



Midpeninsula Regional
Open Space District

R-20-29
Meeting 20-27
April 6, 2020

AGENDA ITEM 3

AGENDA ITEM

Contract Amendment with Questa Engineering to Complete the Second Phase of Work for the Phase II Trail Improvements at Bear Creek Redwoods Open Space Preserve

GENERAL MANAGER'S RECOMMENDATION(S) *deur*

1. Authorize the General Manager to amend the original contract of \$225,000 with Questa Engineering by \$415,400, bringing the base contract amount to \$640,400 to complete the second phase of work (construction documents, permitting, construction administration, and as-builts) for the Phase II Trails at Bear Creek Redwoods Open Space Preserve.
2. Authorize a 15% contingency of \$62,310 to be awarded, if necessary, to cover unforeseen conditions, for a grand total not-to-exceed contract amount of \$702,710.

SUMMARY

The Midpeninsula Regional Open Space District (District) is working toward opening the northeastern portion of Bear Creek Redwoods Open Space Preserve (Preserve) to public access, consistent with the 2017 Board-approved Preserve Plan. Several projects, including the Phase II Trail Improvements, Alma Cultural Landscape Rehabilitation, and the Bear Creek Stables Site Plan Implementation need to be completed or underway before this area of the preserve can be opened to public access. The opening is anticipated for either 2022 or 2023. In May 2019, the Board of Directors (Board) approved the Award of Contract for Questa Engineering (R-19-14) to initiate the design, engineering, and biological and cultural evaluations for the Phase II Trails (MAA 21-011). Questa Engineering completed this first phase of work in December 2019. The scope of work under the recommended contract amendment covers the second phase of design and construction support, including preparation of construction documents, permitting, construction administration, and as-builts. A Quarter 3 budget adjustment may be necessary to complete the anticipated scope of work during Fiscal Year (FY) 2020. Once design, engineering and permitting are complete, staff will release a Request for Bids and return to the Board for approval of a construction contract.

DISCUSSION

Consultant Selection

On February 12, 2019, staff released a Request for Qualifications and Proposals (RFQP) for trail design and engineering, regulatory permitting, and biological/cultural services for the Bear Creek Redwoods Phase II Trail network. Prospective consultants were required by the RFQP to submit fees for the full scope of work separated into two phases. The language of the RFQP allowed for the second phase of work to be awarded to the selected consultant through a contract amendment

if the consultant met the needs of the District. The RFQP Questa Engineering, along with their sub-consultants Sequoia Ecological and Basin Research Associates demonstrated expertise in design and engineering for trail projects, completing prior biological/cultural assessments, and negotiating permit requirements with regulatory agencies. Sequoia Ecological conducted effective biomonitoring in preparation for the Phase I opening of Bear Creek Redwoods. Sequoia's experienced permitting staff has successfully permitted many projects through various regulatory agencies. Basin Research staff has extensive experience in program management, cultural resources (prehistoric and historic) field research, Native American consultation, and regulatory agency coordination (including working with the State Office of Historic Preservation).

First Phase of Work

On May 22, 2019, the Board awarded a contract to Questa Engineering for a base amount of \$225,000 (R-19-14) to cover the first phase of work, which included trail assessments, schematic design, technical studies for regulatory permitting, and biological/cultural services. The Questa Engineering team completed an assessment of the existing road and trail network along with geotechnical investigations, preliminary design for trail structures, and various wildlife, botanical and cultural technical studies to prepare for the regulatory permit process. Questa Engineering expedited their workplan and completed the First Phase of Work several months ahead of schedule. The District benefited from Questa Engineering's experience with Bear Creek Redwoods resulting from site investigations on the property prior to acquisition by the District. Questa Engineering finished the first phase of work in December 2019 in a satisfactory manner.

