

**In The Matter Of:**  
*Department of Transportation*

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*Water Quality Improvement Plan*  
*August 28, 2014*

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THE STATE OF DELAWARE

DEPARTMENT OF TRANSPORTATION

IN THE MATTER OF: :  
: :  
Informational Meeting :  
Agreement No. 1724 :  
Water Quality Improvement Plan Development :

.. .. .

Delaware Department of Transportation  
Transportation Administration Center  
800 Bay Road  
Dover, Delaware

Thursday, August 28, 2014  
10:00 a.m.

.. .. .

BEFORE: Wendy B. Henry  
Consultant Control Coordinator  
  
Randall V. Cole,  
Environmental Program Manager  
  
LaTonya Gilliam, P.E.  
Project Manager, NPDES Program

.. .. .

-- Transcript of Proceedings --

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1 MS. HENRY: Okay. Well we will go  
2 ahead and get started. First of all, let me say good  
3 morning and thank you for coming out today.

4 This is the informational meeting for  
5 our Request for Qualification Number 1724, which is  
6 our Water Quality Improvement Plan Development. This  
7 meeting is being transcribed for DelDOT records, and  
8 copies of the transcript will be made available on  
9 the State of Delaware bid solicitation directory.

10 My name is Wendy Henry. I am with the  
11 Consultant Control Coordinator's office. And to my  
12 right are members of DelDOT's NPDES team, and I'm  
13 going to allow them to introduce themselves.

14 MR. COLE: My name is Randy Cole. I'm  
15 the NPDES Program Manager.

16 MS. GILLAM: And my name is LaTonya  
17 Gilliam. I'm the NPDES Program's Project Engineer.

18 MS. HENRY: Okay. And we are  
19 partnering on this project with New Castle County,  
20 and I have members from that office to my right also.  
21 And I'm going to allow them to introduce themselves.

22 MR. HOKUF: Doug Hokuf, New Castle  
23 County Department of Land Use.

24 MR. HARRIS: Mike Harris, New Castle



1 County Environmental Compliance Manager.

2 MS. MORTAZAVI: Ellie Mortazavi,  
3 Stormwater Program Coordinator for New Castle County.

4 MS. HENRY: Okay. Thank you. And just  
5 a few housekeeping things for us this morning before  
6 we get started. If you have cell phones, if you will  
7 please make sure they are set to vibrate or at silent  
8 during this meeting.

9 We will entertain questions later in  
10 the meeting, so if you would please hold your  
11 questions until we are ready to open the discussion  
12 up.

13 For all firms that will be submitting  
14 expressions of interest for this agreement, the  
15 submissions are due Wednesday, September 17, 2014, by  
16 3 p.m. local time.

17 Our purpose for inviting you today is  
18 just to give a little clarity to the nature of the  
19 work that's being requested under this agreement and  
20 to also give you an opportunity to ask any questions  
21 that you may have regarding it before submitting your  
22 expression of interest.

23 Following this meeting, there will be  
24 no contact regarding this process with anyone other



1 than myself. Any comments or questions from the  
2 floor during this meeting must be preceded by the  
3 name of the person asking the question as well as the  
4 firm you are representing.

5 And if only one person will speak at a  
6 time, please.

7 So I will now go ahead and turn the  
8 meeting over to Randy Cole so he can review the  
9 information that you have received and just give you  
10 a little additional information about the project.

11 MR. COLE: Yes. Good morning. I  
12 provided -- I hope everyone has a fact sheet that I  
13 provided.

14 So the purpose of us meeting today is  
15 really to try to give you guys as much information as  
16 possible to help guide without really us dictating  
17 how you are going to develop the plans.

18 Of course, the overall objective, as I  
19 state at the top, is to develop management strategies  
20 and corrective actions, you know, for the overall  
21 protective integrity of the Christina River and  
22 Dragon Run, which we have now selected as our two  
23 watersheds, which that was probably done in the last  
24 few weeks.



1                   So I won't be able to discuss the  
2 budget. As you probably, if you ever worked with  
3 Delaware before, you know we can't really discuss the  
4 budget. We are really looking at qualifications  
5 only.

6                   But we will be looking if you reviewed  
7 the document, the RFP we're asking for, the rating  
8 criteria. You will see that we are looking for a  
9 cost-effective program regarding the implementation  
10 plan itself as well as a cost-effective program for  
11 the implementation of the structural BMP as well. So  
12 that will be a rating criteria we will be looking  
13 pretty closely at.

