



AGENDA

Special BACWA Board Meeting

Tuesday May 5, 2026

2:00 – 3:00 pm

Locations:

2020 Wake Avenue, Admin Building, Oakland, CA 94607

525 Golden Gate Avenue, Office 0640, San Francisco, CA 94102

750 Limerick Ln. Alameda, CA 94502

200 East Santa Clara Street, 10th Floor, San Jose CA 95113

12 Pepper Ave, Corte Madera CA 94925

To attend the meeting via Zoom or submit a comment please [request access](#).

1. Introductions and Public Comment
2. Approve: BAR Regulatory Program Manager FY26 contract with Larry Walker Associates
3. CLOSED SESSION to discuss personnel matters pursuant to California Government Code Section 54957
4. Report-out from Closed Session
5. Adjournment



BACWA EXECUTIVE BOARD ACTION REQUEST

AGENDA NO.: 1

MEETING DATE: May 5, 2026

TITLE: Request for BACWA Executive Board Approval for the Agreement with Larry Walker Associates, Inc. for As-Needed Interim Regulatory Program Manager Support

RECEIPT

DISCUSSION

RESOLUTION

APPROVAL

RECOMMENDED ACTION

Authorize agreement with Larry Walker Associates, Inc. to provide As-Needed Interim Regulatory Program Management Support for a not to exceed amount of \$96,840.

SUMMARY

On May 6, 2026, Mary Cousins will terminate her contract with BACWA for Regulatory Program Management Services. BACWA is in the process of transitioning its staffing model but anticipates initiating a recruitment for a new Regulatory Program Manager in the summer of 2026. In the interim period, it is important that BACWA retain Regulatory Program Management Support to maintain its level of service to the Executive Board, its members, and its committees. In 2020, which was the last time BACWA underwent a staffing transition, BACWA evaluated proposals from four prospective vendors for Regulatory Program Management Services, and Larry Walker Associates, Inc. (LWA) was chosen as the consultant who could best provide the required services. Alina Constantinescu was the LWA staff primarily responsible for this contract, with other staff available as-needed, and provided these services for seven months. Ms. Constantinescu has been involved in many of BACWA's committees for several years and has extensive regulatory experience. Additional staff at LWA are available to assist BACWA as needed.

It is recommended that BACWA sole source this limited duration contract to prevent substantial and consequential disruption to the agency's activities. BACWA is currently in the process of reevaluating its contracting policy and procedures, which include direction to limit sole sourced contracts to \$30,000. However, sole sourcing is allowable above this limit with appropriate justification. In order to maintain continuity of service to our members, it is recommended that BACWA sole source this contract, with the following justification:

- Given the time-sensitive nature of key regulatory issues that BACWA consistently provides advocacy on and informs members about, it is critical to bring on interim support right away, as the time to undertake a competitive process would leave a gap in coverage.
- LWA's Alina Constantinescu is the only consultant with experience providing the necessary services; any other consultants would require substantial time to on-board and orient. BACWA is a very lean organization with three staff (including the Regulatory Program Manager), that provides a high level of service to its members, and whose scope has expanded over the past several years without an associated increase in staffing. In summer of 2026, BACWA will

continue to perform its core mission while undergoing a staffing model transition and potentially initiating a new role as grant administrator, if its coalition proposal to US EPA is successful. Against this backdrop, it is important that interim support already be familiar with BACWA's organizational procedures and can quickly move into this role with minimum onboarding and resource investment from the remaining two staff.

- LWA's Alina Constantinescu is the only consultant with longstanding engagement in BACWA's most active committees. A main function of the Regulatory Program Manager is to support BACWA's committees. There are a fairly small number of consultants in the Region that attend a breadth of BACWA committee meetings and have the expertise necessary to support a range of committees. Alina Constantinescu is unique in her participation in permits, pretreatment, and collection systems committees, and she routinely tracks BACWA's other committees by reviewing the meeting notes.