Second Phase of Work

The second phase of work advances the preliminary design, to prepare the required construction documents for securing permits and releasing a Request for Bids (RFB) to construct several improvements including bridges, retaining structures, all-season patrol access routes. The second phase also includes the following:

- Design of site safety measures to protect known historic resource;
- Biological and cultural resource monitoring during construction;
- Incorporation of habitat enhancements, where feasible;
- Additional cultural resource evaluation and documentation, as needed;
- Geotechnical and special inspections during construction;
- Proper road decommissioning of obsolete road(s); and
- Additional unanticipated regulatory permitting (i.e. waterline extension from gate BC01 to Bear Creek stables)

The Questa team is qualified to complete these essential tasks. At the District's direction, Questa Engineering provided a revised scope and fee for the second phase of work to include additional tasks identified after the RFQP was released, based on findings from the first phase of work. Typically, the District prepares separate contracts with biological and cultural resource firms to cover regulatory permitting, mitigation planning, and on-site construction monitoring. Through the consultant team structure employed on this project, the design engineer works directly with the biological and cultural resource specialists to design the project that is sensitive to the environmental setting, and thus reduces the need for costly mitigation work. This contract amendment provides a full suite of services under one consultant team to bring the project through completion. After careful review of Questa Engineering's original and proposed scope

and fee, District staff deems their phase two fees to be fair and reasonable (see comparison below).

Firm	Location	First Phase Fees	Second Phase Fees Provided During RFQP	Revised Second Phase Fees
Questa Engineering Corp	Point Richmond, CA	\$225,000	\$236,228	\$415,400*
Waterways Consulting, Inc	Santa Cruz, CA	\$410,968	\$379,630	N/A

*Includes added tasks (Tasks 8a, 8b, 9, & 10) not anticipated in the original RFQP

**Does not include Tasks 8a, 8b, 9, & 10

The remaining scope for the Project includes the following primary tasks and associated fees. The items listed in bold total \$415,400 and are the subject of the proposed contract amendment with Questa Engineering. Questa completed Tasks 1 through 4 under the first phase of work.

Task	Fees
FIRST PHASE	COMPLETE
1 - Review Existing Information	\$3,273 – Complete
2 – Multi-Use Trail Feasibility	\$30,230 – Complete
3 – Permitting Strategy and Technical Studies	\$111,137 – Complete
4 – Site Investigation/Alternatives Analysis	\$80,360 – Complete
FIRST PHASE SUBTOTAL (Original Contract)	Complete - \$225,000
FIRST PHASE CONTINGENCY	Not Used - \$33,750
SECOND PHASE	
5 – 65% Plans, Specifications, & Cost Estimate (PS&E)	\$90,700
6 – Regulatory Permit Application Preparation	\$88,752
7 – 90% and 100% PS&E	\$53,340
8 – Bidding, Construction Administration, and Project Closeout	\$57,705
SECOND PHASE SUBTOTAL	\$290,497
ADDITIONAL TASKS	
8a – Geotechnical Inspections	\$23,220
8b – Biologic preconstruction surveys and monitoring during construction and Cultural Resource Monitoring	\$63,216
9 - Historic Bridge Site Safety Features	\$20,220
10 - Stables Legacy Road Decommissioning and Waterline Permitting	\$18,247
ADDITIONAL TASKS SUBTOTAL	\$124,903
AMENDMENT TOTAL	\$415,400
BASE CONTRACT TOTAL	\$640,400

FISCAL IMPACT

The fiscal year 2020 adopted budget includes \$277,250 for the Bear Creek Redwoods Phase II Trail Improvements project (MAA21-011). The full \$225,000 original Questa contract is expected to be spent this fiscal year. A budget adjustment increasing the project budget by \$68,750 is anticipated during the Quarter 3 budget adjustment cycle to cover the recommended

action and expenditures in FY20. Pending approval by the Board, additional funds will be recommended in future fiscal year budgets as part of the annual Budget and Action Plan process.

The new recommended total Questa Engineering contract is \$702,710: \$677,710 will be allocated to the Bear Creek Redwoods Phase II Trail Improvements project (MAA21-011) and \$25,000 will be allocated to the Bear Creek Redwoods Stables Drainage and Mitigation project, which is proposed to begin in FY2021 and will be included in the proposed FY2021 Capital Improvement and Action Plan. This separation of work reflects that a small portion of the trail improvements will, to a greater extent, benefit the stables.