14                  So we are hoping that these plans are  
15 going to address the issues that include nitrogen,  
16 phosphorous, and bacteria. And we are also looking  
17 at the 3 percent effective impervious area also.

18                  And as the fact sheet states, we don't  
19 really want you to get sidetracked in developing  
20 plans for nonstructural BMPs such as street sweeping,  
21 public education and so forth, because we already  
22 have plans in place for that, so we're really going  
23 to be focused on those three main TMDLs, as you  
24 probably already know are listed for Christina and



1 the Dragon Run.

2 And we are looking for the plans to  
3 identify specific projects to address that TMDL in  
4 the affected impervious area.

5 As I said, we have selected the  
6 Christina and the Dragon Run. I have given you a  
7 little brief information about that. Obviously, I  
8 know you guys know that's all available on the  
9 Internet. And if you look under DNREC Watersheds,  
10 there is a lot of information there.

11 We have recently submitted some  
12 information to DNREC. We had to have a draft plan to  
13 them on August 7, 2013, which we have submitted.  
14 It's still under review by DNREC and EPA, so the  
15 final -- the final, final will be due -- it's  
16 actually going to be effective November 7, so we are  
17 hoping to implement that.

18 Let's see. We have listed a couple  
19 website addresses. One is for the TMDLs. The other,  
20 if you look at 1J, our stormwater management plan is  
21 actually listed there. So, if you haven't had an  
22 opportunity to look at that, our entire plan is under  
23 that website address.

24 And do you want me to -- I want to say



1 that we -- and Dave, correct me if I misspeak here a  
2 little bit, but I'm supposed to disclose the fact  
3 that Dave Athey with URS, who is a subcontractor of  
4 Duffield, was working with the County and DelDOT to  
5 develop the stormwater pollution prevention  
6 management plan for us, as well as we have also  
7 contracted Dave to write a surface water quality  
8 grant for us to help fund the W-Quip development.  
9 And we are going to have that posted on the website.  
10 It's actually due today, but we will have it posted  
11 by Monday. So everyone will have an opportunity to  
12 review that grant. And any information there, you  
13 know, obviously, that's available to everyone now.  
14 So let's see.

15 MR. HOKUF: Randy, with Monday being a  
16 holiday, would that be Tuesday?

17 MS. HENRY: It will probably still be  
18 up, because we will send it over to them Friday.  
19 They try to work really hard to get everything up for  
20 us. So it should be there by Monday. But, if it's  
21 not, yeah, check Tuesday, please.

22 MR. COLE: So I'm hoping maybe -- I  
23 don't know if this generated any questions by looking  
24 at the fact sheet. But, as I mentioned, we're



1 looking and really focusing on NP and bacteria  
2 as well as that 3 percent affected impervious area.

3 Like I said, we already have a public  
4 education plan in place. We are not looking for any  
5 assistance there. We are not asking for any wet  
6 weather monitoring program in the development of your  
7 RFP.

8 You know, we are asking, you know,  
9 obviously you're going to have to identify and work  
10 with some State core working groups. And I'm not  
11 here to tell you what they all are, but there is  
12 obviously a lot of information out there, a lot of  
13 working groups, especially in the Christina River  
14 Watershed.

15 And the map I provided to you -- there  
16 is two maps -- one of the Christina. If you look,  
17 the Christina proper does not include the White Clay,  
18 Red Clay, or the Brandywine. It's just that white  
19 sliver you see on your map.

20 Of course we'll need, when there are  
21 structural BMPs, we will be looking for you guys to  
22 determine load reductions and looking how we're going  
23 to reduce that 3 percent affected impervious area.

24 If I could back up just a little bit,



1 we have selected these two watersheds, and we did  
2 that through a weighted matrix by looking at the  
3 ratio of the affected impervious area to the  
4 watershed. And it kind of fell out where we have  
5 what we're calling preservation watersheds and  
6 restoration watersheds. And that's listed in the  
7 stormwater management plan on that website I  
8 mentioned under 1J.

9 So we have selected one from each  
10 category. The Christina falls under the restoration,  
11 and the Dragon Run falls under the preservation  
12 category.

13 I don't know if anybody else has any  
14 other pertinent information they want to share. I  
15 would like to see if you guys have any questions  
16 about the fact sheets or what our anticipated needs  
17 might be. Yes, Dave.

18 MR. ATHEY: I'm sorry. Dave Athey,  
19 URS. Item 11 on page two, "Consultant is to provide  
20 a link to a completed plan or a reference contact for  
21 a plan that is in development, attachment or hard  
22 copy of a completed plan."

23 Is that -- I'm sorry -- as part of the  
24 proposal, something else we're working on, or is



1 that -- because it's listed after some kind of  
2 deliverable-type things?

3 MR. COLE: Yeah, I think what our --  
4 the gist of that is we're looking -- you know, we're  
5 hoping to hire a consultant that has actually  
6 developed a W-Quip. So, if you have one already  
7 developed, we would like to either see a hard copy or  
8 a link to that; or, if you're in the development  
9 stage of one of these W-Quips or something similar  
10 like that, you know, maybe you can give us a  
11 reference to that.

12 But we are really looking to see if  
13 someone has developed this so we can get our eyes on  
14 an actual project you guys have implemented.

15 MR. ATHEY: So like give a web address  
16 in the proposal or something along those lines?

17 MR. COLE: Yes.

18 MR. ATHEY: Okay.

19 MR. COLE: And our thought is, once  
20 we -- by the time we execute the agreement, we are  
21 thinking it's going to be probably December or  
22 January.

23 So let's just say it's January that  
24 this agreement has been executed and you can begin



1 work. Our goal is to actually have a final W-Quip  
2 submittal in our hands by two years from that date,  
3 which would give us about five months to review it.  
4 It's actually due May 2017 before the implementation  
5 process starts, so we would like to have that -- you  
6 know, we're thinking a two-year, three-year time to  
7 develop both of these watershed plans as the date  
8 we're targeting.

9 And it's kind of up to you to decide  
10 whether you want to develop them concurrently or you  
11 want to develop one first and one follows. We are  
12 not even -- we are not dictating how you should do  
13 that. That's kind of up to you.

14 Any other -- does anybody have any  
15 questions specific to this?

16 MS. GLOYD: I do.

17 MR. COLE: Yes, ma'am.

18 MS. GLOYD: Meghan Gloyd with  
19 Biohabitats. And I notice the watershed standard  
20 goes into Maryland. Are we supposed to -- how are  
21 you going to treat that? Is that within Delaware's  
22 jurisdiction --

23 MR. COLE: No.

24 MS. GLOYD: -- or are we providing



1 anything in that?

2 MR. COLE: We are only responsible for  
3 the Delaware portion. Unfortunately, yeah, we have  
4 the same issues with some of our other watersheds.  
5 Like White Clay and Brandywine, a huge portion is in  
6 Pennsylvania. But it's really out of our control.  
7 So yes.

8 MS. GLOYD: Okay. Thanks.

9 MR. HYDE: Hi, Randy. Carter Hyde with  
10 Pennoni. I just want to get some clarification. You  
11 had mentioned URS's involvement in several different  
12 areas, including New Castle County.

13 Are they being excluded from going  
14 after this, or are they still included to go after  
15 this?

16 MS. HENRY: Go ahead.

17 MR. COLE: No, they are not excluded.  
18 That's why we are disclosing all the information  
19 that's out there, and that's why we have posted the  
20 stormwater pollution prevention plan on the website  
21 that they developed so everybody has the same  
22 information that their eyes have seen, as well as the  
23 grant that was just written. That will be available  
24 Monday or Tuesday.



1                   So that's information that's out there.  
2                   We're trying to give everybody the same information  
3                   so there is no, you know, leg up on that. So, no, to  
4                   answer your question. They are not excluded, but  
5                   everybody is looked at equally.

6                   MR. HYDE: Okay.

7                   MR. HARRIS: Mike Harris, New Castle  
8                   County. Should we clarify Meghan's question and let  
9                   her know that Newark is not included, as well? We  
10                  are going to have to cut Newark out because they are  
11                  not a permittee.

12                  MR. COLE: That's under a phase two  
13                  permit. That's correct.

14                  MR. THOMPSON: Bruce Thompson with KCI.  
15                  Can you give me a little bit of what your anticipated  
16                  needs are for BMP design? Is that just to, say,  
17                  concept level or beyond that?

18                  MS. GILLAM: Yes. There will be no BMP  
19                  design associated with this agreement. That's all  
20                  concept level. DelDOT has a separate as well as the  
21                  County has separate consultants under contract to do  
22                  all of our BMP retrofit design projects.

23                  MR. SMAILER: I have a question. Steve  
24                  Smailer with Duffield Associates. A couple of the



1 services required talked about field verification or  
2 conduct field studies. Most of it seems like desktop  
3 aspects. Do you expect any extra field testing?

