



Midpeninsula Regional  
Open Space District

R-16-76  
Meeting 16-13  
June 8, 2016

## AGENDA ITEM 5

### AGENDA ITEM

Authorization to Purchase Security Fencing Panels, Posts and Hardware Associated with the Mount Umunhum Environmental Restoration and Public Access Project

### GENERAL MANAGER'S RECOMMENDATION

Authorize the General Manager to purchase Omega II Fence Systems welded-wire, no-climb security fencing panels, posts and hardware for a not-to-exceed amount of \$100,000.

### SUMMARY

As part of the Mount Umunhum Environmental Restoration and Public Access Project ("Project"), the Midpeninsula Regional Open Space District (District) will be installing new security fencing and gates to protect the adjacent neighbors' property when the summit of Mount Umunhum is open to the public. The District negotiated with its neighbors and reached consensus on the desirability of installing Omega "no-climb" security fencing as it provides high security, is aesthetically pleasing in a wildland setting, and is cost-effective. Given this mutual agreement, the District will purchase the material directly from the manufacturer under a sole source contract. As there is a long lead time (up to 12 weeks) for delivery of the fencing material agreed to among the District and its two neighbors, the General Manager recommends ordering the security fencing now so that it can be ready for the District's contractor to install before the summit is open to the public.

### DISCUSSION

On December 9, 2015, the District's Board of Directors (Board) approved a resolution of necessity to acquire certain fee and easement property needed for the District's Project over property owned by the Mount Umunhum Limited Partnership (R-15-167). As part of this action, the District committed to installing security fencing along a certain area of Mt Umunhum Road. The District and property owner agreed that the District would install Omega Elite double wire security fencing for up to 750 linear feet along an area adjacent to the District's SA13 gate (yellow gate). The purpose of this fencing is to protect the private property owner's sensitive communication equipment located on the adjacent ridgeline.

On April 11, 2016, the District executed a license agreement with San Jose Water Company for District access over their property to access the summit of Mt Thayer. As part of this agreement the District agreed to install no-climb security fencing near our property boundary in order to protect their property from trespassers once the summit of Mt Umunhum is open to the public. The District and San Jose Water Company agreed that the District would install Omega Elite

double wire security fencing for up to 1,000 linear feet near the northwest boundary of the District's property (near the old motor pool and housing area). This fencing will also serve to protect sensitive communication equipment located on the adjacent private property owned by Mount Umunhum Limited Partnership.

In addition, on May 26, 2016 the District and Mount Umunhum Limited Partnership entered into a Stipulation and Order Granting Possession related to the District resolution of necessity that further guaranteed the installation of the 750 linear feet of fencing near the District's SA13 gate, the 1,000 linear feet of fencing near the old motor pool area and approximately 60 linear feet of fencing on a common property boundary near the Doppler Radar.

Board Policy 3.03 requires that if the cost of services, supplies, materials, or labor is expected to exceed Fifty Thousand Dollars (\$50,000), the District generally conducts a formal bidding process. However, the Board Policy also provides that occasionally, supplies, materials, equipment, or services are of a unique type, are of a proprietary nature, or are otherwise of such a required and specific design or construction, or are for purposes of maintaining consistency and operational efficiency, so as to be available from only one source. After reasonable efforts to find alternative suppliers, the District may dispense with the requirement of competitive bids and recommend negotiating and making the purchase from the sole source. With regard to the no-climb fencing, District staff has determined that Omega Elite fencing meets the requirements for a sole source purchase for the following reasons:

1. Through negotiation, the District reached agreement with its neighbors on the use and installation of the Omega fencing product to provide security for their private property;
2. The Omega fencing product is proprietary in nature as it provides both a high level of security while also offering aesthetic properties that allow it to blend into the surrounding wildlands; and
3. Through negotiation with the local Omega representative, the District was able to secure the fencing product for \$6,798 under retail value plus free shipping.

All fencing would be installed by the contractor selected to perform the District's summit project. The fencing would be installed in areas previously disturbed by the Mount Umunhum Demolition Project and Mt. Umunhum Road Repair Project. The fencing would be elevated an appropriate distance above grade to allow for small animals to pass under the fencing panels.

### **FISCAL IMPACT**

The purchase of the fencing panels, posts and hardware will be at a not-to-exceed amount of \$100,000. Sufficient funding remains in the FY2015-16 capital budget in the Planning Department budget for the purchase of this fencing material.

### **BOARD COMMITTEE REVIEW**

There was no Committee review for this agenda item.

