



**Safe, Clean Water Program**

**Project Modification Guidelines  
Informational Session**

Presenters:

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# Overview

- Purpose
- SIP Approval and Reporting
- Project Modification Guidelines
  - New Proposed Projects/Studies
  - Projects/Studies included in a SIP
  - Transfer Agreement and Addendum Policies
  - TRP Modifications
- Example Scenarios
- Q&A



# Purpose

The [Project Modification Guidelines](#) provide more specific guidance to WASCs, applicants, recipients, and other interested stakeholders when modifications to a project, project concept or study are proposed during the course of a typical fiscal year.

The new Project Modification Request (PMR) form will facilitate a timely and transparent resolution of proposed modifications.



# Purpose

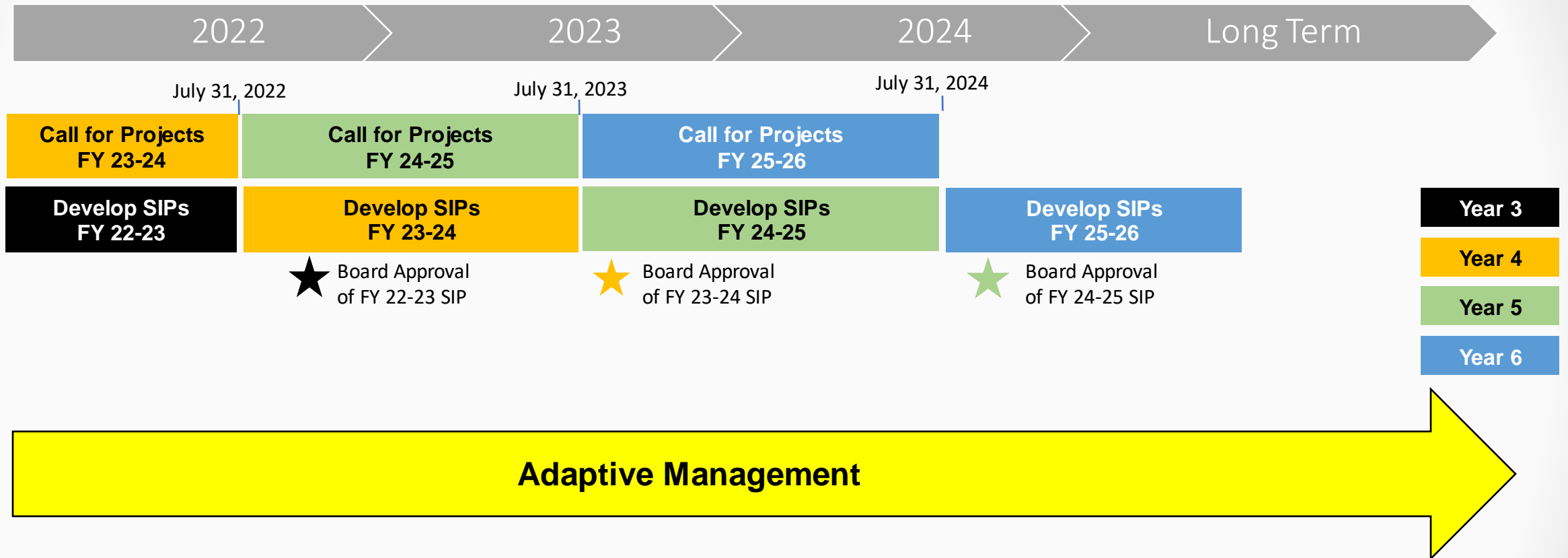
To support transparency and accountability it is important that any proposed modification that would change the Project, Project concept or Study in significant and material ways be evaluated and approved through the SIP preparation process before any funds are spent or any action is taken to implement the proposed modification



# SIP Approval and Reporting Process



# SIP Timeline





# Reporting Timeline

## Reporting Year 1

## Subsequent Reporting Years

Q1 (July-Sept)

Q2 (Oct-Dec)

Q3 (Jan-Mar)

Q4 (Apr-Jun)