In April 2019, the Board approved a grant from the California Natural Resources Agency (CNRA, R-19-42) for \$2,275,000 under the California River Parkways Grant Program – Proposition 68. CNRA recently communicated that they will award this project an additional \$120,000 after they receive a revised cost estimate and a formal amendment to the agreement is made, for a revised grant total of \$2,395,000. These funds will be used to cover costs for the Phase II Trails project.

MAA21-011 Phase II Trail Improvements, Bear Creek Redwoods OSP	FY20 Projected*	FY21 Projected	FY22 Projected	Estimated Future Years	TOTAL
District Funded (Fund 30):	\$0	\$0	\$0	\$0	\$0
Grant Amount:	\$346,000	\$367,250	\$749,360	\$932,390	\$2,395,000
Total Funding Sources:	\$346,000	\$367,250	\$749,360	\$932,390	\$2,395,000
Total Project Budget:	\$346,000	\$367,250	\$749,360	\$932,390	\$2,395,000
Spent-to-Date (as of 03/11/2020):	(\$228,995)	\$0	\$0	\$0	(\$228,995)
Encumbrances:	(\$358)	\$0	\$0	\$0	(\$358)
Questa Engineering Amended Contract:	(\$50,000)	(\$175,000)	(\$100,000)	(\$65,400)	(\$390,400)
Questa Engineering Total Contract Contingency:	\$0	\$0	\$0	(\$62,310)	(\$62,310)
Budget Remaining (Proposed):	\$66,647	\$192,250	\$649,360	\$804,680	\$1,712,937

*A budget adjustment is anticipated during the end of quarter 3 budget adjustment cycle to cover the recommended action and expenditures in FY2020.

The District has made significant progress on MAA Portfolio 21: Bear Creek Redwoods: Public Recreation and Interpretive Projects (*Open for hiking, equestrian activities. Provide parking areas, trails; upgrade stables. Restore & protect habitats for various species. Repair roads & trails to reduce sediment. Rehabilitate Alma College site*). The primary projects that will complete the portfolio goals, Phase II Trail Improvements, Alma Cultural Landscape Rehabilitation Project, Invasive Weed Treatment and Restoration, and the Bear Creek Stables Site Plan Implementation project, are in progress and have reached the point where we have cost estimates for each project. The estimated project costs exceed the MAA funds allocated to the portfolio; \$1,223,530 of available interest earned on MAA funds is being recommended for use to close the majority of that funding gap. Since this project is grant funded the approval of allocation of MAA interest funds is recommended for the Bear Creek Stables project (R-20-34). As project costs are refined additional funding sources will be explored if necessary.

The following table outlines the Measure AA (MAA) Portfolio 21: Bear Creek Redwoods: Public Recreation and Interpretive Projects allocation, costs-to-date, projected future project expenditures and projected ending balance at the portfolio level.

MAA21: Bear Creek Redwoods - Public Recreation and Interpretive Projects Portfolio Allocation:	\$17,478,000
Grant Income (through FY23):	\$3,741,424
Committed General Fund Capital (Fund 40) funds:	\$500,000*
Allocation of available MAA interest earnings:	\$1,223,530**
Total Portfolio Allocation:	\$22,942,954
Life-to-Date Spent (as of 03/18/2020):	(\$9,633,063)
FY20 Encumbrances:	(\$836,380)
Remaining FY20 project budgets***:	(\$1,069,646)
Future MAA21 project costs (projected through FY23):	(\$11,697,917)
Total Portfolio Expenditures:	(\$23,237,006)
Portfolio Balance Remaining (Proposed)****:	(\$294,052)

*The Board allocated \$500,000 from General Funds for the Bear Creek Stables Site Plan Implementation Project.

**Available interest earned on MAA funds will be recommended for allocation to the Bear Creek Stables Site Plan Implementation Project to address the remaining funding gap.

***Budget adjustments are anticipated during the end of Quarter 3 budget adjustment cycle to cover changes in projected MAA21 project costs.

