



Midpeninsula Regional  
Open Space District

R-18-48  
Meeting 18-17  
May 9, 2018

## AGENDA ITEM 4

### AGENDA ITEM

Contract Amendment with Ecological Concerns, Inc., for Invasive Species Management Work

### ACTING GENERAL MANAGER'S RECOMMENDATION

Authorize the Acting General Manager to amend a contract with Ecological Concerns, Inc., in the amount of \$406,741.50, for a total not-to-exceed contract amount of \$980,224.50, to conduct invasive species management work under the Integrated Pest Management Program at multiple Preserves through the end of Fiscal Year 2018-19.

### SUMMARY

The invasive species management work under the recommended contract amendment consists of manual, mechanical, and the safe application of several herbicides consistent with the Midpeninsula Regional Open Space District's (Midpen) Integrated Pest Management (IPM) Program. The work under the contract amendment will assist Midpen with controlling non-native plants and weeds at multiple Open Space Preserves through the end of Fiscal Year (FY) 2018-19. The cost for these additional services is \$406,741.50, for a total not-to-exceed amended contract amount of \$980,224.50. Midpen has received a grant through the Santa Clara Valley Water District in which up to \$400,000 of the recommended new total contract amount is reimbursable to safely treat invasive species within the riparian areas of Bear Creek Redwoods Open Space Preserve (OSP). The current Fiscal Year (FY) 2017-18 and proposed FY2018-19 budgets include sufficient funds for this contract amendment.

### DISCUSSION

Midpen manages invasive plants to protect and restore the natural environment and support the conservation grazing program. Field staff, contractors, the California Conservation Corps, and volunteers all assist in vegetation management at OSPs. Contractors are frequently used for large invasive infestations and when invasive species control depends on very specific treatment timing. Midpen staff oversee the work of contractors and conduct biological monitoring when working near sensitive areas such as ponds with rare aquatic species. In 2017, 42% of the hours devoted to resource management were completed by contractors, as compared to 47% by volunteers and 11% by staff. Midpen uses IPM practices when managing invasive plants and weeds, and the contractor is required to follow 31 best management practices to protect the environment and human health.

In April of 2016, the Board authorized the General Manager to enter into contract with Ecological Concerns for a two-year term with the possibility of extending that term an additional two years for Project Sites #1-4 as detailed in Table 1 below (see R-16-36). Projects in Table 1

are grouped by common themes (i.e. control of slender false brome) or activities (i.e. chemical treatment of thistles) and may include work at multiple OSPs. In June of 2017, the Board authorized the General Manager to amend the contract with Ecological Concerns, adding \$200,000 after receiving a grant from the Santa Clara Valley Water District for invasive vegetation management at Bear Creek Redwoods OSP, identified as Project #5 in Table 1 (see R-17-15). Ecological Concerns assists Midpen in land management activities on approximately 215 acres of Midpen lands as listed below in Table 1. This contract amendment will continue the treatment of the approximately 215 acre, plus approximately an additional 50 acres for Project #5 Riparian Invasive Control.

*Table 1: Projects under contract with Ecological Concerns*

Project Site #	Fund	Project Name	Acres per year, Ave.	Preserve	Target Specie(s)
1	10	Slender False Brome	5.2	El Corte de Madera	Slender false brome
				La Honda Creek	
				Thornewood	
2	30	Bear Creek Redwoods	44.1	Bear Creek Redwoods	French broom
					Periwinkle
					Stinkwort
3	10	La Honda Creek	11.6	La Honda Creek	French broom
					Purple star thistle
4	10	Thistle and Grass Control	109.0	Long Ridge	Goat Grass
				Los Trancos	Yellow star thistle
				Russian Ridge	Purple star thistle
					Distaff thistle
				Skyline Ridge	Goat grass
					Purple star thistle
Yellow star thistle					
5	30	Riparian Invasive Control	45.6 <sup>1</sup>	Bear Creek Redwoods	French broom
					Periwinkle
					English Ivy
					Himalayan blackberry

Project #5: Riparian Invasive Control is reimbursable by the Santa Clara Valley Water District in the amount of up to \$200,000 per year. The grant covers invasive species work that is located within 260 feet of a body of water that lies within Santa Clara Valley Water District watersheds. Leading up to the end of the term of the recommended contract, staff will issue a new Request for Bids in late Fiscal Year (FY) 2018-19 to continue treatment at Bear Creek Redwoods OSP until the project converts into landscape maintenance and can be transitioned to Midpen staff, which is anticipated to occur in May of 2021.

<sup>1</sup> Riparian Invasive Control is a new project and has only been going since November 1, 2017. This number represents total acreage since inception of project.