Q1 (July-Sept)

Q2 (Oct-Dec)

Q3 (Jan-Mar)

Q4 (Apr-Jun)

Review and Board  
Adoption of SIPs

Initiate **FTA** Process to Disburse  
Year 1 Funding

Review and Board  
Adoption of SIPs

Initiate **Addendum** Process to  
Disburse Year X Funding

Q3 Reporting Period  
(1<sup>st</sup> report due **May 15**)

Q4 Reporting Period  
(report due **Aug 15**)

Q1 Reporting Period  
(report due **Nov 15**)

Q2 Reporting Period  
(report due **Feb 15**)

Q3 Reporting Period  
(report due **May 15**)

Q4 Reporting Period  
(report due **Aug 15**)

Year 1 Annual Reporting Period  
(report due 6 months after end of FY - **Dec 31**)

Year X Annual Reporting Period  
(report due 6 months after end of FY - **Dec 31**)



# Quarterly Reports and WASC Summary

Previously, if a Recipient toggled a modification in the Quarterly Report it was flagged in a summary to the WASC.

Row Labels	Project Developer	Report Period	Report Status	Active Phase List	Scope Modification	Exhibit Modification	Activity Concern	Activity Delay	Funding Projected	Funds Awarded to Date	Expenditures to Date
FY20-21											
Infrastructure Project											
			Complete	Design	No	No	N/A	No	\$8,500,000.00	\$8,500,000.00	\$708,529.51
			Complete	Design	No	A-10 Work Schedule and Completion Date Modifications	N/A	No	\$8,500,000.00	\$8,500,000.00	\$708,529.51
			Complete	Design, O&M, Post Construction Monitoring	No	No	N/A	No	\$7,000,000.00	\$7,000,000.00	\$7,000,000.00
			Complete	Design, O&M, Post Construction Monitoring	No	No	N/A	No	\$7,000,000.00	\$7,000,000.00	\$7,000,000.00

Scope Modification

Exhibit A Modification

## Scope Modification

Modifications should be rare and only under exceptional circumstances.

This page tracks deviations from the approved Scope of Work. Please carefully report any significant deviation from the Scope of Work including discussion of any major changes to the scope, noteworthy delays in implementation, anticipated reduction in benefits, and/or modifications that change the SCW Program Goals intended to be accomplished by the project.

If you have proposed changes to the Scope of Work, please contact the District – those changes will need to be approved and entered through the Projects Module. Under no circumstances may changes to the Scope of Work be made without receiving prior approval.

Project Item	Modification?	Modification Description	PDF Management
Water Quality Benefit Modifications	<input type="checkbox"/> No	<input type="text" value="Description"/>	Please upload a corresponding PDF
Nature Based Solutions Modifications	<input type="checkbox"/> No	<input type="text" value="Description"/>	Please upload a corresponding PDF
BMP Configuration Modifications	<input type="checkbox"/> No	<input type="text" value="Description"/>	Please upload a corresponding PDF
Diversion Modifications	<input type="checkbox"/> No	<input type="text" value="Description"/>	Please upload a corresponding PDF





# Quarterly Reports and WASC Summary

The Reporting Module will be updated this month, so that proposed modifications will be handled via a separate process per the Project Modification Guidelines and Quarterly Reports will be simplified to focus on project progress toward goals and expenditures.



Select Report Type

Project Modification Request (PMR)

I have authority to submit the report on behalf of my organization

Submitter Name and Title \*

Type your name and title

Report Description \*

Description

Attach a supporting PDF for this report.

Save Report



# Modifications to New Proposed Projects/Studies

Project Modification Guidelines



# Modifications to New Proposed Projects/Studies

Once the Call for Projects is closed, New proposed Projects/Studies cannot modify their application, except to:

- Provide clarifying information during the District's review for completeness or during Scoring committee review
- Modify annual funding distribution or reduce the SCW funding request per the [Partial Funding Guidelines](#)

If modifications are necessary, the applicant is encouraged to reapply in a future Call for Projects Fiscal Year



# Modifications to Projects/Studies included in a SIP

Project Modification Guidelines



# Modifications to Projects/Studies included in a SIP

Applicant should complete a Project Modification Request (PMR) form, immediately email the District at [SafeCleanWaterLA@pw.lacounty.gov](mailto:SafeCleanWaterLA@pw.lacounty.gov) and submit the form via the Reporting Module.

