



# How can you benefit from Community-Based Public Private Partnerships (CBP3)?

IACC Conference 2024

Sarah Ponte – Stormwater Public-Private Partnership Planner

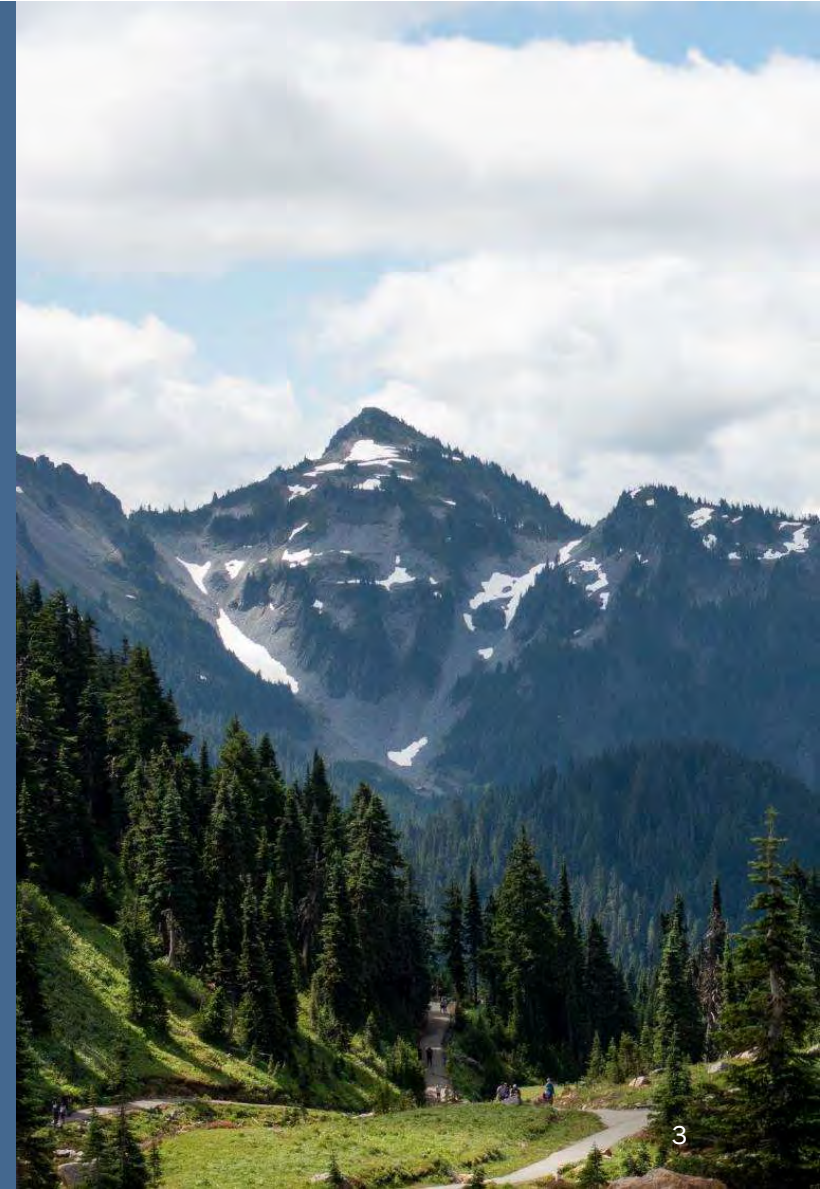
Gabriel Kiritz – Technical Assistance Project Manager

# Agenda

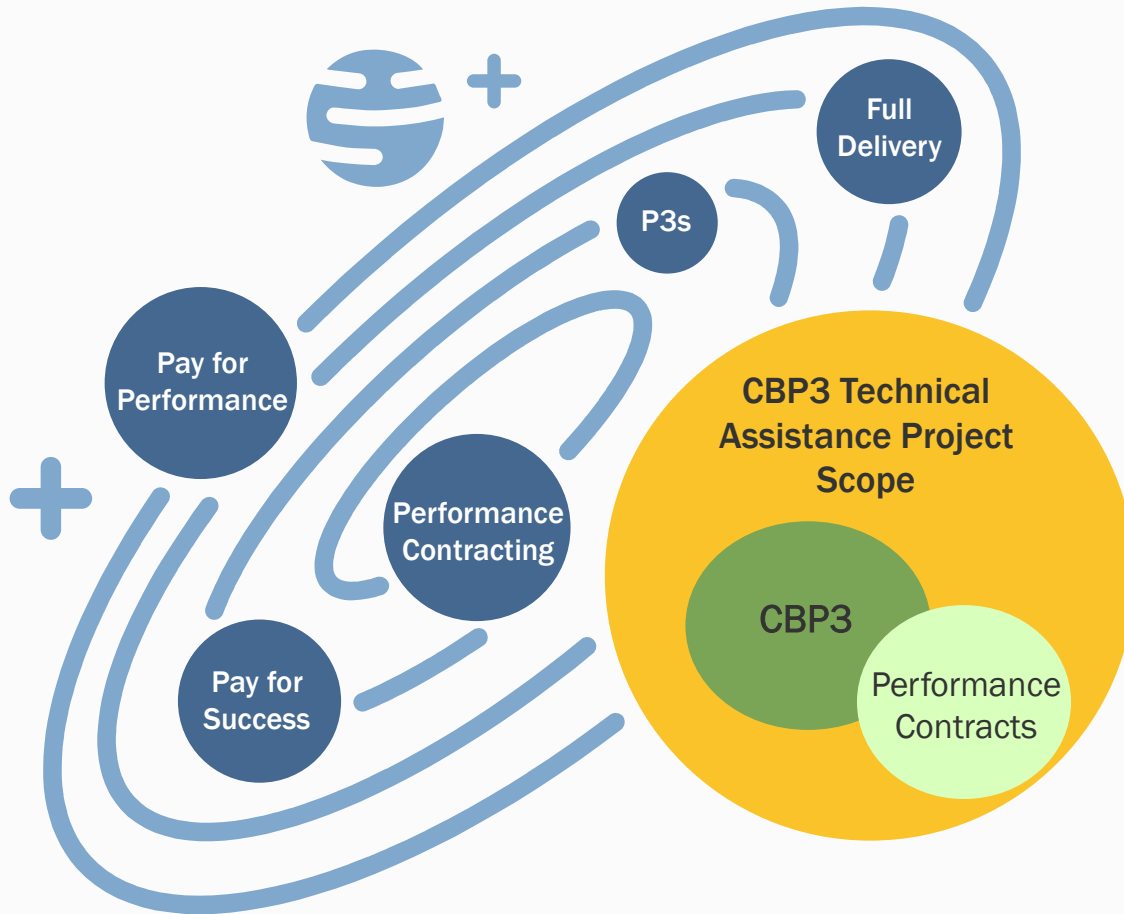
- 1 The Case for Community-Based Public-Private Partnerships (CBP3)
- 2 Designing CBP3s
- 3 Alternative Procurement in Washington State
- 4 Stormwater CBP3 Program
- 5 Participatory Activity
- 6 Other Stormwater Funding Opportunities



