

University of Colorado Colorado Springs (UCCS) MS4 Stormwater Program

Contractor/Vendor - Project Stormwater Requirements

The UCCS MS4 is committed to environmental stewardship and sustainability in all of its endeavors. As such, the UCCS MS4 participates in the Colorado Stormwater Excellence Program (CSEP), which is a voluntary construction stormwater permit compliance assistance and accountability program. The CSEP is a formally recognized “Stormwater Administrator Program” under the statutory authority of HB11-1026 and is administered by the AGC Colorado. All construction contractors/vendors who operate on the UCCS campus must abide by the CSEP policies and procedures as well as all applicable federal, state, and local environmental regulations. Nothing in this specification shall void any terms and conditions of any such permits or regulations. Should conflicts exist between the requirements of the UCCS MS4 and any state or federal requirements, the most stringent requirements shall apply.

A contractor/vendor’s failure to comply with the CDPS Construction General Permit (CGP) while conducting work on the UCCS campus creates unacceptable environmental liability and regulatory risk for UCCS. UCCS reserves the right, immediately following written notice, to correct at the contractor/vendor’s expense, any instances of CDPS CGP non-compliance that UCCS believes, in its sole discretion, may put UCCS at any real or perceived risk for any harm, environmental damage, offsite discharge of pollutants, or any additional liability. **A contractor/vendor’s repeated failure to meet regulatory and contractual CGP compliance expectations may result in that contractor/vendor’s removal from consideration for future work on the UCCS campus.**

To offer all contractor/vendors the appropriate training, assistance and oversight needed to achieve the UCCS MS4 environmental program goals, all construction projects that operate within the UCCS MS4 jurisdiction will utilize the Uniform Stormwater Management System (USMS) method of CDPS CGP compliance and recordkeeping. The digital (paperless) version of the USMS compliance program, by ComplianceWise Technologies, LLC, is provided to contractors/vendors as part of the monthly CDPS CGP compliance assistance and oversight by Stormwater Risk Management (SRM). The pricing schedule for all SRM third-party stormwater consulting services has been pre-negotiated by the UCCS MS4 and applies equally to all contractor/vendors performing construction activities within the jurisdiction of the UCCS MS4.

It is the sole obligation of the contractor/vendor to include SRM’s monthly service cost within their project cost of work and to make contractual arrangements for licensing and implementing this mandatory CDPS CGP management software on each project.

As a condition of performing any activities within the UCCS MS4 that require a CDPS CGP, the following minimum contractor/vendor implementation and reporting requirements must be met:

1) Preparation and maintenance of a Stormwater Management Plan (SWMP)

A SWMP compliant with all CDPS CGP regulations and requirements must be prepared using the ComplianceWise digital SWMP system. Contractor/vendors may prepare the SWMP themselves for review by SRM or may contract with SRM to prepare the SWMP on the contractor/vendor's behalf. Costs for complete SRM SWMP preparation are the same as for SRM SWMP review, and follow the pre-negotiated UCCS MS4 pricing agreement.

Should the contractor/vendor choose to have SRM complete the SWMP, SRM will use the ComplianceWise digital software to prepare and then to electronically distribute the SWMP for review and contractor/vendor acceptance. **Project-specific information must be provided by the contractor/vendor to SRM at least 20 business days in advance of the date the contractor/vendor intends to begin any construction activities at the site.** Information required of the contractor/vendor will include, but may not be limited to; project team contact info, project master schedule, site staging plan (if available), soils report and grading plans.

Following receipt of all required information, SRM will complete the SWMP within 10 business days and prior to the contractor/vendor submitting their application for CDPS Stormwater Construction General Permit (CGP) coverage.

If the contractor/vendor chooses to prepare their SWMP in the ComplianceWise website, it must be complete and ready for SRM review at least 20 days prior to the construction start date.

The contractor/vendor will thereafter maintain and update the SWMP on the ComplianceWise website for the duration of the project. The SWMP and the Site Map shall be regularly updated (at a minimum every 7 calendar days) by the contractor/vendor to accurately reflect the current conditions of the project from the start of construction activities until CGP inactivation or transfer.

The contractor/vendor's SWMP and all related CDPS CGP-required documentation and records will be available to the UCCS MS4 for review through shared access in the ComplianceWise database. All records will remain available to the UCCS MS4 for 3 years following termination of the CDPS CGP.

2) Requirements for a SWMP Administrator

At least one qualified SWMP Administrator shall be assigned by the contractor/vendor to each UCCS project who shall be responsible for managing

all aspects of the SWMP, including developing, implementing, maintaining, and revising the SWMP. The SWMP Administrator will be the UCCS MS4 contact for all SWMP related issues and is responsible for the accuracy, completeness, and implementation of the SWMP. The SWMP Administrator shall be on site and available during active construction. The SWMP Administrator shall be identified in the SWMP and listed on the CDPS CGP application before construction activities begin and shall be available to participate in all EPA, CDPHE or UCCS MS4 site inspections.

a. Certification and Training

The SWMP Administrator, at a minimum, shall be certified in the Uniform Stormwater Management System (USMS) Advanced Stormwater Manager course and be able to implement the principles and practices of the USMS, including use of the ComplianceWise digital recordkeeping database. Minimum training is available monthly through the AGC Colorado and is also offered periodically at the campus by the UCCS MS4. State of Colorado training scholarships are available to companies when funding such training places an extraordinary financial burden on the company.

b. Authority

The SWMP Administrator must have the authority to adequately manage and direct day-to-day stormwater quality management activities at the site, including stopping work until the site is in compliance with the CDPS CGP.

The UCCS MS4 may deem the SWMP Administrator unqualified if they are unable or unwilling to successfully implement or update the approved SWMP or keep the site in compliance. The UCCS MS4 shall require a new SWMP Administrator if the current SWMP Administrator is deemed unqualified.

3) Pre-construction Stormwater Meeting

Prior to the start of construction, the contractor/vendor shall initiate a meeting with the UCCS Principal Representative to review and discuss stormwater issues related to the project. Topics to be discussed may include, but are not limited to, the SWMP, initial control measures to protect entry/exits and perimeters, roles and responsibilities of the SWMP Administrator and roles and responsibilities of SRM acting on behalf of the UCCS MS4.

Work will not commence until the UCCS MS4 provides the contractor/vendor approval of the project specific SWMP and written approval of the initial control measures.

4) Use of the Standardized, Digital SWMP Documentation System

A standardized digital SWMP and inspection documentation system, ComplianceWise, will be set up by SRM as outlined in (1.) above for each permitted project on the UCCS campus. Following the initial setup by SRM, and prior to CDPS CGP application by the contractor/vendor, the contractor/vendor will review the contents of the SWMP, make any changes as required, and accept full responsibility for its contents. **Once CDPS CGP certification is issued by the CDPHE, the contractor/vendor accepts full liability for the adequacy of the digital SWMP and all future updates.**

SRM will provide the contractor/vendor extensive ComplianceWise system usage guidance and assistance as part of the mandatory monthly services, and anytime upon request. The contractor/vendor will perform all CDPS CGP required inspections and recordkeeping using the ComplianceWise documentation system and reporting website. No special equipment or computer hardware is required to use ComplianceWise.

5) Requirement for Minimum Implementation of the Uniform Stormwater Management System (USMS)

Full implementation of the USMS equals full minimum compliance with all requirements of the CDPS CGP. The ComplianceWise software and database system provides a standardized structure and methodology that assists contractors/vendors with meeting all USMS requirements. **Contractor/vendors must maintain at least 70% compliance with the USMS based on the monthly site audits conducted by SRM.** Failure to achieve better than 70% will expose the contractor/vendor and the UCCS MS4 to potential regulatory enforcement and will be cause for disciplinary action, including back charges to bring the site into compliance and denial of any future work opportunities on the UCCS campus.

Monthly USMS compliance percentages will be based on the standard evaluation criteria and weighting factors as used for the CSEP. Major evaluation and assessment categories are generally as follows:

- a) Corporate Support
- b) Stormwater Plan Management / Upkeep
- c) Pre-Inspection Activity Planning / Controlling the Site
- d) Proper and Thorough Self-Inspections
- e) Corrective Actions
- f) Additional Documentation Requirements

The UCCS MS4 will provide and review the detailed USMS scoring criteria upon request. Detailed descriptions are also provided within the ComplianceWise software and on the CSEP website.

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