### **PUBLIC NOTICE**

Public notice was provided as required by the Brown Act.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE**

The Board previously certified the Final Environmental Impact Report (EIR) for the Mount Umunhum Environmental Restoration and Public Access Project at its public meeting of June 12, 2012 (R12-59). An Addendum to the Final EIR was prepared and approved by the Board at its public meeting on December 9, 2015 (R15-165). The Addendum specifically addressed the addition of security fencing and gates among other items. Location of the proposed gates and fencing would be limited to areas of disturbance that were analyzed in the 2012 EIR. Per the Addendum, no new significant environmental effects or a substantial increase in the severity of previously identified significant effects would result from the installation of the fencing and gates identified as part of the Project.

**NEXT STEPS**

If approved by the Board, staff will prepare a purchase order for this fencing material and place the order.

## Attachments:

1. Fencing Maps (3 pages)

## Responsible Department Head:

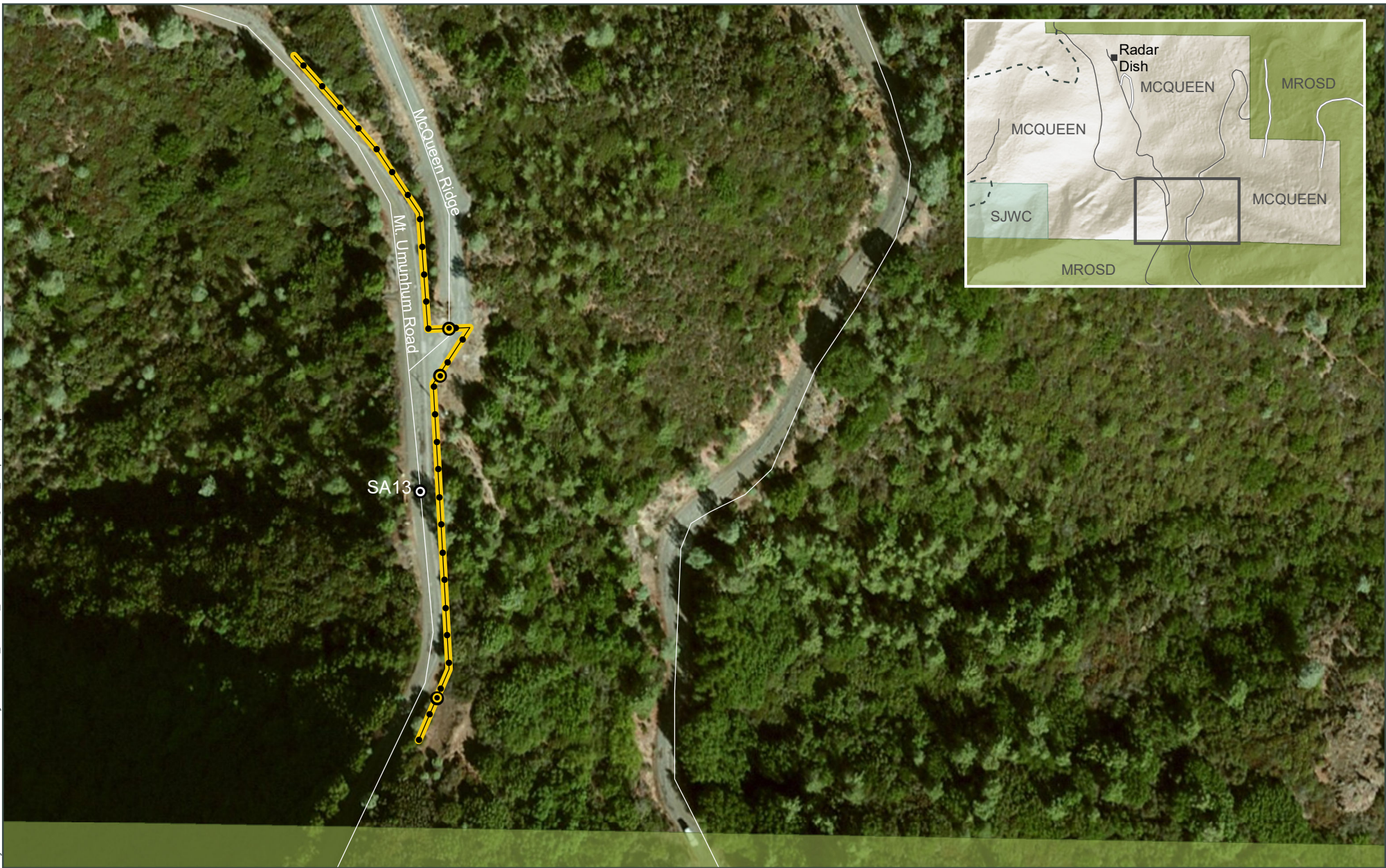
Michael Williams, Real Property Manager

Jason Lin, Engineering and Construction Manager

## Prepared by:

Allen Ishibashi, Senior Real Property Agent

Damon Adlao, Capital Project Manager



MROSD Preserves



Watershed Land



Private Property



Existing Gate



Proposed Gate



Proposed Fencing

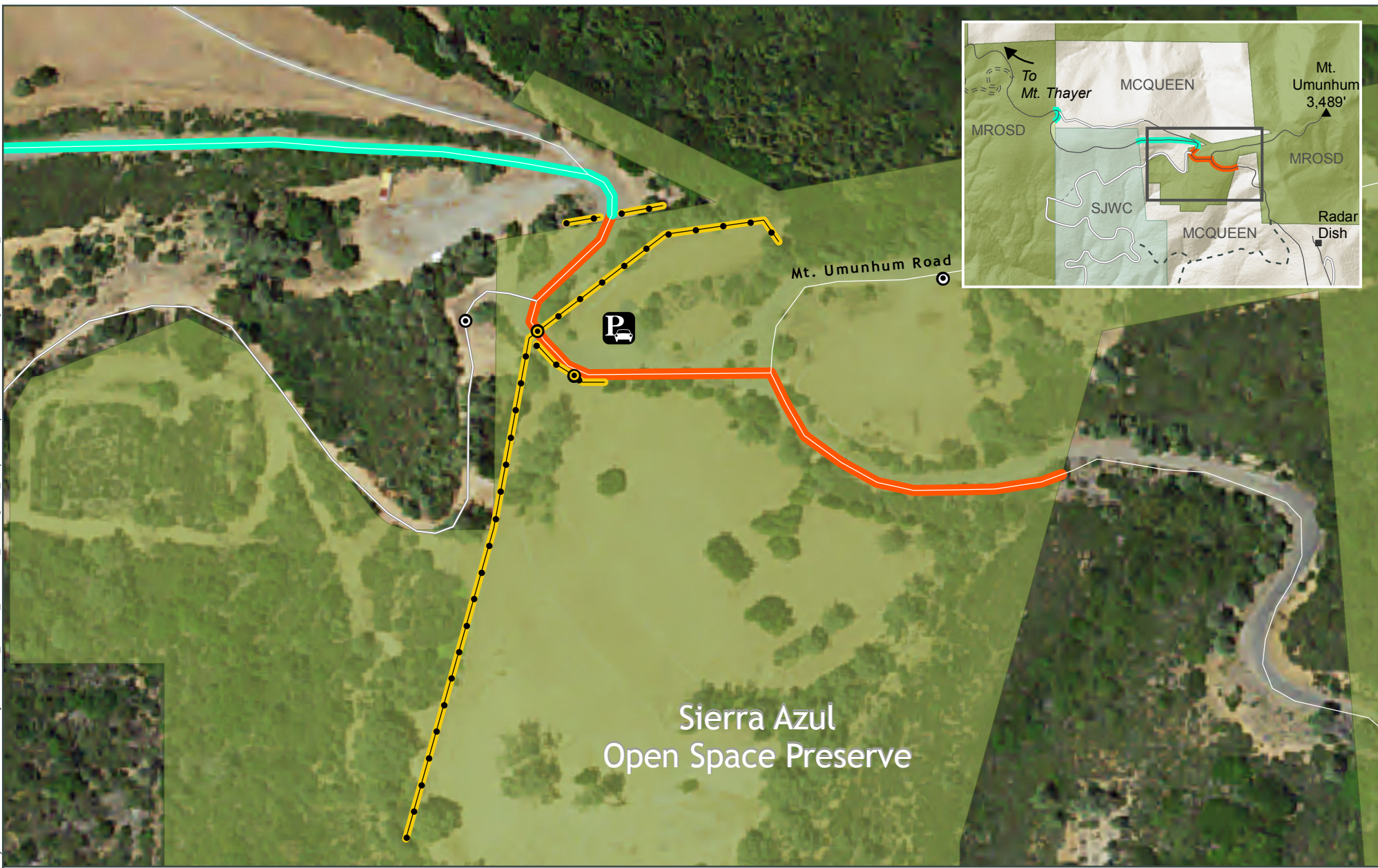
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May 2016



Path: G:\Projects\Sierra\_Azul\Mt\_Umunhum\_AF5\WQueen\_Proposal\ProposedFenceGates\QueenEasement\_20160225.mxd  
Created By: rhaines