The recommended contract provides a not to exceed amount of \$96,840, which is equivalent to 60 hours per month over 6 months, at a billing rate of \$269 per hour. This level of support is intended to continue as needed through October 2026, at which point it is anticipated that a permanent Regulatory Program Manager will be in place.

FISCAL IMPACT

The funding for this contract is consistent with the Fiscal Year 2026 workplans and budget for BACWA and Special Programs. The contract will be funded through the Regulatory Program Manager line item, which is estimated to contain adequate funds to fulfill this contract, based on Regulatory Program Manager Services invoices received to date. The Fiscal Year 2027 Budget also contains a line item for Regulatory Program Manager support.

ALTERNATIVES

Do not approve the contract for As-Needed Interim Regulatory Program Management Support. This alternative is not recommended, since a lapse in this support would cause a significant disruption to the services BACWA is able to provide over a period of several months.

Attachments: FY26 Agreement with Larry Walker Associates, Inc., with Exhibit A – Scope of Work, and Exhibit B – Rates and Reimbursable Expenses

Approved: _____

Jackie Zipkin, Chair,
BACWA Executive Board

Date: _____

Date: May 5, 2026

BAY AREA CLEAN WATER AGENCIES
CONSULTING AGREEMENT

TO: Sandy Mathews sandym@lwa.com
Larry Walker Associates, Inc. Phone: 510-883-9873
2246 Sixth St
Berkeley, CA 94710

FROM: Lorien Fono, Executive Director lfono@bacwa.org
BACWA Phone: 510-684-2993
PO Box 24055, MS702
Oakland, CA 94623

RE: BACWA Agreement for FY26 with Larry Walker Associates, Inc. to provide Interim Regulatory Program Management support to the Executive Director.

This Agreement, effective May 5, 2026, covers professional services to be performed by Larry Walker Associates, Inc. for As-Needed Interim Regulatory Program Management Support, as described in the Scope of Work, Attachment A. The work under this contract will be carried out under the supervision of Lorien Fono, BACWA Executive Director. The term of this agreement shall not extend beyond October 31, 2026. The total cost of professional services to be performed by Larry Walker Associates, Inc. is not to exceed \$96,840 This contract will be funded by the BACWA Budget under the Regulatory Program Manager line item.

This Agreement may be terminated by either party at any time for convenience with 30 days' notice. In the event of termination by BACWA, BACWA shall pay Larry Walker Associates, Inc. for professional and competent services rendered to the date of termination upon delivery of assigned work products to BACWA.

Larry Walker Associates, Inc. shall submit invoices to the BACWA Assistant Executive Director via e-mail: jdyment@bacwa.org. Invoices shall include the hours charged by each employee, a brief description of the work performed, and a description of costs for which Consultant seeks reimbursement and which are specified in Exhibit B. Invoices will be paid within thirty (30) days of receipt.

Approved:

By _____
Jackie Zipkin
Chair, BACWA Executive Board

By _____
Sandy Mathews
Larry Walker Associates

Date _____

Date _____

BACWA EIN: 94-3389334

EIN/TIN: 94-2610668

Exhibit A

BACWA INTERIM REGULATORY PROGRAM MANAGER

SCOPE OF WORK

Larry Walker Associates will work under the direction of the BACWA Executive Director to assist with some or all of the following:

- Support BACWA's committees:
 - Routine support
 - Asset Management – Board Report for 2-3 meetings per year.
 - Bay Area Pollution Prevention Group – Board Report for bimonthly meetings.
 - Collection Systems – Draft agenda, final agenda and Board Report for quarterly meetings.
 - Laboratory – Draft agenda, final agenda, and Board Report for bimonthly meetings.
 - Operations and Maintenance – Board Report for 2-3 meetings per year
 - Permits – Draft agenda, final agenda, and Board Report for bimonthly meetings.
 - Pretreatment – Draft agenda, final agenda, and Board Report for 2-3 meetings per year.
 - Recycled Water – Draft agenda, final agenda, and Board Report for quarterly meetings.
 - As-needed support:
 - Air Issues and Regulations
 - Biosolids and/or Bay Area Biosolids Coalition
- Track, summarize, and communicate water quality regulations and policies affecting BACWA member agencies;
- Prepare for and attend BACWA Executive Board meetings; assist in preparing minutes and carrying out action items.
- Monitor regulatory issues and assist in the preparation of comment letters on key regulations;
- Act as liaison to regulatory agencies and partner associations on key regulatory topics;
- Manage communications with the membership through the monthly BACWA Bulletin;
- Assist the Executive Director with contract and program management, and with other related tasks as requested.

Exhibit B

BACWA INTERIM REGULATORY PROGRAM MANAGER

RATES AND REIMBURSIBLE EXPENSES

Alina Constantinescu (lead): \$269/hour

Brenda Rojas (Meeting support): \$202/hour

Nubia Donikian (Meeting support / Regulatory Matrix support): \$221/hour

Mitch Mysliwiec (Dilution / Mixing Zones expertise) \$289/hour

Gorman Lau (Pretreatment / Local Limits expertise): \$304/hour

Denise Connors (Senior Advisor): \$324/hour

Mileage: Current IRS Rates

Transportation: Actual Expense

BACWA Regulatory Program Manager Scope of Work

The scope of work for the BACWA Regulatory Program Manager can be divided into seven tasks:

1. Support for BACWA's committees:
 - a. Routine support
 - i. Asset Management
 - ii. Bay Area Pollution Prevention Group (BAPPG), including Pesticides Subcommittee
 - iii. Collection Systems
 - iv. Laboratory
 - v. O&M
 - vi. Permits
 - vii. Pretreatment
 - viii. Recycled Water
 - b. As-needed support:
 - i. Air Issues and Regulations
 - ii. Biosolids and/or Bay Area Biosolids Coalition
2. Support for Executive Board
3. Routine administration and compliance tasks
4. BACWA Bulletin
5. Collaboration with professional organizations, scientific organizations and outside agencies
6. Coordination with regulators
7. Special Issue Support

Task 1. Support for BACWA's committees

- For all routinely supported committees: manage roster, meeting invitations, online meeting hosting, and webpage, and prepare Board report. Draft or review comment letters relevant to each committee to regulators, or legislators. Specific tasks per committee are listed below:
 - Asset Management – Board Report for 2-3 meetings per year.
 - Bay Area Pollution Prevention Group – Board Report for bimonthly meetings.
 - Collection Systems – Draft agenda, final agenda and Board Report for quarterly meetings.
 - Laboratory – Draft agenda, final agenda, and Board Report for bimonthly meetings.
 - Operations and Maintenance – Board Report for 2-3 meetings per year
 - Permits – Draft agenda, final agenda, and Board Report for bimonthly meetings.
 - Pretreatment – Draft agenda, final agenda, and Board Report for 2-3 meetings per year.
 - Recycled Water – Draft agenda, final agenda, and Board Report for quarterly meetings.
- For AIR and Biosolids: Attend meetings, if possible. Post meeting materials (e.g., slides) to BACWA website and insert in Executive Board packet. These two committees do not require help with tracking regulations, meeting invitations, Board reports, or comment letters, but they require assistance with email list administration portal or the BACWA website.

Note – In recent years, Task 1 activities comprised 50-60% of the RPM's hours.

Task 2. Support for Executive Board

- Develop materials for Executive Board packets
- Work with Executive Director to invite committee leaders to provide updates on committee activities.
- Review draft minutes from Executive Board meetings
- Follow up on Action Items from Executive Board meeting
- Pardee technical seminar preparation and supports
- Update Regulatory Issues matrix three times per year

Task 3. Routine BACWA support, administration, and compliance tasks

- Draft annual NPDES compliance letter on behalf of member agencies (draft in November and December. Finalize in early January. Work with SFEI's RMP Manager on this task).
- Assist with development of BACWA Annual Report
- Attend monthly staff meetings and follow up on action items
- Website content management and other IT tasks
- Annual meeting preparation and support

