



Midpeninsula Regional
Open Space District

R-11-118
Meeting 11-33
December 14, 2011

AGENDA ITEM 13

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Adoption of a Special Budget Adjustment for Additional Site Remediation Work at and Adjacent to the Ravenswood Open Space Preserve Parking Lot in Association with the Cooley Landing Project

GENERAL MANAGER'S RECOMMENDATION

Approve a special budget adjustment in the amount of \$70,000 for additional site remediation work at and adjacent to the Ravenswood Open Space Preserve (Preserve) parking lot in association with the Cooley Landing Project.

SUMMARY

On July 27, 2011, the Board approved amendments to the Comprehensive Use and Management Plan for Ravenswood Open Space Preserve and the Partnership Agreement with the City of East Palo Alto (City), allowing for the construction of Phase 1 of the Cooley Landing Project (Project) (see Report R-11-62). Phase 1 includes site remediation and initial public access via a proposed trail loop through the site. The City bid out the Project this fall, awarded the contract, and began remediation and construction in early November. The current scope of work includes remediation of the Cooley Landing peninsula east of the existing Preserve parking lot. Recently, the Regional Water Quality Control Board (Regional Board) confirmed that the remediation scope of work should be extended to include the landscape areas in and adjacent to the existing Preserve parking lot. A special budget adjustment is needed at this time for expediency and economy of scale to fund a change order to incorporate and implement the additional remediation work as part of the existing construction contract between the City and O.C. Jones & Sons, the contractor working on the Project.

DISCUSSION

While the Project was out to bid, a question was raised regarding the known contamination on the Cooley Landing peninsula and the possibility of similar contamination occurring at the adjacent, publicly-accessible area of the Preserve. District staff convened a site meeting with the Regional Board, the City, and the City's consultant team to discuss the issue of potential contamination in the soil adjacent to the existing Preserve parking lot.

The Regional Board, the Lead Regulator on the Project, had originally set the scope of the remediation work to include just the Cooley Landing peninsula east of the parking lot. However, because the landscape areas in and surrounding the parking lot are a continuation of the mound of soil on Cooley Landing, Ninyo & Moore, the environmental consultant working on the Project, characterized it as likely being the same type of contaminated soil as the rest of the peninsula. The Regional Board and Ninyo & Moore determined that additional testing was not necessary and confirmed that the scope of remediation should be extended to include the landscape areas immediately adjacent to the Preserve parking lot, namely the landscape area to the north of the parking lot, the parking island, and a triangular parking island to the west of the parking lot. Under the original design, these areas were already slated for site disturbance, subject to clearing, grubbing, and fine grading work. The additional remediation scope simply expands the proposed work to treat the soil below the surface to a depth of 18”.

Because of their existing and unique knowledge of the Project, the City’s landscape architectural consultant, Callander Associates, and their sub-consultant team are being asked to modify the current design drawings to include remediation of the landscape areas in and surrounding the existing parking lot. The District’s FY2011-12 Cooley Landing budget is sufficient to fund the team’s fee, which is under the \$25,000 signing authority of the General Manager. Callander Associates has prepared a preliminary cost estimate for the additional remediation work. The cost could be as high as \$60,000 depending on the timing of the work, soil testing requirements, and material availability. Staff has added a \$10,000 contingency to account for unanticipated discoveries that could arise in this area of the former dump site during excavation.

A special budget adjustment, which was not anticipated prior to the preparation of the Midyear Budget, is needed to include the additional remediation work on District land as a change order to the existing contract between the City and O.C. Jones & Sons. The breeding season of the endangered clapper rail, which begins February 1st, is a limiting factor that constrains the amount of time available to perform heavy machinery work. Time is of the essence with remediation work needing to be completed by January and therefore, within the District’s current fiscal year. In order to facilitate continued progress on the Project and to incorporate the additional site remediation work into the City’s current contract with O.C. Jones & Sons, who has the specific required qualifications to perform this remediation work, the General Manager recommends that the Board adopt the special budget adjustment for site remediation work at Ravenswood Open Space Preserve in association with the Cooley Landing Project.

FISCAL IMPACT

The current project budget for FY2011-12 includes \$30,000, which will fund the cost of the City’s consultant team to modify remediation plans to include the landscape areas in and surrounding the Ravenswood parking lot. Their fee falls within the \$25,000 signing authority of the General Manager. Of the \$30,000 budget, none has yet been spent. In order to fully fund the project, staff requests Board approval for an additional amount of \$70,000 to be added to the FY2011-12 capital improvements budget as a special budget adjustment. The additional \$70,000 will come from savings in the current capital improvements budget. If the \$70,000 budget adjustment is approved, the total District Project cost may be as high as \$100,000.

PUBLIC NOTICE

Public notice of this Agenda Item was provided pursuant to the Brown Act. No additional notice is required.

CEQA COMPLIANCE

The additional site remediation work is consistent with the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Cooley Landing Vision Plan as certified by East Palo Alto's City Council on February 15, 2011, and which the District, acting as a Responsible Agency, concurred with the findings therein with respect to the Project on July 27, 2011.

NEXT STEPS

Following Board approval of the proposed special budget adjustment, a change order will be processed to proceed with the additional site remediation work. Remediation is anticipated to be completed by February 2012 with the remainder of the Project completed by the summer of 2012. District staff will continue supporting the City throughout the construction of Phase 1 of the Vision Plan.

Prepared by:

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Contact person:

Same as above



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Exhibit A: Cooley Landing Area, Ravenswood Open Space Preserve

Produced by Midpeninsula Regional Open Space District, December 2009

Area A	MROSD Property	City Boundary
Area B	Parcel Boundary	