# Sierra Azul Open Space Preserve

- |   |  |  |
|---|--|--|
|  MROSD Preserves  |  Existing Gate    |  Patrol/Maintenance Easement (60' wide) |
|  Watershed Land   |  Proposed Gate    |  Fee Strip (40' wide)                   |
|  Private Property |  Proposed Fencing |  |

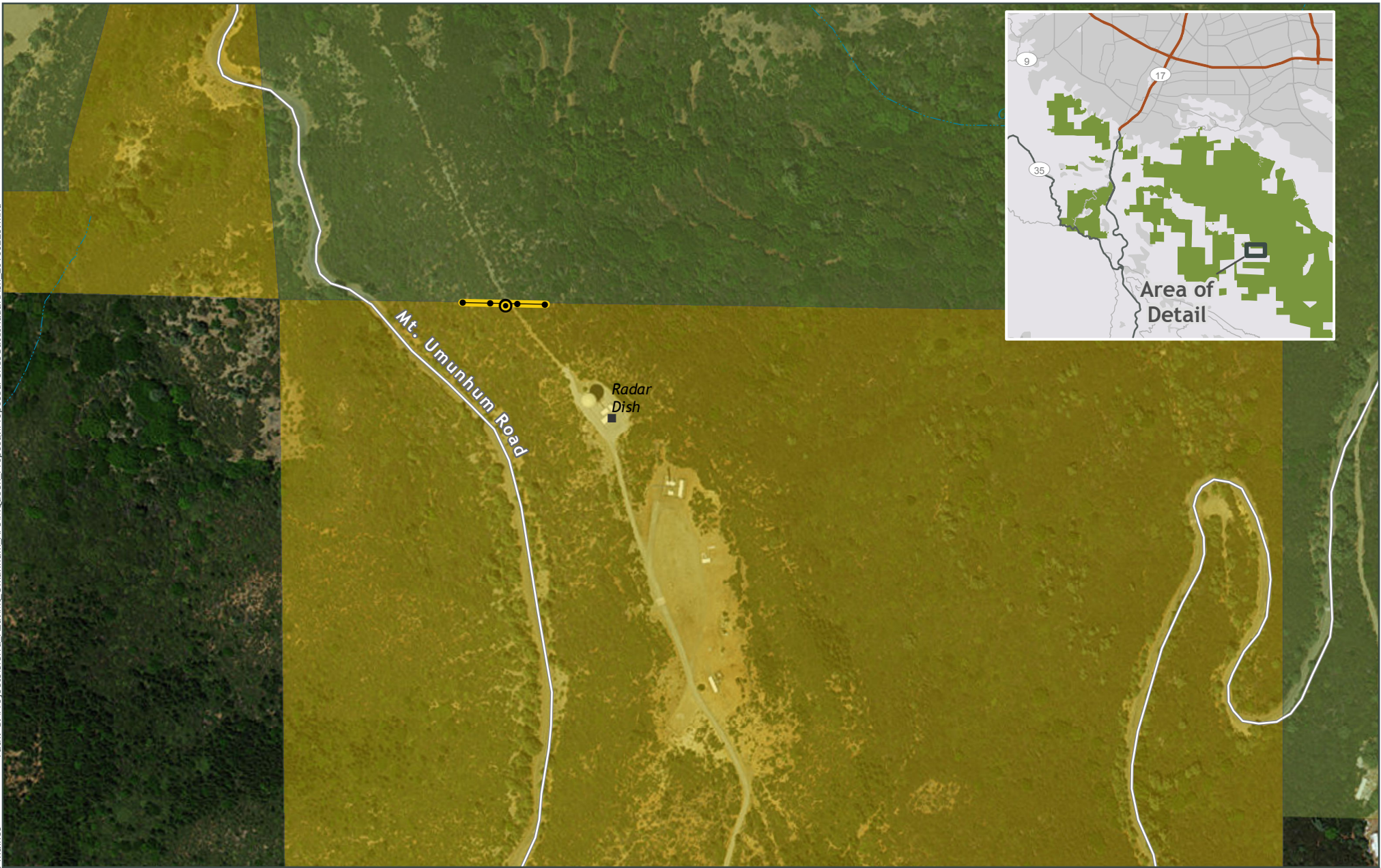
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March, 2016



While the District strives to use the best available digital data, this data does not represent a legal survey and is merely a graphic illustration of geographic features.



-  MROSD Preserves
-  McQueen Property

-  Proposed Fencing
-  Proposed Gate

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February, 2016