**Under no circumstances may a Recipient begin implementation or expend SCWP funds for any proposed modification without receiving prior approval from the District.**



# Modifications to Projects/Studies included in a SIP

## ATTACHMENT A: Project Modification Request (PMR) FORM

The purpose of this PMR form is to initiate the Project modification process and provide the District with information necessary to evaluate the Project modification request.

<b>Regional Program</b>	<input type="checkbox"/> Infrastructure Program Project <input type="checkbox"/> Scientific Studies Program <input type="checkbox"/> Technical Resources Program
<b>Project/Study Name</b>	
<b>Project/Study Lead</b>	
<b>Watershed Area(s)</b>	
<b>Current Project Phase</b>	
<b>Approved Stormwater Investment Plan Fiscal Year</b>	
<b>Transfer Agreement ID (e.g., 2020RPULAR52)</b>	

Has Transfer Agreement or most recent Addendum been executed (i.e., signed by the project lead and the District)?  Yes  No

### What type(s) of modification request?

- like-for-like modifications
- functionally equivalent BMP modifications
- modifications to Project or Study components that were not material to the WASC, ROC, or Board's decision to include the Project or Study in the SIP
- minor modifications to the budget or schedule of intermediate tasks where the total Funded Activity amount and Funded Activity completion date is unchanged
- change in primary or secondary objective
- change in Project benefits
- change in methodology (e.g., infiltration instead of diversion to sanitary sewer)
- decrease in BMP capacity
- change in Project or Study location
- change in capture area where benefits claimed are diminished or where there is a change in the municipalities that are receiving benefits
- updated engineering analysis resulting in a reduction of benefits claimed
- increase in Construction Cost or Life Cycle Cost greater than 10%
- increase or reallocation of annual funding distribution
- change in Funded Activity completion date
- other, please describe:

### Scope of Work

Metrics & Targets: 3

### Schedule

Total Activities: 16  
Ongoing Activities: 7  
Last Schedule Change: 7/6/2023

### Quarterly Reports

Next Report: Q1 (July - September): 11/15/2023 (Not Started) ⓘ  
Last Report: Q4 (April - June): 8/15/2023 (Submitted) ⓘ  
Recent Comments: N/A

### Annual Reports

Next Report: Fiscal Year: 22 - 23 Due 12/31/2023 (Not Started)  
Last Report: Fiscal Year: 21 - 22 Due 12/31/2022 (Overdue)  
Recent Comments: N/A

### Transfer Agreements and Do...

Central Santa Monica Bay: Executed  
Lower Los Angeles River: Executed  
Lower San Gabriel River: Executed  
Rio Hondo: Executed  
South Santa Monica Bay: Executed  
Upper San Gabriel River: Executed  
Upper Los Angeles River: Executed

### Additional Information Reports

Additional Information Reports: N/A  
Recent Comments: N/A

[Project-Modification-Guidelines-20230925.pdf](https://www.safecleanwaterla.org/Project-Modification-Guidelines-20230925.pdf)  
([safecleanwaterla.org](https://www.safecleanwaterla.org))



# Modifications to Projects/Studies included in a SIP

The District will review each PMR upon receipt to determine whether or not the modified Project or Study remains consistent with the Project or Study included in the current fiscal year's SIP.

District staff will consult with the WASC, as deemed appropriate. If a PMR is referred to a WASC by District staff for consultation, the Recipient must attend the WASC meeting in which the WASC will discuss the proposed modifications.