# The Case for Community-Based Public-Private Partnerships (CBP3)



# Defining Alternative Procurement



A Community-Based Public-Private Partnership (CBP3) is a type of P3 that (Guidebook definition):

- 1) Creates a partnership between a municipality and a private entity
- 2) Measures benefits beyond stormwater that are valuable to the community
- 3) Develops green stormwater infrastructure

Performance contracts condition payments based on defined performance outcomes that reflect the quality of the project delivered. They include:

- 1) Performance measures
- 2) Verification processes
- 3) Payment terms based on outcomes



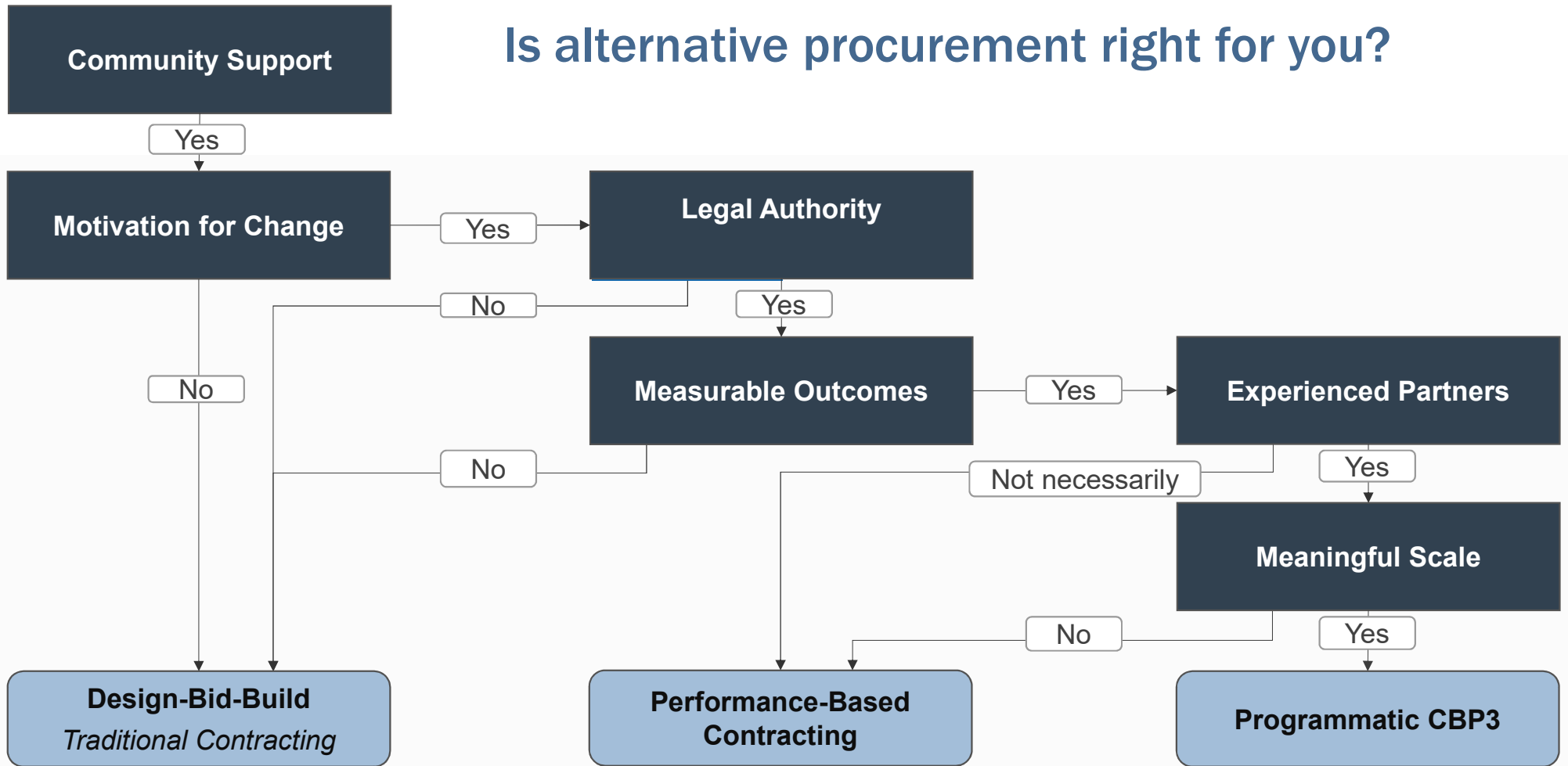
# Why Alternative Procurement?