**FISCAL IMPACT**

Sufficient funds are included in the current FY2017-18 and proposed new FY2018-19 budgets to cover the recommended contract amendment. More specifically, funding sources include:

*Fund 10 (Facility Maintenance – Resource Management and Landscaping)*

- FY2017-18 Budget includes \$567,000, and approximately \$138,000 is available for vegetation management under Projects #1, #3, and #4.
- FY2018-19 Proposed Budget includes \$428,500, of which approximately \$328,000 is available for vegetation management under Projects #1, #3, and #4.

The following table outlines the Facility Maintenance – Resource Management and Landscaping projects costs and fiscal impact of the contract amendment.

<b>Facility Maintenance – Resource Management and Landscaping</b>	<b>FY2017-18</b>
Projects #1, #3, and #4 Total Budgets	<b>\$138,000</b>
<i>less Spent-to-Date (as of 5/2/2018):</i>	(\$94,930)
<i>less Recommended Contract Amendment (proposed spending):</i>	(\$43,070)
<b>Budget Remaining (Proposed):</b>	<b>\$0</b>

*Fund 30 (MAA21-007 BCR Invasive Species Removal)*

- FY2017-18 Budget includes \$169,604 MAA project budget and up to \$200,000 SCVWD grant funding for a total budget of \$369,604.
- FY2018-19 Proposed Budget includes \$118,676 MAA project budget and \$200,000 SCVWD grant funding, for a total budget of \$318,676.

The following table outlines the MAA 21-007 BCR Invasive Weed Treatment Project budget, costs-to-date, and fiscal impact of the proposed contract amendment that applies to BCR.

<b>Fund 30: MAA21-007</b>	<b>FY2017-18</b>	<b>FY2018-19</b>	<b>FY2019-20</b>	<b>FY2020-21</b>	<b>Total</b>
BCR Invasive Weed Treatment – MAA21-007 Budget	\$169,604	\$118,676	\$63,050	\$0	<b>\$351,330</b>
<b>plus SCVWD Grant</b> <i>(potential reimbursement)*:</i>	\$144,805	\$200,000	\$200,000	\$50,000	<b>\$594,805</b>
<i>less Spent-to-Date</i> <i>(as of 5/2/2018):</i>	(\$110,850)				<b>(\$110,850)</b>
<i>less Encumbrances:</i>	(\$28,955)				<b>(\$28,955)</b>
<i>less Amendment of Contract</i> <i>(proposed spending):</i>	(\$5,000)	(\$258,212)			<b>(\$263,212)</b>
<b>Budget Remaining (Proposed):</b>	<b>\$169,604</b>	<b>\$60,464</b>	<b>\$263,250</b>	<b>\$50,000</b>	<b>\$543,118</b>

\* The SCVWD Grant reimburses qualifying expenses for Riparian Invasive Control (Project #5) in full, up to the annual limit of \$200,000. MAA funding covers additional expenses incurred each Fiscal year. The table shows expected expenses, where known.

The following table outlines the Measure AA Portfolio 21 budget, costs-to-date, and the fiscal impact related to the contract amendment that applies to BCR.

<b>MAA 21 Portfolio Allocation – Bear Creek Redwoods Public Recreation and Interpretive Projects Allocation:</b>	<b>\$17,478,000</b>
SCVWD Grant (anticipated eligible portion of \$200,000 annually for 5 years):	\$594,805
Webb Creek Bridge grant:	\$149,500
<i>less</i> Life-to-Date Spent (as of 5/2/2018):	(\$2,286,572)
<i>less</i> Encumbrances:	(1,127,319)
<i>less</i> Amendment of Contract (proposed):	(\$263,212)
<b>Portfolio Balance Remaining (Proposed):</b>	<b>\$14,545,202</b>
Recently Approved contracts in MAA 21 Portfolio	
<i>less</i> Bear Creek Redwoods Public Access Project (includes 15% contingency):	(\$3,472,836)
<i>less</i> Webb Creek Bridge Project (includes 15% contingency):	(\$402,500)
<b>Portfolio Balance Remaining (Proposed as of 5/2/2018):</b>	<b>\$10,669,866</b>

### BOARD COMMITTEE REVIEW

A Board Committee did not previously review this item.

### PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

### CEQA COMPLIANCE

The vegetation management activities covered by the recommended contract amendment were previously reviewed in the Draft Environmental Impact Report prepared for Midpen's IPM Program, which the Board approved on December 10, 2014. The associated mitigation measures in this environmental review document have been incorporated into the project.

### NEXT STEPS

Upon approval by the Board of Directors, the Acting General Manager will amend the contract with Ecological Concerns, Inc., of Santa Cruz for invasive species management.

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