# Modifications to Projects/Studies included in a SIP

Examples of modifications that are likely to be deemed **consistent** include, but are not limited to:

- like-for-like modifications (e.g., soccer field instead of a baseball field, modified landscaping plans, or change in product suppliers such that benefits claimed are not diminished)
- functionally equivalent BMP modifications (e.g., multiple rain barrels instead of a cistern such that benefits claimed are not diminished)
- modifications to Project or Study components that were not material to the WASC, ROC, or Board's decision to include the Project or Study in the SIP
- minor modifications to the budget or schedule of intermediate tasks where the total Funded Activity amount and Funded Activity completion date is unchanged.
- other minor modifications that do not reduce original benefits





# Modifications to Projects/Studies included in a SIP

Examples of modifications that are likely to be deemed **inconsistent** include, but are not limited to:

- change in primary or secondary objective
- reduction in Project benefits
- change in methodology (e.g., infiltration instead of diversion to sanitary sewer)
- decrease in BMP capacity
- change in Project or Study location
- change in capture area where benefits claimed are diminished or where there is a change in the municipalities that are receiving benefits
- updated engineering analysis resulting in a reduction of benefits claimed
- increase in Construction Cost or Life Cycle Cost greater than 10% of the original application cost
- increase or reallocation of annual funding distribution
- change in Funded Activity completion date such that future funding allocations may be impacted



# Modifications to Projects/Studies included in a SIP

If deemed **consistent**:

- District shall provide direction on next steps and Recipient may thereafter implement the modification

If deemed **inconsistent**, the proposed modification must be evaluated and approved through the SIP preparation process:

- For PMRs received **prior to or on** October 31 of the fiscal year, the PMR will be considered during preparation of the **pending** SIP for the next fiscal year
- For PMRs received **after** October 31 of the fiscal year, the PMR will be considered during preparation of the **subsequent** SIP for the fiscal year after the next

Note: Deadline extended to November 30 for the current SIP deliberations (FY24-25 SIP)



# Modifications to Projects/Studies included in a SIP

## WASC review of proposed modifications deemed inconsistent with the SIP

- WASC has discretion to submit modified Project to the Scoring Committee to further inform WASC discussions. If applicable, the Recipient shall attend the Scoring Committee meeting in which the modified Project is being reviewed.
- In considering a modified Project or Study for inclusion in the pending SIP, the WASC may consider continuing funding as proposed, increasing or decreasing the total funding request, and/or reallocating annual funding projections in the SIP, as appropriate
- Once the SIP is approved, District shall provide direction on next steps and Recipient may thereafter implement the modification



# TA and Addendum Policies

Project Modification Guidelines

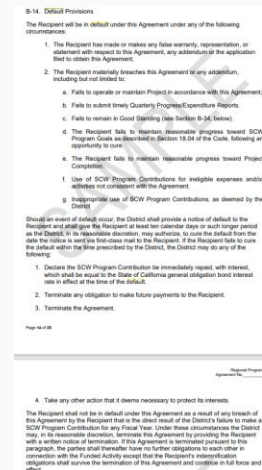


# TA and Addendum Policies

The TA and Addendum, Exhibit A – Scope of Work must be consistent with the approved Project or approved modification

If deemed inconsistent and the TA or Addendum for the FY has not been executed yet, the District will suspend the execution and the PMR will be considered during the appropriate FY.

Any modification that has been implemented without District approval shall be subject to the default provisions of section B-14 of the Transfer Agreement





# TRP Modifications

Project Modification Guidelines



# TRP Modifications

Technical Resources Program (TRP) Project applicants are encouraged to avoid submitting applications that are overly specific and should allow opportunity to evaluate a reasonable range of alternatives during the Feasibility Study development process.

District staff may consult with the WASC, as needed, to determine if the TRP modifications are significant enough to result in a significantly different Project concept



# TRP Modifications

Examples of modifications that are likely to be deemed **consistent** include, but are not limited to:

- Expansion or reduction of the existing Project proposal where the proposed modification is functionally equivalent and none of the examples of modifications that are likely to be deemed a significantly different Project concept are applicable.