- Unlock financial resources
- Reduce the risks of project failure
- Expedite project delivery
- Provide cost savings
- Address environmental justice concerns
- Provide a range of important co-benefits



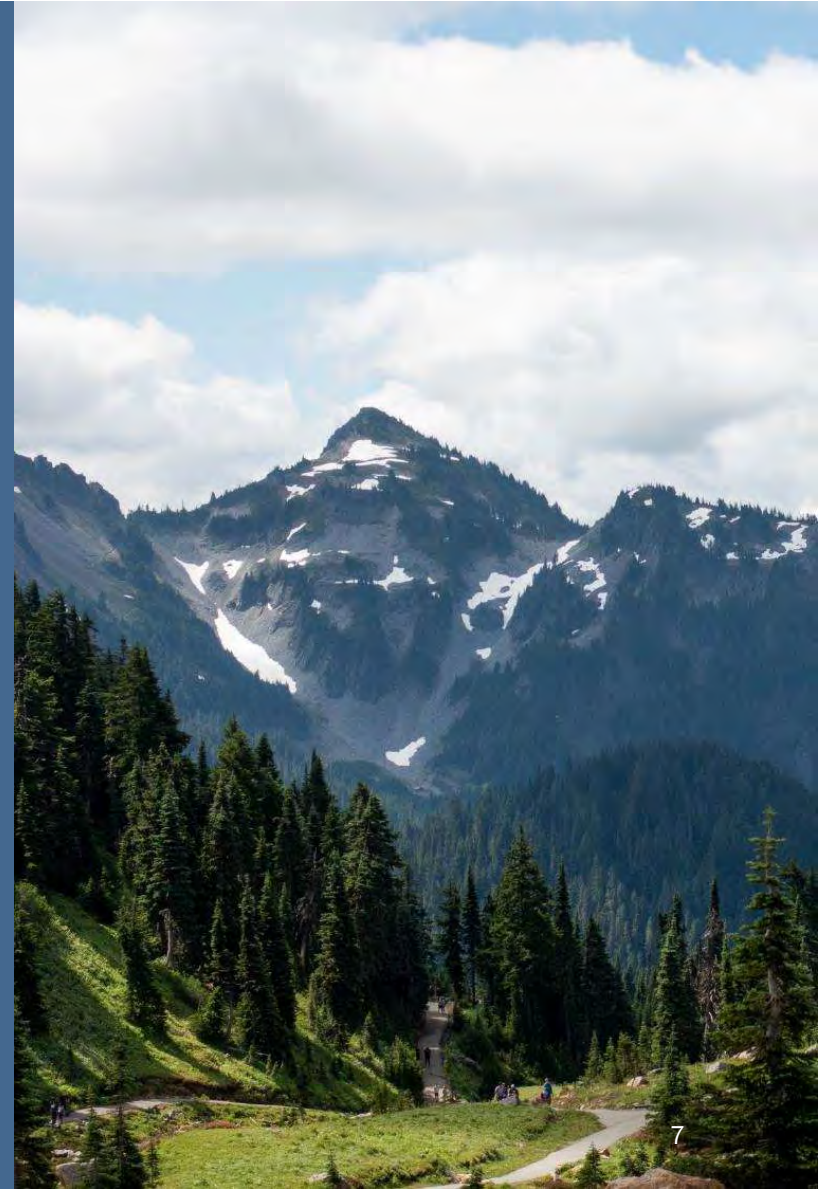
Photo by: Marcela Gara, Resource Media  
Flickr WA Env Council

