



SM Design/Build/Maintain Contract (P801901)

Category	Conservation of Natural Resources	Date Last Modified	01/09/19
SubCategory	Stormwater Management	Administering Agency	Environmental Protection
Planning Area	Countywide	Status	Ongoing

EXPENDITURE SCHEDULE (\$000s)

Cost Elements	Total	Thru FY18	Rem FY18	Total 6 Years	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	Beyond 6 Years
Planning, Design and Supervision	12,250	-	-	12,250	1,830	2,160	2,410	2,430	2,430	990	-
Construction	34,050	-	-	34,050	-	6,560	6,360	6,710	7,210	7,210	-
TOTAL EXPENDITURES	46,300	-	-	46,300	1,830	8,720	8,770	9,140	9,640	8,200	-

FUNDING SCHEDULE (\$000s)

Funding Source	Total	Thru FY18	Rem FY18	Total 6 Years	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	Beyond 6 Years
Current Revenue: Water Quality Protection	7,535	-	-	7,535	-	-	1,140	1,780	2,190	2,425	-
Long-Term Financing	27,265	-	-	27,265	1,830	8,720	5,130	4,360	4,450	2,775	-
State Aid	11,500	-	-	11,500	-	-	2,500	3,000	3,000	3,000	-
TOTAL FUNDING SOURCES	46,300	-	-	46,300	1,830	8,720	8,770	9,140	9,640	8,200	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 20 Request	-	Year First Appropriation	FY19
Cumulative Appropriation	20,000	Last FY's Cost Estimate	-
Expenditure / Encumbrances	-		
Unencumbered Balance	20,000		

PROJECT DESCRIPTION

This project provides for the use of a Design/Build/Maintain (DBM) contract for the design and construction of new and/or upgrades of existing under-performing stormwater management facilities or stream restorations throughout the County to meet the requirements of the County's Municipal Separate Storm Sewer System (MS4) Permit. Compliance with the MS4 Permit requires the control of impervious surfaces not currently treated to the maximum extent practicable. Any stormwater management facility type(s) or stream restoration, deemed creditable per the Maryland Department of the Environment regulations, can be implemented per this project.

PROJECT JUSTIFICATION

This project is needed to comply with the County's MS4 permitting requirements in a cost-effective manner, to implement the County's adopted water quality goals (Chapter 19, Article IV), and to protect habitat conditions in local streams.

OTHER

The Montgomery Parks Department of the Maryland-National Capital Park and Planning Commission (M-NCPPC) and the Montgomery Department of Environmental Protection (DEP) have agreed that M-NCPPC will serve as the lead agency for implementing stream restoration projects including long term monitoring and maintenance, that are located wholly or mostly on parks property in support of the County's MS4 permit. Previously, DEP had begun design work on the following stream restoration projects which meet these criteria: Clearspring Manor, Glenallan, Stoneybrook (Beach Drive to Montrose Avenue), and Grosvenor (Beach Drive to Rockville Pike). In FY18, DEP will provide all design work for these projects to M-NCPPC for design completion, permitting, and construction under M-NCPPC's Stream Protection: SVP (P818571) project. M-NCPPC has agreed that all MS4 credits generated from these projects will be credited towards the County's future MS4 permit with delivery of the restored impervious acres no later than Dec. 31, 2023. M-NCPPC will provide appropriate updates at key project milestones to ensure that impervious acreage credits are achieved in the timeframe required, in addition to providing the long-term monitoring and maintenance required for the County to maintain the impervious acreage credit. These projects are currently estimated to have a combined cost of \$2.4M and will provide approximately 44 acres of credit. Parks will provide updated schedule and cost information on all projects in FY 19 for construction allocation funding beginning in FY 20, based on MDE's Water Quality Revolving Loan Fund cycle timeframes. M-NCPPC and DEP will immediately begin developing a Memorandum of Understanding that details how projects completed by M-NCPPC, funded with WQPF dollars, with MS4 credits going to DEP will be handled. M-NCPPC will document all MS4 credits created through these projects in accordance with MDE requirements to obtain State approval for the permit credits. M-NCPPC recognizes that stream restoration projects with relatively small segments located on parks property may be selected by the County's DBM contractor. If selected by the County's contractor and approved by DEP with concurrence by M-NCPPC, the contractor will need to obtain a Park Permit and comply with all M-NCPPC requirements.

DEP will provide quarterly program status updates to the Council under this contract. The annual work program will be based on permit requirements, an assessment of priority needs, community input including feedback from a stormwater program advisory group, and partnership agreements.

FISCAL NOTE

This project assumes the award of Maryland Water Quality Revolving Loan Funds (Long-Term Financing) over the six-year period, which would replace Water Quality Protection Bonds as the primary source of funding for the program. Expenditures in the outyears include expected costs to meet the requirements of the County's next MS4 permit. The scope of the next MS4 permit is subject to negotiation with the Maryland Department of Environment. The FY20 appropriation will be determined as part of the FY20 Capital Budget Process. FY19 transfer of \$49,000 in Long-Term Financing from SM Retrofit- Roads (No. 801300), \$7,387,000 in Long-Term Financing from SM Retrofit: Countywide (No. 808726), and \$3,121,000 in Long-Term Financing from Misc Stream Valley Improvements (No. 807359).

DISCLOSURES

Expenditures will continue indefinitely. The County Executive asserts that this project conforms to the requirement of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

COORDINATION

Maryland National Capital Park and Planning Commission, Department of Permitting Services, Maryland Department of the Environment