Example of modifications that are likely to be deemed a **significantly different** Project concept include, but are not limited to:

- change in primary or secondary objective
- reduction in benefits provided
- change in methodology (e.g., infiltration instead of diversion to sanitary sewer)
- change in project location
- change in capture area where benefits claimed are diminished or where there is a change in the municipalities that are receiving benefits





# TRP Modifications

If the District determines that the proposed modification is **consistent** with the scope of the Project concept included in the SIP AND the proposed modification can be addressed within the **existing budget**, the District will proceed to incorporate the proposed modification into the Feasibility Study immediately.

If the proposed modification is significant enough to result in **diminished benefits** and/or a **significantly different** Project concept and/or if **additional funding** is needed to adequately determine feasibility of the modified Project concept, the District will consult with the proponent of the Project concept. After consultation with the proponent, the District will determine the next course of action, including but not limited to:

- Discontinue work on the Feasibility Study, return unused funds to be programmed in the SIP for the next fiscal year, and advise the proponent to submit the modified Project concept during the Call for Projects for a future fiscal year.
- Abandon the proposed modification(s) and proceed with the Project concept included in the SIP.



# Example Scenarios

Project Modification Guidelines



# Scenario 1

A Project was approved in a SIP for Design in year 1 and earmarked for Construction in year 2 and year 3. During the Design phase, the Applicant decides to move the splash pad from the north to the south side of the park and the updated engineers estimate is 5% higher which will be covered by the Applicant. The PMR is submitted in March, while year 2 SIP deliberations are already underway.

The District reviews the PMR and determines the proposed modifications are **consistent** with the SIP because the splash pad location was not material to the decision to include the Project in the SIP, the cost increase is less than 10%, and the no additional SCW funding is needed. In April, the Applicant and WASC is notified that the modifications were deemed consistent. The District will work with the applicant to update documentation and the Applicant may continue with the Project immediately thereafter. At this time, the WASC is also currently deliberating the SIP for year 2 and they decide to allocate funding as originally proposed for Construction in year 2 and year 3.



## Scenario 2

A Project was approved in a SIP for Design in year 1 and earmarked for Construction in year 2 and year 3. During the Design phase, the current location is deemed infeasible, and the applicant proposes re-locating the Project a mile east. This causes project delays and additional funding is needed. The PMR is submitted in March, while year 2 SIP deliberations are already underway.

The District reviews the PMR and determines the proposed modifications are **inconsistent** with the SIP because of the new Project location, change in completion date, and increased funding request. The PMR was submitted after the deadline and year 2 SIP deliberations are already well underway. The WASC decides to delay budgeting construction funding in the year 2 SIP so that the PMR can be evaluated during year 3 SIP deliberations. During year 3 SIP deliberations, the WASC sends the modified Project to the Scoring Committee and the score is unchanged. The WASC decides they support the proposed modification and has budget to accommodate the additional funding request. The WASC allocates additional Project funding for year 3 and year 4 and the SIP is approved by the WASC, ROC, and Board.



## Scenario 3

A Project is completing Design in-house and was approved in a SIP for Construction in year 1 and earmarked for Construction in year 2. During the Design phase, the current location is deemed infeasible, and the applicant proposes re-locating the Project a mile east. This causes project delays and additional funding is needed. The PMR is submitted in September, before the TA for year 1 has been executed and before year 2 SIP deliberations have started.

The District suspends execution of the TA for year 1 while the PMR is being evaluated. The District reviews the PMR and determines the proposed modifications are **inconsistent** with the SIP. The PMR was submitted before the deadline and can be considered during year 2 SIP deliberations. The WASC decides they support the proposed modification and has budget to accommodate the additional funding request. The WASC allocates additional Project funding for year 2 and the SIP is approved by the WASC, ROC, and Board. The District resumes execution of the TA for year 1 and initiates execution of the Addendum for year 2. The Recipient may thereafter begin Construction.



# Questions?



**[www.SafeCleanWaterLA.org](http://www.SafeCleanWaterLA.org)**



**[SafeCleanWaterLA@pw.lacounty.gov](mailto:SafeCleanWaterLA@pw.lacounty.gov)**



**833-ASK-SCWP**