****Future project costs continue to be refined with each budget cycle; total MAA21 project costs in this table reflect estimated costs as of March 2020.

The following table summarizes the Measure AA Portfolio 21 allocation, estimated total project costs and remaining portfolio balance.

MAA21: Bear Creek Redwoods - Public Recreation and Interpretive Projects Portfolio Allocation:	\$17,478,000
Grant Income (through FY23):	\$3,741,424
Committed General Fund Capital (Fund 40) funds:	\$500,000
Allocation of available MAA interest earnings:	1,223,530
Total Portfolio Allocation:	\$22,942,954
Projected Project Expenditures (life of project):	
MAA21-001 Moody Gulch Fence & Gate Improvements	\$847
MAA21-002 Bear Creek Redwoods Preserve Plan	(\$14,369)
MAA21-003 Bear Creek Redwoods Stables Water System	\$200,038
MAA21-004 Bear Creek Stables Site Plan Implementation	\$5,334,890
MAA21-005 Bear Creek Redwoods Public Access	\$5,873,159
MAA21-006 Bear Creek Redwoods Alma College Cultural Landscape Rehabilitation	\$6,600,488
MAA21-007 Bear Creek Redwoods Preserve Plan Invasive Weed Treatment	\$1,131,036
MAA21-008 Bear Creek Redwoods Ponds Restoration and Water Rights	\$712,619
MAA21-009 Bear Creek Redwoods Webb Creek Bridge	\$487,492
MAA21-010 Bear Creek Redwoods Landfill Characterization and Remediation	\$413,913
MAA21-011 Phase II Trail Improvements, Bear Creek Redwoods OSP	\$2,395,000
MAA21-012 Bear Creek Redwood Tree Restoration	\$101,893
Total Portfolio Expenditures:	\$23,237,006
Portfolio Balance Remaining (Proposed):	(\$294,052)

BOARD COMMITTEE REVIEW

The Board approved the Award of Contract with Questa Engineering to Complete the First Phase of Work for the project (R-19-14) on May 22, 2019. The Award of Contract Report discussed the

potential for a contract amendment with Questa Engineering to complete the Second Phase of Work.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

Potential environmental impacts of the Bear Creek Redwoods Phase II Trails and associated improvements were analyzed in the Bear Creek Redwoods Preserve Plan and Environmental Impact Report, which was certified by the Board on January 25, 2017.

NEXT STEPS

Upon Board authorization, the General Manager will direct staff to amend the contract with Questa Engineering to complete the second phase of work, which includes construction documents, permitting, construction administration, and as-builts. For the portion of the construction work that will not be completed by the District's special project crews, staff will return to the Board for consideration of a construction contract after the public bid process is complete.

Attachment(s)

