



# CITY OF HAYWARD

Hayward City Hall  
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## Cover Memo

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**File #:** CONS 23-095, **Version:** 1

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**DATE:** February 28, 2023

**TO:** Mayor and City Council

**FROM:** Director of Public Works

### **SUBJECT**

Adopt a Resolution Authorizing the City Manager to Execute Amendment No. 3 to the Professional Services Agreement with EKI Environment & Water, Inc., for As-Needed Technical Support Related to Implementation of the Groundwater Management Plan Increasing the Contract Amount by \$50,000 for a Total Not-to-Exceed Amount of \$145,000

### **RECOMMENDATION**

That the Council adopts a resolution (Attachment II) authorizing the City Manager to amend the Professional Services Agreement (PSA) with EKI Environment & Water, Inc., (EKI) for as-needed technical support related to sustainable groundwater management at a cost of \$50,000, increasing the not-to-exceed (NTE) amount to \$145,000.

### **SUMMARY**

The Sustainable Groundwater Management Act (SGMA) was enacted in 2014 by the State to provide a framework for comprehensive and sustainable groundwater management at the local level. Among other provisions, SGMA gives local agencies, including Hayward, authority to adopt and implement a Groundwater Sustainability Plan (GSP) to manage and protect groundwater basins and ensure long-term reliability of these water supplies. Hayward overlays a portion of the East Bay Plain Groundwater Subbasin. The remaining portion is within the East Bay Municipal Utility District (EBMUD) service area. Hayward and EBMUD worked collaboratively to prepare a GSP, which was adopted by the Hayward City Council in December 2021.

Continued independent groundwater technical support and expertise are needed to implement the adopted GSP and ensure the City's compliance with provisions of SGMA. The City entered into a PSA with EKI in January 2021 to provide needed technical services. The PSA was amended in July 2021 and July 2022 to allow for additional work activities and support for GSP implementation. A third amendment to increase the contract amount by \$50,000 is recommended to allow for additional support to continue GSP implementation. If approved, the additional funding would increase the total not-to-exceed amount to \$145,000.

### **ATTACHMENTS**

Attachment I      Staff Report  
Attachment II      Resolution