# Is alternative procurement right for you?





# Designing CBP3s



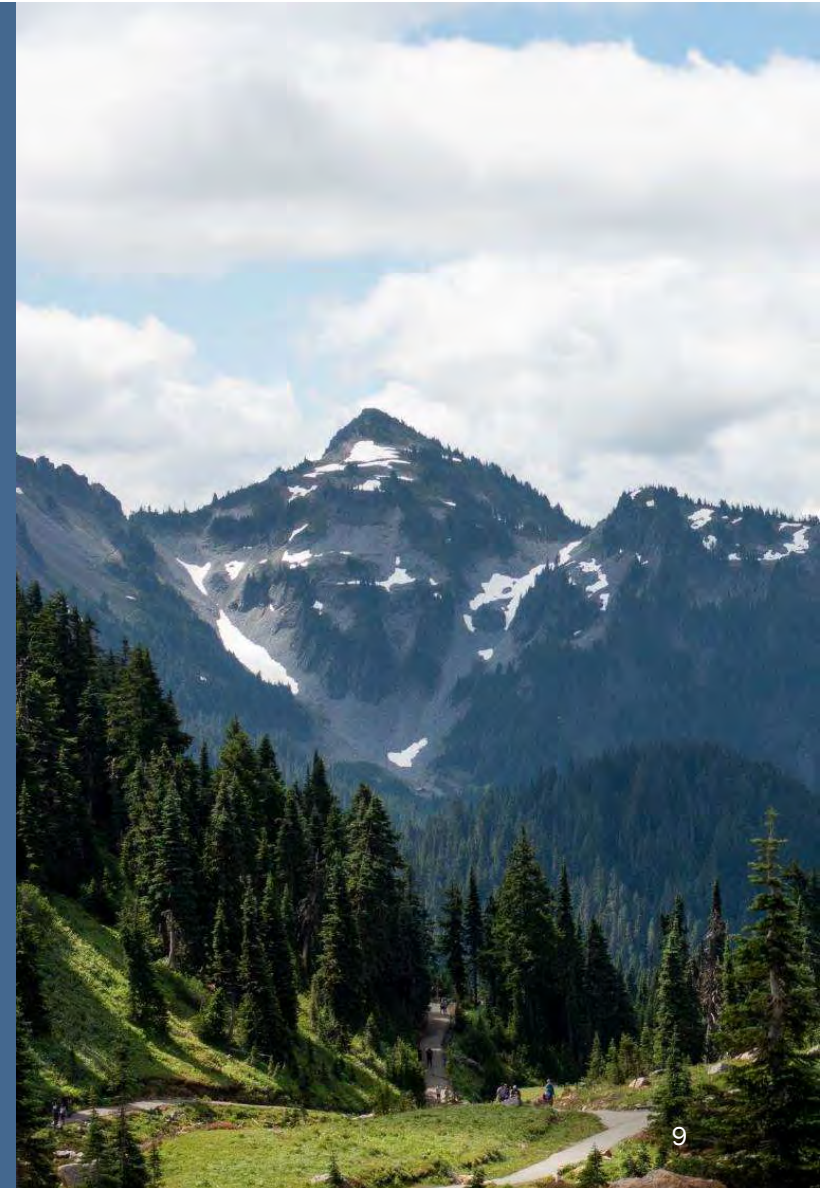
# 10 Design Elements

-  Stormwater & Community Objectives
-  Scope
-  Legal Authority
-  Revenue, Funding & Financing
-  Performance Measures & Verification
-  Attracting & Selecting a Private Partner
-  Partnership & Contracting Structure
-  Performance Contracting & Payment Terms
-  Governance & Adaptive Management
-  Community Outreach & Education





# Alternative Procurement in Washington State



# Spokane: Regional Treatment Facility CBP3 for Fee-in-Lieu Program

**Goal:** manage stormwater from infill development and generate community benefits

**Why Alternative Procurement:** allow the private sector to identify the best locations and designs to achieve measurable outcomes

**How:** 3-phase approach that  
1) evaluates regional demand 2) establishes an in-lieu fee schedule, and 3) creates a CBP3 or performance contracts for facility design-build-operate-maintain (DBOM)



Credit: Phil Kuntz, Flickr

# King County: Collaborative Retrofit Contract

**Goal:** achieve cost-effective permit compliance via Stormwater Management for Existing Development (SMED) points

**Why Alternative Procurement:** pursue best-value procurement using a performance contract

**How:** reverse auction for contracts that pay a price per SMED point, with bidders presenting their best-value projects to generate points



Credit: Our Green Duwamish



## Mukilteo: Regional Decant Facility CBP3

**Goal:** meet increased demands for sediment management

**Why Alternative Procurement:** allow the private sector to find efficiencies and operate facilities across multiple jurisdictions and incentivize high-quality, cost-effective solutions

**How:** RFP for CBP3 with a program manager to DBOM multiple facilities





# Stormwater Community-Based Public-Private Partnership (CBP3) Program

New to SFY26



## A CBP3 Guide for Municipal Stormwater Managers in Washington State



Section I. Is a CBP3 Right for Your Community?



Section II. Designing a CBP3



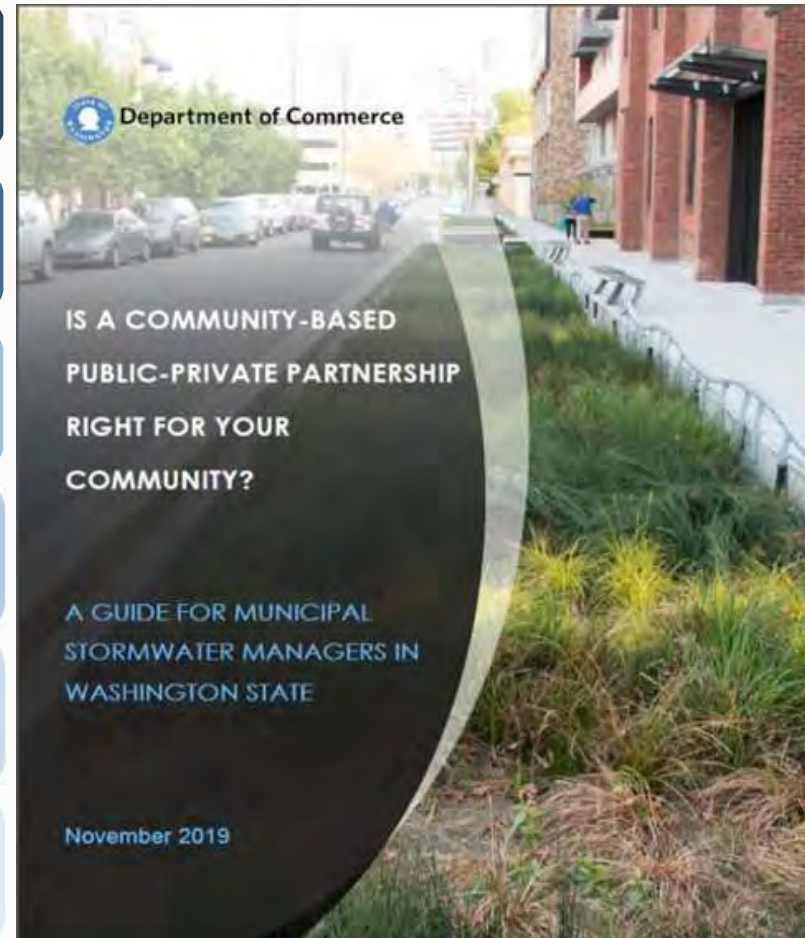
Section III. Building Support for Your CBP3



