit competing proposals. The city's PPEA guidelines further outline the procedures that must be followed by the City and any other interested party.

Following the close of the 45-day period, city staff will review any submitted proposals and at that time will provide updates to City Council.

Key Issues:

Beginning in 2013 the City, via its Annual MS4 Permit, was issued a special condition where Phosphorous, Nitrogen, and Sediment were identified as Chesapeake Bay pollutants and required removal amounts were set for the City. The Public Works Department has been working since this permit issuance to implement different strategies in order to achieve this required pollutant reduction. Four (4) strategies were developed and those include: capital project construction, pollutant removal programs (i.e. street sweeping), permanent credit purchases, and temporary

credit purchases. The amount of mandated pollutant removal required of the City is significant and will require creative measures across all four (4) strategies.

Environmental Impact:

Stream restoration projects provide both pollutant removal benefits as well as soil stabilization, which reduces erosion and property loss.

Fiscal Impact:

Per the city's PPEA guidelines, HGS, LLC's financing information has been identified as proprietary and confidential and will not be released. Financial aspects of the project have been reviewed by the appropriate city staff prior to offering this recommendation for Council to accept the proposal at the conceptual phase.

Prior Actions:

N/A

Alternatives:

- (a) Accept proposal at the conceptual phase and advertise for other interested parties to submit proposals.
- (b) Choose not to review this unsolicited proposal any further;

Community Engagement:

If City Council accepts the unsolicited proposal, city staff will post and advertise a request for competing proposals to be submitted to the City. The public portion of the proposal submitted by RES on June 30, 2020 will then be made available for public review for at least 45 days.

Recommendation:

Staff recommends alternative (a) – to accept this proposal at the conceptual stage. Staff would then post and advertise a request for competing proposals to be submitted to the City for a period of no less than 45 days.

Attachments:

- 1. Cover letter from proposal
- 2. Presentation

Review: