R.21.03

Passed and Approved this 27th Day of September 2021 by the City Council.

AYES:	NAYS:	ABSENT:
Hahn, McCoy, Westemeier, Wienen, Bernstein, Kieffer	None	Renner

Terry J. Renner

Terry Renner
Mayor

ATTEST:

Mary Beth Hyde

Mary Beth Hyde
City Clerk

RESOLUTION NO. R.21.03

RESOLUTION APPROVING IEPA REQUIRED LANGUAGE FOR CONTRACT OPERATING SERVICES WITH USW UTILITY GROUP

CERTIFIED WATER SYSTEM OPERATOR CONTRACT (FOR CONTRACTUAL OPERATION OF GALENA PUBLIC WATER SUPPLY)

WHEREAS, the City of Galena, Illinois, hereinafter designated as the Supply, desires to contract out its water supply operations and maintenance to a Professional Operations Company; and

WHEREAS, US Water Services Corporation agrees to employ a certified water plant operator under the Professional Services Agreement, and

WHEREAS, Andrew Schuler, IL Operator 247699999, an employee of US Water Services Corporation, is capable of performing the duties required of a certified water system operator in the State of Illinois, and

WHEREAS, US Water Services Corporation, may from time-to-time employ other certified employees capable of performing the duties required of a certified water system operator in the State of Illinois, and

WHEREAS, the City of Galena and US Water Services Corporation have entered into an agreement to provide the services of such position of certified water system operator on the following terms and conditions:

1. That said Contractor, US Water Services Corporation employs Andrew Schuler whom is the holder of an Illinois EPA Class C Certificate as a public water supply operator and that the City of Galena requires the services of such a person in the operation of its water system.
2. That said parties herein agree that US Water Services Corporation and its named Operator will be responsible for operations of the City of Galena Public Water Supply in accordance with the rules and regulations of the Illinois Environmental Protection Agency.
3. US Water Services Corporation hereby agrees to employee staff to act as the Certified Water Plant Operator on a contractual basis for the City of Galena Public Water Supply.
4. It is further agreed among the parties herein that US Water Services Corporation is an Independent Contractor and is not an employee of the City of Galena and is not subject to employee provisions of employment by the City of Galena.
5. It is further agreed that this Contract shall be effective on August 1, 2019, and shall be fully operative and binding on all parties to this Contract until July 31, 2024, unless renewed in accordance with the provisions of the binding Agreement.
6. That said parties agree to the requirements set forth in the addendum to this agreement in regard to the responsibilities of both parties.
7. That this agreement and its addendum have been approved by the Illinois Environmental Protection Agency.

This Contract entered into this 27 day of September, 2021 by the parties hereinbelow mentioned.

Terry Renner Title Mayor

Signature of Owner (OW), Official Custodian (OC), **OR** Administrative Contact (AC)

Andrew Schuler

Signature of Contract Operator (Independent Contractor)

ADDENDUM TO CONTRACTUAL PUBLIC WATER SUPPLY AGREEMENT

1. **Information Regarding Parties Involved:**

Community Water Supply Information:
Name of Supply: Galena Public Water Supply
System ID #: IL0850200
Name of Owner, Official Custodian, **OR** Administrative Contact: City of Galena
Name of System Contact: Terrence Renner, Mayor
Mailing Address: 101 Green Street, Galena, IL 61036
Phone: (815)777-1050
Owner, Official Custodian, **OR** Administrative Contact: Terrence Renner, Mayor
System Contact: John Lloyd, Manager, US Water Services Corporation
Emergency Contact: (779)255-0659
Email: jlloyd@uswatercorp.net

Certified Public Water Supply Operator
Name of Certified Operator: Andrew Schuler
Operator 9-digit ID number: 247699999
Mailing Address: 1989 East Cross Road, Galena, IL 61036
Phone: (815)777-0095
Emergency Contact: (815)777-0095
Email: aschuler@uswatercorp.net

2. **Starting Date of Agreement:**

Starting Date: August 1, 2019

The Owner, Official Custodian, **or** Administrative Contact of the community water supply must submit this contract delegating responsibility and authority to the contract operator to the IEPA (hereafter known as the Agency) for approval within thirty (30) days following the execution of the contract.