Section IV. Getting Started



References & Appendices (P3 Models, Case Studies)



Source: [CBP3 Guidebook for WA State](#)

# CBP3 Pilot Program

## Phase I: Capacity and Partnership Building

- Started in September 2023
- Outreach and education
- Technical assistance

## Phase II: Grants to Cities and Counties

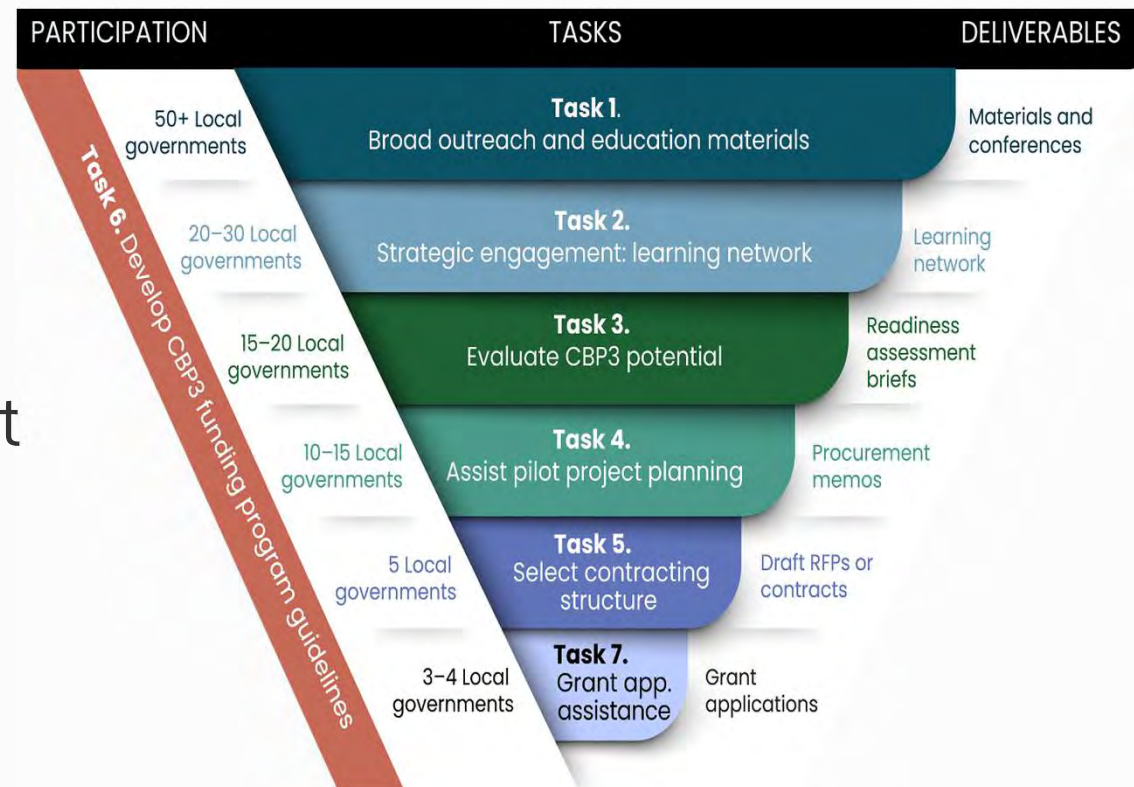
- Award grants to cities and counties to plan CBP3 stormwater projects
- First round of applications in SFY 2026
- Draft offer list will be published by the end of January 2025

## Phase III: Pilot Project Implementation

- Implementation of CBP3 or pay-for-performance projects developed in Phase II
- Ongoing planning projects
- Currently unfunded

# Phase I: Outreach and Technical Assistance Services to Local Governments

This Program provides technical assistance to Washington state local governments to identify and advance stormwater projects using alternative procurement mechanisms.





# CBP3 Learning Network Collaboration Site

Home Meetings Resource Library

June 2024

Meeting Recording

Meeting Mural

Reflect & Share

Meeting Mural (PDF format)

DEPARTMENT OF ECOLOGY  
State of Washington

Environmental Incentives

**Stormwater CBP3 Learning Network Meeting #4: Community Outreach & Engagement**

**Logistics**

Date and Time: Tuesday, June 4<sup>th</sup>, 10:30 am – 12:00 pm  
Optional Mural practice, 10:15 – 10:30 am

Location: Virtual (Mural and Zoom)

**Goal**

**Overall Goal of the Learning Network**

Form a network of local government stormwater program managers and stakeholders interested in Community-based Public-Private Partnerships (CBP3) and performance based contracts to accelerate stormwater project delivery and develop a targeted funding program from the state.

**June Meeting Purpose**

Explore principles of community outreach and equitable project design while generating input for draft funding guidelines.

