



Midpeninsula Regional
Open Space District

R-18-138
Meeting 18-40
November 28, 2018

AGENDA ITEM 5

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Contract Amendment for Environmental Services to Support the Ravenswood Bay Trail Project

GENERAL MANAGER'S RECOMMENDATIONS

1. Authorize the General Manager to execute a contract amendment with H.T. Harvey and Associates for additional environmental consulting services to support the Ravenswood Bay Trail Project in an amount of \$138,000, for a not-to-exceed new contract amount of \$204,700.
2. Authorize an approximate 10% contingency of \$13,500 to cover unforeseen conditions, for a total contract amount not-to-exceed \$218,200.

SUMMARY

The Ravenswood Bay Trail Project (Project) (MAA 02-002) will close a gap in the San Francisco Bay Trail, linking Ravenswood Open Space Preserve (Preserve) with University Avenue in East Palo Alto and Menlo Park. Environmental consultants are assisting with the preparation of permit applications, as well as consultation and negotiations with the regulatory agencies. In September 2017, the Board of Directors (Board) approved a contract to complete this work with H.T. Harvey and Associates for a total not-to-exceed amount of \$66,700.

As part of the permitting process, the San Francisco Bay Conservation and Development Commission (BCDC) requires a mitigation plan that addresses wetland impacts. Detailed mitigation planning efforts were originally anticipated in FY2019-20; however, recent communications with BCDC call for an accelerated mitigation plan, moving this work to the current FY2018-19. The recommended contract amendment would fund the development of the required mitigation plan and related biddable construction documents that will be necessary to bid out the mitigation work.

Additional funds needed to cover the recommended contract amendment of \$138,000 are available from budget savings in other projects, which are experiencing permitting delays this fiscal year.

DISCUSSION

In November 2016, the Board approved the conceptual trail alignment and certified the Project's Initial Study / Mitigated Negative Declaration (R-16-146). Detailed trail design and engineering plans are underway. In July 2017, staff issued a Request for Proposals (RFP) for environmental services to assist with the preparation of permit applications as well as consultation and

negotiations with the regulatory agencies. Based on the results of the RFP, the Board approved a contract with H.T. Harvey and Associates (R-17-111) in September 2017. H.T. Harvey and Associates has extensive bayfront experience working on the South Bay Salt Pond Restoration Project and Palo Alto Baylands Boardwalks, which make them very well suited for the Ravenswood Bay Trail Project.

H.T. Harvey assisted staff with the development of a Joint Aquatic Resource Permit Application (JARPA) to construct the Ravenswood Bay Trail Project. The JARPA allows project proponents to apply jointly to multiple federal and state permitting agencies. On April 11, 2018, staff submitted a JARPA to the San Francisco Bay Regional Water Quality Control Board, the US Army Corps of Engineers, the US Fish and Wildlife Service, the National Marine Fisheries Service, and the BCDC.

Staff anticipated that during the permitting process, the regulatory agencies would approve a general mitigation approach to address temporary and permanent impacts to wetlands due to the construction of the trail project. Subsequently, a detailed mitigation plan with construction documents would be developed. However, BCDC is requiring a detailed mitigation plan before they issue a permit. The recommended contract amendment of \$138,000 would fund the additional work to develop the mitigation and planting plans required to permit the project, coordinate and negotiate with the resource agencies, and develop construction documents to implement the mitigation plan. A contingency is included to address the potential need for additional unanticipated meetings and coordination with regulatory agencies, and related plan revisions.

FISCAL IMPACT

Of the total FY2018-19 project budget of \$264,038, \$39,000 is set aside for environmental and biological consulting for the Ravenswood Bay Trail Project (MAA 02-002). Additional funds needed to cover the recommended contract amendment of \$138,000 are available from budget savings in other projects, which are experiencing permitting delays this fiscal year.

The table below outlines the budget for this project with the administratively approved net-zero budget adjustment. The adjustment will be included in the FY2018-19 Quarter 2 Budget Adjustment Board report (scheduled in February 2019).

MAA02-002 Ravenswood Bay Trail Project	Prior Year Actuals	FY18-19	FY19-20	Total
<i>Total Budget :</i>	\$336,590	\$264,038	\$3,198,000	\$3,798,628
Proposed Budget Adjustment:		\$138,000	(\$138,000)	\$0
<i>Adjusted Project Budget:</i>	\$336,590	\$402,038	\$3,060,000	\$3,798,628
Spent to Date (as of 11/13/18):	(\$336,590)	(\$723)		(\$337,314)
Encumbrances:		(\$117,611)		(\$117,611)
Estimated design & engineering costs:		(\$145,704)		(\$145,704)
Estimated permitting & mitigation costs:		(\$138,000)		(\$138,000)
<i>Total Expenses & Encumbrance (Proposed):</i>	(\$336,590)	(\$402,038)	\$0	(\$738,628)
Budget Remaining (Proposed):	\$0	\$0	\$3,060,000	\$3,060,000

Of note, some of the project expenses originally anticipated in FY2019-20 are now programmed for FY2018-19 to accelerate the mitigation plan and construction documents (also shown in the table below). The upcoming FY2019-20 Budget will include sufficient funds to close out the remaining work under this contract.

The proposed contract amendment is eligible for Measure AA reimbursement. The table below outlines the Measure AA 02 Portfolio activity to-date.

MAA02 Portfolio	\$5,052,000
Grant Reimbursements Received to Date (as of 11/13/18):	\$326,087
Life Spent to Date (as of 11/13/18):	(\$797,807)
Encumbrances (as of 11/13/18):	(\$1,122,401)
Proposed Ravenswood Bay Trail Project through FY2018-19 (MAA02-002):	(\$283,704)
Portfolio Balance Remaining (as of 11/13/18):	\$3,174,175

BOARD COMMITTEE REVIEW

A Real Property Committee meeting was held on February 16, 2016 in the City of East Palo Alto to provide committee members and the public with a status update on the Ravenswood Bay Trail Project and trail easement acquisition from the SFPUC to close the Bay Trail gap. On November 16, 2016, the Board of Directors approved the conceptual trail alignment and certified the Initial Study / Mitigated Negative Declaration.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

The award of contract is not a project subject to the California Environmental Quality Act.

NEXT STEPS

Following Board approval, the General Manager will direct staff to amend the contract with H.T. Harvey and Associates to provide environmental services in support of the Ravenswood Bay Trail Project. Once the contract amendment is in place, staff will initiate consultation with the regulatory agencies and development of the mitigation plan. Completion of the construction plans for the trail and mitigation is anticipated in FY2018-19 Q3/Q4. A Request for Bids is expected to be released in FY2018-19 Q4 with project permits secured in FY2019-20 Q1. Construction is anticipated to begin in FY2019-20 Q1.

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