Submit contract to the following address:
Illinois EPA, Drinking Water Compliance Assurance Section #19, 1021 North Grand Avenue East, Springfield, Illinois 62794-9276.

The Agency shall, not later than 45 days following the receipt of this contract, provide written notice to the community water supply of its decision to approve or disapprove the contract.

3. **Expiration Date of Agreement:**

   Expiration Date: July 21, 2024, unless renewed in accordance with provisions set forth in the duly executed and binding O&M Agreement

   This contract must include an expiration date. While there is no required length of duration for this contract, the expiration date should be agreeable to both the community water supply and the contract operator.

   If any contract approved by the Agency is terminated before the expiration date in the contract, the Owner, Official Custodian, **or** Administrative Contact of the community water supply **and** the contract operator must provide written notice to the Agency no less than 15 days before the contract is terminated.

4. **Minimum number of visits (or hours) the contract operator must be on-site each week (or month) to the community water supply:**

   Full-time employee (40 hrs/wk less vacation and holiday)

5. **The Duties and Responsibilities of Each Party Involved:**

   Community Water Supply Duties and Responsibilities will include but not be limited to:

   A. Provide all needed manpower and equipment required to maintain proper day-to-day operation of the community water supply.
   B. Provide labor and materials for correcting any maintenance and/or operational problems.
   C. Provide necessary monetary funds to cover the costs of requirements outlined in A and B.
   D. Ensure that all projects requiring construction and operating permits meet Agency requirements.
   E. Ensure that all NPDES permit effluents are being met (if applicable).
   F. Party will ensure that the community water supply remains in compliance with, but not limited to, the following:
      Design, Operation and Maintenance Criteria, 35 Ill. Adm. Code 604
      Raw and Finished Water Quality and Quantity, 35 Ill Adm. Code 604 Subpart B
      Primary Drinking Water Standards, 35 Ill. Adm. Code 611
      Permits, 35 Ill. Adm. Code 602
      Emergency Operation Requirements found in 35 Ill. Adm. Code 604.135(c)
      (Portions of or all of the above may also be included in the contractual operator duties.)
   G. Provide manpower for daily equipment checks.

H. Provide manpower for the collection of all required samples and submission of these samples to a certified laboratory for analysis (This provision may be listed as a responsibility of the contractual operator, if both parties agree.)
I. Provide a spare parts inventory.
J. Maintain copies of all pertinent reports and records at the treatment plant or other system facility site.
K. Maintain and implement an up-to-date Emergency Operating Plan (EOP).
L. Provide manpower to perform preventive maintenance on equipment as recommended by the manufacturer.

Contractor operator duties and responsibilities will include but not be limited to:

A. Performing the required number of visits (or hours) as specified in this agreement.
B. Maintaining proper records of the specified visits.
C. Must maintain and submit in a timely manner to the Agency all required operating records and reports. These records and reports include, but are not limited to:
    - Consumer Confidence Report
    - Drinking Water Compliance Monitoring Reports
    - Discharge Monitoring Reports (if applicable)
    - Monthly Operating Reports
D. In addition to the specified visits, the contractual operator must also ensure a means of communication for the community water supply and/or regulatory agencies in the event of routine or emergency operational problems.
E. Ensure by personal action or by directives to system personnel that system is being operated in a manner that provides for the safe and proper production and distribution of potable water.
F. Ensure by personal action and by directives to system personnel that all necessary and required routine operational control testing is being performed.
G. Issues boil orders (when required). This includes notification of affected water system customers by appropriate means, the Illinois Environmental Protection Agency regional office, and the local and/or county public health department, per regulatory guidelines.
H. Issue public notices (when required). This includes notification of affected water system customers, the Illinois Environmental Protection Agency Compliance Assurance Section, and local and/or county public health department. The Illinois Dept. of Public Health must also be notified in certain situations.
I. Responding to Agency requests for information, site visits, or any other requested data.

[END ADDENDUM]