**Detailed Agenda**

Agenda Item	Lead	Time	Objectives
OPTIONAL Pre-meeting Mural Practice	Gabe Kirtz, Environmental Incentives (E)	10:15-10:30a	Optional Mural practice for those who would like to familiarize themselves with the platform.
Welcome & Do Now	Gabe Kirtz, E	10:30-10:35a	Icebreaker and agenda overview.
Ecology's Draft Funding Guidelines	Sarah Ponte, Ecology	10:35-10:55a	Review and provide feedback on Ecology's draft CBP3 funding program guidelines.
Learning Topic: The HEAL Act	FATH Wapato, Ecology	10:55-11:10a	Explore regulatory expectations from the WA HEAL Act and relevance to CBP3 and alternative stormwater.

# Request for Technical Assistance Form

## Request for Technical Assistance - Washington Stormwater CBP3 Project

**Who should complete this form?**

Any municipality, local government, or other entity interested in receiving technical assistance from the Stormwater CBP3 project team to advance a community-based public-private partnership (CBP3) or alternative procurement project.

Information related to the questions below does not need to be complete or final. Additionally, submitting this form does **not** guarantee that technical assistance will ultimately be provided.

**How will this form be used?**

- To identify technical assistance needs
- To identify potential projects
- To inform future Learning Network topics
- To inform the development of future funding programs

Please refer to the [Washington CBP3 Guidebook](#) or contact Sarah Ponte at [sarah.ponte@ecy.wa.gov](mailto:sarah.ponte@ecy.wa.gov) | (564) 669-4701 or Gabriel Kirtz at [gkirtz@enviroincentives.com](mailto:gkirtz@enviroincentives.com) | (858) 284-4075 for assistance completing this form.

## Stormwater CBP3 Technical Assistance Project Readiness Assessment Brief

### Bioretention Maintenance

Public Works has just released an RFP for the development of a maintenance program for their stormwater bioretention cells. The county currently faces challenges managing the ongoing maintenance of its over 600 vegetated roadside cells and aims to seek Ecology funding to help structure the subsequent RFP for the project's implementation phase. This phase would engage a private landscape firm in a performance contract to manage these facilities over the long term and meet not only stormwater compliance metrics but also other community and environmental outcomes.



### Readiness Dashboard

The scores below assess work completed toward CBP3 development to date. Page two of this RAB outlines key recommendations for project scoping and pursuing Ecology funding.

1. HAVEN'T THOUGHT ABOUT IT YET
2. HAVE SOME PRELIMINARY IDEAS
3. HAVE IDEAS IN WRITING
4. HAVE A PLAN DRAFTED WITH INPUT
5. HAVE APPROVALS

#### TECHNICAL & COMMUNITY GOALS



#### STAKEHOLDERS



#### IMPLEMENTATION & MANAGEMENT



#### DELIVERY MODEL



This Readiness Assessment Brief was developed by Environmental Incentives as part of the CBP3 Technical Assistance Project funded by the Washington State Department of Ecology. This document is intended to provide Public Works with a useful summary of readiness to pursue their CBP3 project, including high-level barriers and next steps.



## Stormwater CBP3 Technical Assistance Project Readiness Assessment Brief

### TOP RECOMMENDATIONS



#### Engage the Community

has a clear picture of stormwater objectives related to NPDES compliance to make this a **performance contract**. Community outreach will help define whether this project can be a **CBP3**, while education among potential bidders will strengthen opportunities for best-value procurement.



#### Develop Financial Plan

enterprise fund holds promise for providing sustainable funding for project implementation. Writing a financial plan that outlines anticipated annual costs and revenue, the amount of Ecology funding needed, and any other public or private financing needed will strengthen a grant proposal to Ecology in 2024.



#### Select Performance Measures

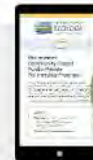
has begun thinking about performance measures but should aim to get more specific. How is compliance measured? What specific targets need to be achieved, and how can these be laid out in an RFP and then linked to payment? Lastly, what will be the verification tool used to monitor outcomes?

### IDENTIFIED BARRIERS

**Legal questions around design-build contracting:** has identified some concerns with pursuing a design-build contract. They are pursuing this project using two separate RFP processes. They have just released an RFP for the development of the maintenance program, meaning that the opportunity to implement new CBP3 and performance contracting approaches is limited to the next phase (in this case, ongoing maintenance of existing stormwater bioretention cells). Additional conversations should be held with the legal department to clarify the issue around design-build – will the winning contractor for the implementation phase be allowed to do construction design? – to probe further into this issue and whether it presents a real challenge to the proposed program and/or future CBP3s.

### PRIVATE SECTOR EFFORTS

Private partners should bring expertise in native plants and the ability to provide ongoing monitoring and maintenance. Clark County will seek Ecology funding to aid development of the second RFP. This should include specifically talking to landscaping firms to get them tuned in to the RFP and build the competitor pool, especially among small, women- and minority-owned businesses.



### LEARN MORE ABOUT ECOLOGY'S CBP3 PROJECT

The CBP3 Technical Assistance Project's goal is to make stormwater CBP3 more accessible to local governments across Washington State. To learn more, please visit Ecology's CBP3 program page at [bit.ly/WA-CBP3](http://bit.ly/WA-CBP3).

