

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: October 14, 2009

Board Item: V-E-5

Proposed Amended Contract for Consulting Services for the Lawn Irrigation Return Flow Quantification Project

Action by Consent

Action

Information

In 1997, the Board initiated its lawn irrigation return flow (LIRF) quantification project to quantify the amount of water accruing to the South Platte River and its tributaries as a result of outdoor water use within Denver Water's service area. LIRFs originating from transbasin or other reusable sources can be reclaimed and reused, provided that Denver Water demonstrate the timing, location and amount of LIRFs with sufficient detail and accuracy to obtain water court approval.

The Board's LIRF project was divided into three phases; a scoping phase, an engineering phase, and an adjudication phase. In 1999, scoping was completed at a cost of \$103,000. In 2000, the Board undertook a \$2 million Phase II engineering program to quantify and determine the timing and location of its LIRFs. In 2006 the Board authorized Phase III, the adjudication phase of the LIRF project. Phase III encompasses a \$100,000 contract for expert witness services for the litigation of the Board's water court application.

Upon the completion of Phase II in 2008, it was determined that the project would be better served if the surface water analysis portion was completed by HRS Water Consultants. In 2009, the Board amended the Phase III contract with HRS Water Consultants to authorize HRS to perform the work necessary to complete an independent surface water analysis. To date \$93,838.96 has been expended under the HRS Phase III contract. In order to complete the additional work, and provide litigation support, the contract amount must be increased by a minimum of \$200,000.

Denver Water currently has an application pending in water court to obtain a water right for LIRFs. Thirty-six objectors filed statements of opposition to Denver Water's application. To obtain a decree, Denver Water will require the assistance of HRS Water Consultants and its sub-consultant, Luis Garcia, in negotiations with objectors, to prepare analyses to address objectors' questions, to assist in the preparation of the decree, and if necessary, prepare for trial of unresolved issues. The HRS/Garcia team has engineering and hydrogeologic experience in numerous LIRF studies, GIS capabilities, knowledge of South Platte and metro water users, negotiation skills, water court experience, and a good working relationship with the State Engineer's Office. Luis Garcia, an MBE certified contractor, will continue to serve as a sub-consultant to HRS. Mr. Garcia's participation percentage was 18% in Phase II and is 16% to date in Phase III.

RECOMMENDATION:

It is recommended the Board approve the attached Amendment to Agreement No. 10253A, increasing the compensation under this contract by \$200,000 to a total of \$300,000.

8/31/09

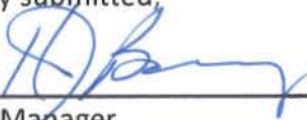
Revised by Legal 8/31/2009

Budget Considerations: Budgeted Item

Master Plan Code: 1AL0003

Contract Additions	
Original Amount	\$100,000
Expenditures	93,836.96
Amount Remaining	\$6,161.04
Additional Funds	\$200,000.00
Total Contract	\$300,000.00

Respectfully submitted,



H. J. Barry, Manager

Approved:



David Little, Director of Planning

FDR