1. Bear Creek Redwoods Phase II Proposed Trail Network and Associated Improvements

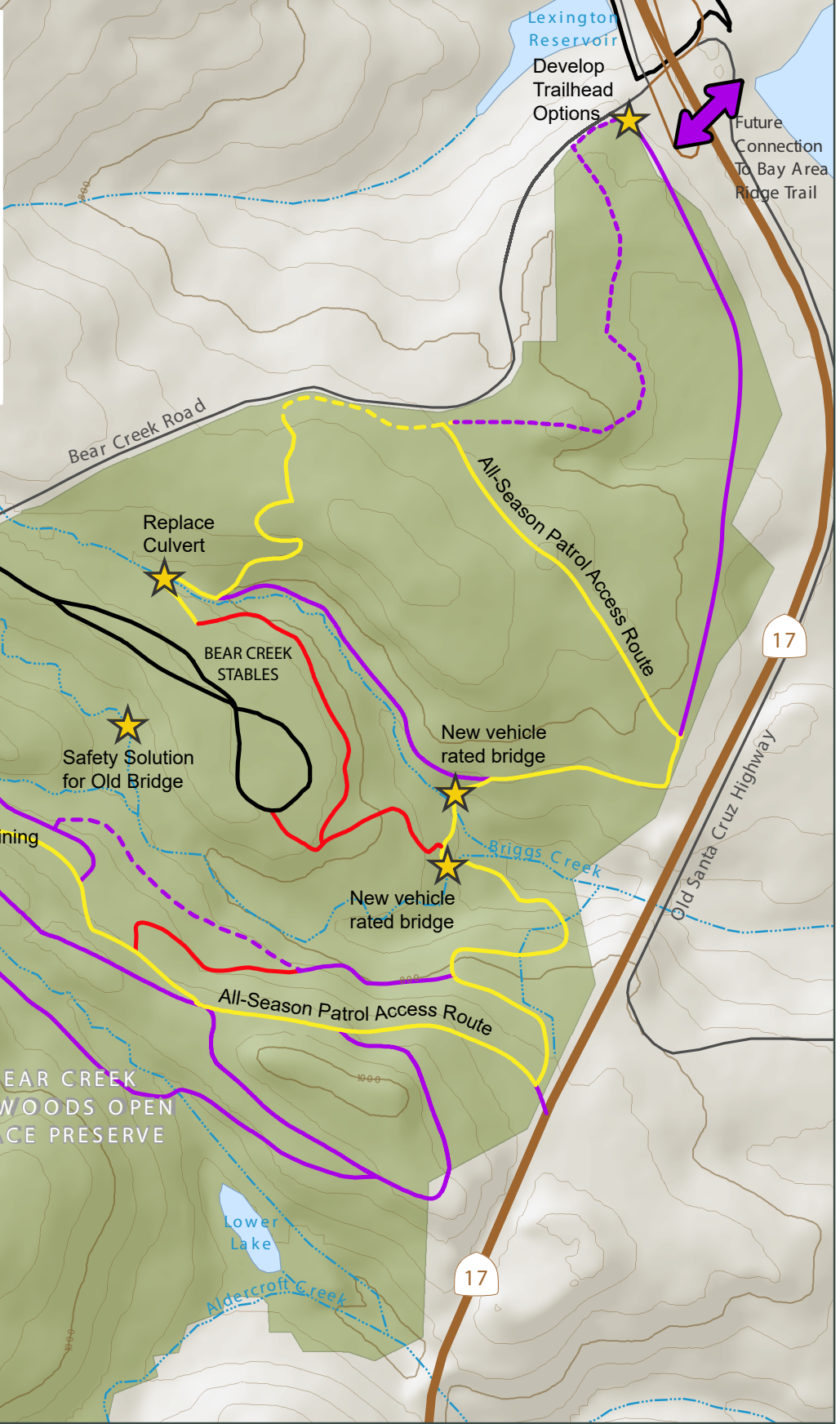
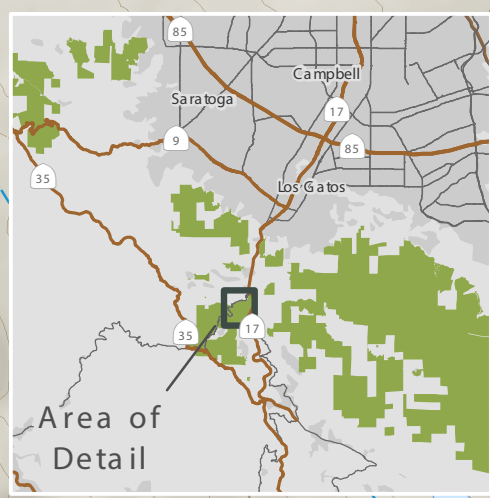
Responsible Department Head:

Michael Jurich, Land and Facilities Department Manager








Prepared by:

Bryan Apple, Capital Projects Field Manager, Land and Facilities Department


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ATTACHMENT 1: Bear Creek Phase II Trail Improvements

-  MRO SD Preserve
-  Proposed Improvements
-  Existing Trail
-  Existing Road/Trail to be Improved
-  Proposed New Trail
-  Improve existing road to All-season patrol access
-  Remove overly steep, unsustainable trail

Midpeninsula Regional Open Space District (MRO SD)



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