## Phase II: Planning Grants to Cities and Counties

Eligible applicants	Eligible projects	Funding provisions	Amount available
<ul style="list-style-type: none"><li>• Counties</li><li>• Cities and towns</li></ul>	<ul style="list-style-type: none"><li>• Development, pre-planning, and planning of stormwater facilities and activities through a CBP3</li><li>• Retrofit, new or redevelopment projects</li></ul>	<ul style="list-style-type: none"><li>• No match</li><li>• Funding priority for projects that aim to engage overburdened communities or vulnerable populations</li></ul>	<ul style="list-style-type: none"><li>• Up to \$3 million available</li></ul>



# Grant Application Assistance

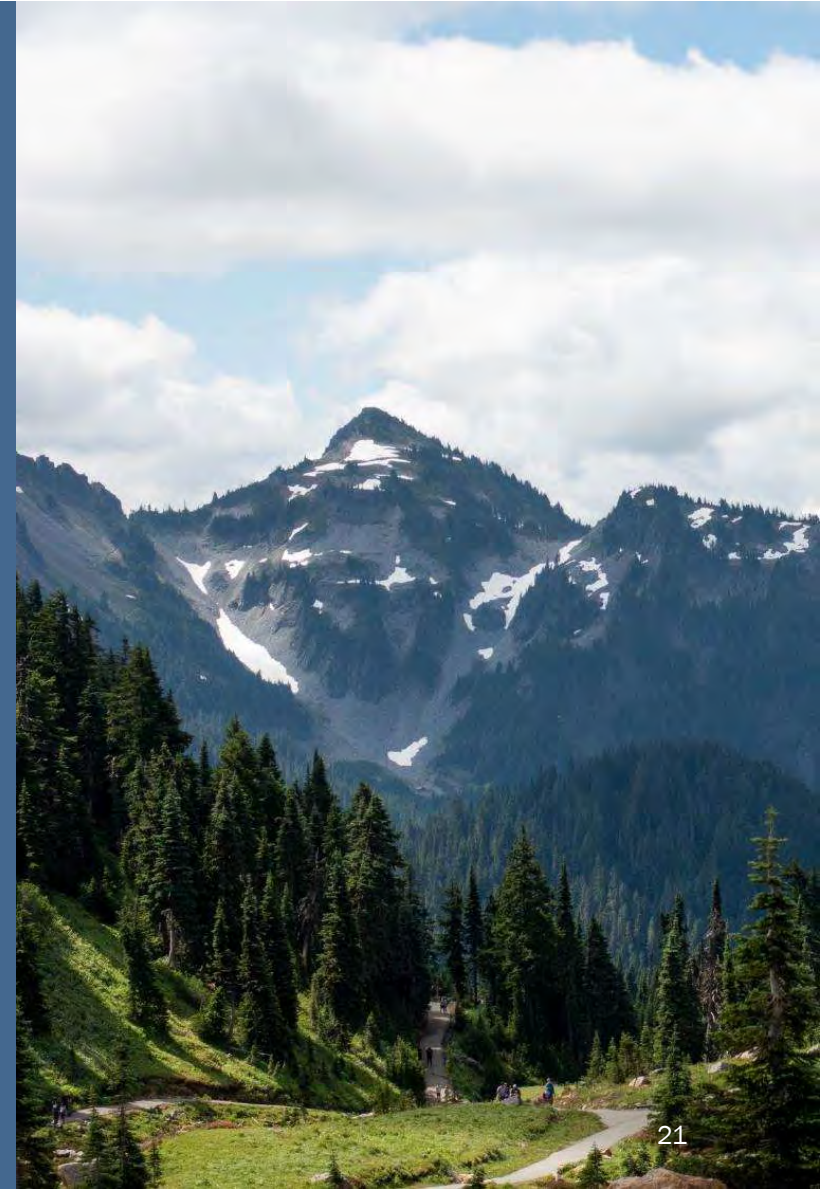
The CBP3 Technical Assistance team may help with:

- Identifying/refining environmental and community benefits.
- Reviewing project cost estimates and budgets.
- Preparing graphic displays, maps, and drawings to support funding applications.
- Reviewing the grant narrative written by the applicant.
- Supporting community partners outreach and efforts to gain internal approval within each applicant's selected lead agency.





# Thinking & Sharing Activity



## What's one water quality challenge you face where you'd like to improve performance?

Reflect: Silently reflect for 1 minute.

Pair: Find a partner and share your ideas for 2 minutes.

Combine: Find another pair to form a group of four and share your ideas for 4 minutes.

Share: Choose one idea that stands out, summarize on a sticky, and turn in to Gabe/Sarah (3 minutes)

# Register for our next CBP3 Learning Network meeting!

 <p><i>Build a network with other alternative procurement specialists</i></p>	 <p><i>Learn from CBP3 experts and gain access to technical assistance</i></p>	 <p><i>Connect with Ecology funding program staff to inform CBP3 funding</i></p>
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Contracting Innovations with the Private Sector  
October 30th, 2024, 9:30 am - 11:00 am PST



For more information on the CBP3 funding program and technical assistance project, please visit [ecology.wa.gov/cbp3](http://ecology.wa.gov/cbp3)

Sarah Ponte (she/her)