4 MR. COLE: Which number are you under?

5 MR. SMAILER: I was looking under  
6 "services required," the --

7 MR. COLE: Oh, okay. I know I remember  
8 seeing that.

9 MR. SMAILER: Yeah, item four and item  
10 five, "existing data field verification to  
11 determine," and it says "affected impervious," and  
12 then "conduct field studies."

13 MR. COLE: Yeah. I think our thought  
14 process there, you know, it is a desktop, there is a  
15 partial desktop exercise, but I think it's going to  
16 require almost someone actually going into the field  
17 and verifying that that is actually true what's on  
18 the map. I think -- I mean LaTonya, is that --

19 MS. GILLAM: Yes, there will be some  
20 field verification required.

21 MR. SMAILER: The verification of  
22 mapping on-site characterization?

23 MR. COLE: Yeah. We're are not asking  
24 for like a geomorphic analysis or any kind of



1 scientific, but to determine that, yes, it's truly  
2 what it says it is on the map as impervious,  
3 disconnected, or it's connected.

4 MS. HENRY: I'm sorry. Can you give us  
5 your name?

6 MR. SMAILER: Yes. Steve Smailer with  
7 Duffield Associates.

8 MS. HENRY: Thank you. Anyone  
9 formulating any other questions? I don't want to --

10 MR. THOMPSON: Bruce Thompson with KCI.  
11 This is probably for you, Wendy. I know a lot of the  
12 other RFQs require a lot of forms to be signed and  
13 filled out. I don't see any on this one.

14 MS. HENRY: No forms for this one.

15 MR. THOMPSON: Okay.

16 MS. GILLAM: I just wanted to make one  
17 comment. On the fact sheet, item number one, what  
18 data is available, we were giving you this data so  
19 that when you are developing a proposal you are not  
20 spending a lot of time talking on these issues on  
21 what you would do, because it is available to you.

22 If there is other data that you think  
23 that you might need and you want to know its  
24 availability, if we already have it, please feel free



1 to submit a question to contract admin and request  
2 it. Because this isn't an all-inclusive list, and  
3 there is other information that you may need.

4 MR. ATHEY: David Athey, URS again. I  
5 guess the question you always get at these, is part  
6 of the transcript going to have a list of attendees,  
7 or will that be distributed in another fashion?

8 MS. HENRY: We can include the list of  
9 attendees, yes.

10 Okay. It looks like we have answered  
11 all our questions. But, again, if you do develop  
12 additional questions following this meeting, you can  
13 submit them to me, and I will get a response back to  
14 you as quickly as possible.

15 Again, the transcript along with the  
16 attendees will be listed on the State of Delaware bid  
17 solicitation directory. We look forward to receiving  
18 your proposals. Thank you for coming out today.

19 (Concluded at 10:22 a.m.)  
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CERTIFICATE

I, Lorena J. Hartnett, a Notary Public and Registered Professional Reporter, do hereby certify that the foregoing is an accurate and complete transcription of the proceeding held at the time and place stated herein, and that the said proceeding was recorded by me and then reduced to typewriting under my direction, and constitutes a true record of the testimony given by said witnesses.

I further certify that I am not a relative, employee, or attorney of any of the parties or a relative or employee of either counsel, and that I am in no way interested directly or indirectly in this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office on this 5th day of September 2014.



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Lorena J. Hartnett  
Registered Professional Reporter

# **INFORMATIONAL MEETING SIGN-IN SHEET**

**Agreement No. 1724**

**August 28, 2014**

<b>NAME</b>	<b>FIRM</b>
<b>Jenna Silverstein</b>	<b>Prime AE Group, Inc.</b>
<b>David Athey</b>	<b>URS</b>
<b>Mary Baker</b>	<b>Rauch &amp; Assoc.</b>
<b>Anna Crouse</b>	<b>Rauch &amp; Assoc.</b>
<b>Jerry Jameson</b>	<b>T&amp;M Associates</b>
<b>Jay Kelley</b>	<b>McCormick Taylor</b>
<b>Dave Schwartz</b>	<b>CHPlanning</b>
<b>Jim Eisenhardt</b>	<b>RK&amp;K</b>
<b>Mike Angelo</b>	<b>McCormick Taylor</b>
<b>Brittany McDuell</b>	<b>F.X. Browne, Inc.</b>
<b>Meghan Gloyd</b>	<b>Biohabitats</b>
<b>Carter Hyde</b>	<b>Pennoni</b>
<b>Andrew Ford</b>	<b>JMT</b>
<b>Alex Schmidt</b>	<b>Century</b>
<b>J. B. Moore</b>	<b>Tetra Tech</b>
<b>Steve Smailer</b>	<b>Duffield Assoc.</b>