Task 4. BACWA Bulletin

- Draft monthly Bulletin and shared with BACWA Executive Director
- Finalize monthly Bulletin based on Executive Director's edits
- Distribute monthly Bulletin and post updated link to <https://bacwa.org/bacwa-bulletins/>

Task 5. Collaboration with professional organizations, scientific organizations and outside agencies

- Attend virtual monthly CASA workgroup meetings for ACE, Collection Systems, Water, and Biosolids. Attend in-person meetings in the Bay Area. For efficiency, avoid duplication of attendance with Executive Director.
- Attend 1-2 WateReuse events in the Bay Area
- Attend BayCAN, Bay Adapt, and similar regional climate change planning-relevant events
- Call in to NACWA Regional Association Conference calls (as-needed)
- Collaborate with SFEI and the RMP as-needed

Task 6. Coordination with Regulators

- Develop agenda for regular BACWA meetings with the Regional Water Board, and draft meeting summaries

Task 7. Special Issue Support

Provide support as directed by BACWA's Executive Director. Tasks may include:

- Nutrients.** Contribute to regional compliance with the 2024 Nutrients Watershed Permit, including development of a Basin Plan Amendment for compliance schedules; support for HDR's Regional Planning Study, including convening the Contract Management Group and reviewing deliverables; provide support for the Freshwater Trust's trading study; follow Nutrient Management Strategy

science; provide member information-sharing on technical topics such as optimization (Tasks 2, 6, 7)

- b. **PFAS.** Assist SFEI with planning for PFAS Phase 3 study. Work with Clean Water SoCal, CASA, and CVCWA, and Water Boards on a statewide wastewater strategy that focuses on source control. Work with Pretreatment Committee on industrial source control (landfills, metal plating, etc.). To control residential loads, work with CASA, SFEI, and DTSC on consumer product source control strategy. (Task 1, Task 7).
- c. **Artificial Intelligence.** Plan a webinar showcasing BACWA member agency use of AI (particularly for O&M, public outreach, or capital planning); facilitate peer-to-peer conversation about AI implementation.
- d. **Communications.** Assist BACWA ED with implementation of BACWA's communication plan, particularly by acting as liaison to BAPPG as needed. Assist with edits to Baywise website as needed for BAPPG.
- e. **Pesticides.** Coordinate with BACWA's Pesticides Regulatory Consultant team (currently led by Stephanie Hughes) on strategies to reduce the water quality threat of urban pesticides. This work mainly focuses on stakeholder outreach (e.g., pet owners, veterinarians) and regulator outreach e.g., California Department of Pesticide Regulation and USEPA). Cultivate relationships around the state to gradually transition this effort to statewide instead of regional in nature (Task 1, 5, 7)
- f. **Climate.** Track development of regulations and new technical tools related to climate change adaptation and mitigation. Sample topics: AQPI; Incorporating modified IDF curves into collection system and treatment plant capacity planning; BayAdapt / BCDC Regional Shoreline Adaptation Plan for sea level rise adaptation of POTWs and collection systems; re-circulating updated survey from Region 2 NPDES Division; hosting speakers at BACWA committee meetings on topics such as precipitation intensity, groundwater level rise, sea level rise, and related topics (Tasks 5, 7).
- g. **Biosolids Survey** – Prepare an update to the most recent BACWA Biosolids Trends Survey.
- h. **New Regulations.** Help members stay up-to-date on new regulations under development for diverse topics such as toxic air contaminants (Rule 11-18, Bay Area Air District), Clean Water Act Methods Update Rule (USEPA), PFAS Effluent Limitations Guidelines (USEPA), GIS requirements for sewer systems (CA Underground Safety Board), and PFAS in drinking water and non-potable reuse (Division of Drinking Water at State Water Board) (Tasks 1, 5, 7).
- i. **Other Issues**
 - Track regulations via discussions with regulators and member agencies, the Water Board lists mailing list, CASA, and other Regional Associations.
 - Work with Committee leaders and BACWA Executive Board to develop BACWA positions on new regulations and new monitoring requirements