Stormwater Public-Private Partnership  
Planner

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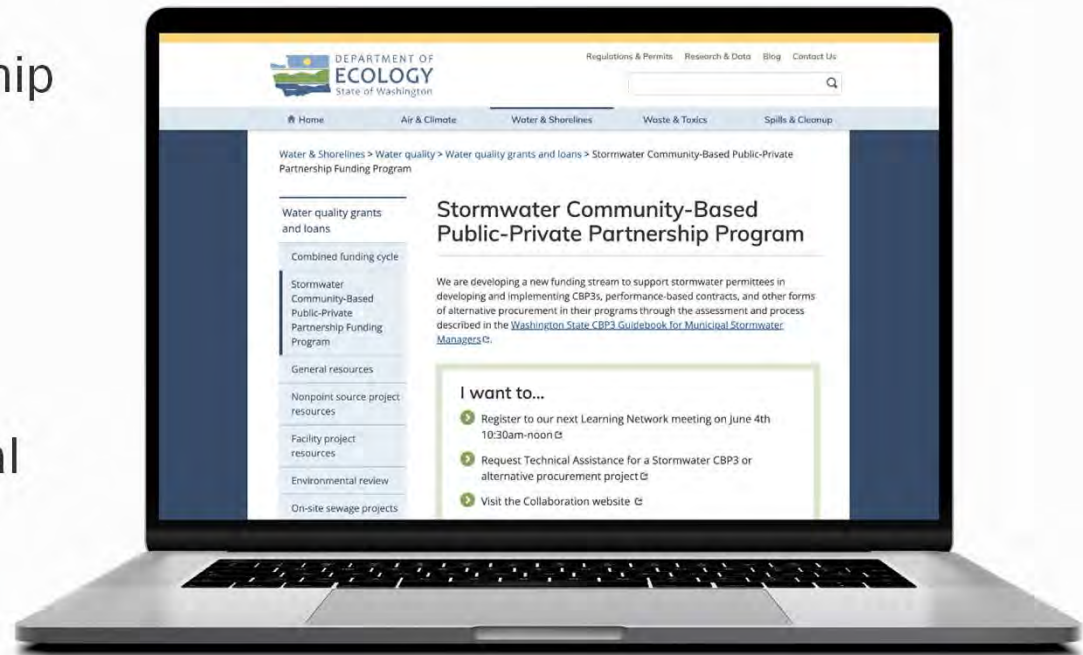
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Gabe Kiritz (he/him)

Senior Associate & CBP3 Technical  
Assistance Project Manager

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(858) 284-4075





# Other Stormwater Funding Opportunities



# State Stormwater Funding

## Stormwater Financial Assistance Program (SFAP)

- Funds projects that manage run-off from existing development (retrofit) and activity programs.
- Cap of \$10M per year; Match 15%, Hardship match 5%

## Municipal Stormwater Grants of Regional or Statewide Significance (GROSS)

- Funds projects that support implementation of the Municipal SW General Permits.
- Must benefit multiple permittees or statewide.
- Cap of \$300K; No match required

**Join us for an overview of the Water Quality Combined Funding Program (WQC)!**

When: Thursday Oct 24, 9:30-10:30 AM (S54)

Presenter: Sarah Zehner – SFAP Coordinator

# Puget Sound National Estuary Program Stormwater Funding and Planning Guidance

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David Pater

NATIONAL ESTUARY PROGRAM PLANNER

OCTOBER 2024



Washington State  
Department of  
**Commerce**

# Stormwater Management Investments

## 2024 NEP Investment Plan.

EPA Puget Sound Geographic Funds Specific stormwater investments list

- ❖ Strategic Initiatives of the Puget Sound National Estuary Program  
Stormwater, Habitat and Shellfish
- ❖ Commerce Salmon Recovery Grants/NEP Guidance

Seattle Madison Valley Stormwater Park





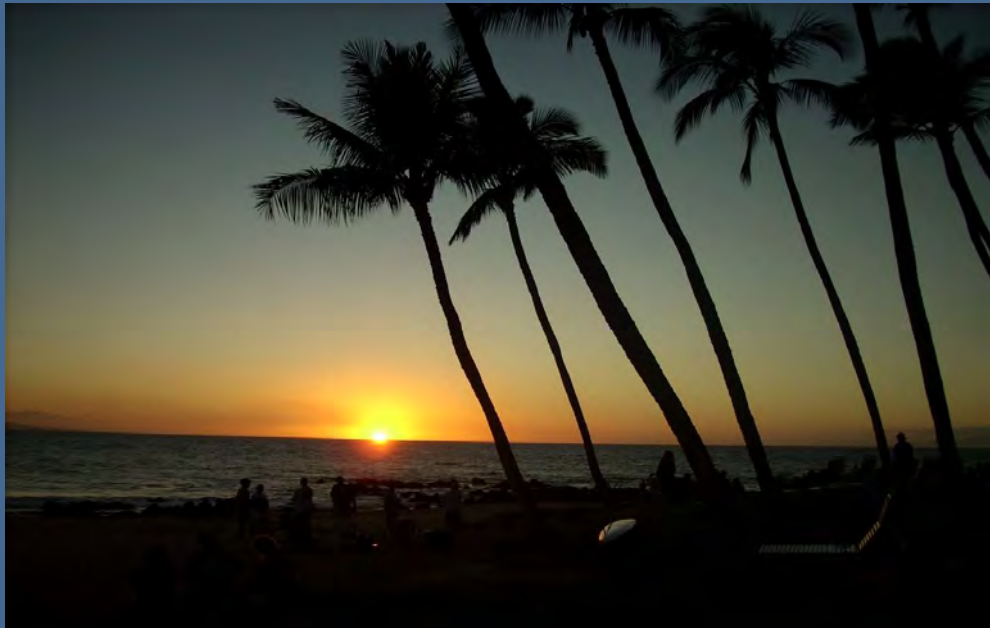
# Stormwater Management Planning and Technical Guidance

- [Guidance on Integrating Stormwater Solutions Into Comprehensive Plans \(psrc.org\)](#)
- Review comprehensive plan policies related to water quality and riparian habitat protection: [Sound Choices Checklist](#)
- [Commerce-Puget Sound National Estuary Program – Integrated Stormwater Planning](#)

Building Green Cities (LID);

Building Cities in the Rain (innovative retro-fits)





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Washington State  
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THANK YOU!