



Midpeninsula Regional
Open Space District

R-20-99
Meeting 20-20
September 9, 2020

AGENDA ITEM 4

Award of Contract for Environmental Services for the Beatty House Removal and Site Restoration Project

GENERAL MANAGER'S RECOMMENDATIONS

1. Authorize the General Manager to contract with LSA Associates, Inc., to provide environmental and permitting consulting services to remove the Beatty House and restore the natural resource values of the site for a base contract amount of \$79,786.
2. Authorize a 5% contingency of \$3,989, to be expended only if necessary, to cover unforeseen conditions, for a not-to-exceed contract amount of \$83,775.

SUMMARY

In April 2020, the Board of Directors (Board) directed the General Manager to proceed with environmental review and construction documents to remove the Beatty House and restore the natural resource values of the former building footprint (Project). To proceed with structure removal activities, Midpeninsula Regional Open Space District (District) must first complete an environmental review and secure Santa Clara County (County) permits. Removal is tentatively scheduled for Fiscal Year 2021-22 (FY22).

In August 2019, the Board of Directors (Board) awarded a contract to LSA Associates, Inc., (LSA) for similar environmental and permitting services to support the Beatty Parking Area and Trail Connections Project (different project, same site) (R-19-111). LSA was selected through a competitive Request for Proposals (RFP) process. Given LSA's recently acquired knowledge of existing conditions at the project site, the General Manager determined that the most cost and time efficient means to complete the environmental review is through a sole source contract with LSA. The General Manager recommends awarding a contract to LSA for a base amount of \$79,786 and authorizing a 5% contingency of \$3,989, for a total contract amount of \$83,775. The FY21 budget includes sufficient funds for the recommended action.

BACKGROUND

In April 2008, the District approved the purchase of the Beatty Trust property as an addition to Sierra Azul Open Space Preserve (Attachment 1). The property includes the Beatty House located at 17820 Alma Bridge Road in unincorporated Santa Clara County. The house is located in a closed area where the District has been developing public access plans.

In 2010, a Historic Resources Evaluation (HRE) report was prepared for the Beatty House when the site was being evaluated for a potential field office (lack of enough water rendered the site infeasible for that use). The State of California Department of Parks and Recreation Forms 523 (commonly known as DPR forms) were also prepared as part of this evaluation for historic documentation. The report concluded that the Beatty House is eligible for individual listing in the California Register of Historical Resources and qualifies as a historical resource. In 2019, Page & Turnbull prepared a conditions assessment report for the house and concluded that overall, the Beatty House is in poor to fair condition.

On August 28, 2019, the Board awarded a contract to LSA to provide environmental and permitting consulting services to support the Beatty Parking Area and Trail Connections Project (R-19-111). LSA was selected through a competitive RFP process. LSA's scope of work involves evaluating existing site conditions at the project site, including biological and cultural (archaeological and historic) resources, which also apply to the Beatty House removal project.

On April 22, 2020, the Board directed the General Manager to proceed with the removal of the Beatty House and restoration of the underlying building footprint (R-20-39), of which the next step is to complete the environmental review.

DISCUSSION

Environmental Review and Permitting

Based on the HRE findings, the house is considered a historic resource for purposes of the California Environmental Quality Act (CEQA). Therefore, demolition of this building could result in a potentially significant impact to a historic resource, requiring the preparation of an Environmental Impact Report (EIR). LSA determined that a Focused EIR is the appropriate environmental document to fulfill CEQA requirements. Environmental analysis will focus on the effects of the project on cultural and biological resources.

The Beatty House is not currently listed on the County of Santa Clara heritage resources inventory, but both the 2010 and 2019 historical assessments indicate its eligibility for the California Register of Historical Resources. The proposed removal of the house requires a County demolition permit. As the permitting agency, the County has informed District staff that the County is a CEQA responsible agency and will therefore review the Focused EIR during the public review and comment period. County Planning staff will share the Focused EIR with the Historical Heritage Commission (HHC) for their review and comments and has already requested a District presentation to the HHC.

Due to the listing eligibility of the house, its removal will likely require historic documentation and interpretation that could include measured drawings, photography or digital scans, and interpretative signage. The scope of documentation depends on the level of significance and complexity of the historic resource, which will be determined as part of the environmental review and permitting process.

Sole Source Contract with LSA

Consistent with Board Policy 3.03 - *Public Contract Bidding, Vendor and Professional Consultant Selection, and Purchasing Policy* Section IV.B provides for sole source contracts where: services are of a unique type, are of a proprietary nature, or are otherwise of such a specific design or construction, or are for purposes of maintaining consistency and operational

efficiency, so as to be available from only one source.” Here, the General Manager believes that significant consistency and operational efficiency are achieved by using LSA for similar and related tasks at the Beatty property, and recommends that the most efficient means to complete this scope of work is through a sole source contract with LSA for the following reasons:

1. LSA was recently selected through a competitive RFP process as a qualified consultant to conduct environmental review for a separate project at the same location with overall similar existing conditions (Beatty Parking Area and Trail Connections Project);
2. LSA has already conducted an existing conditions inventory for the site (for the Beatty Parking Area and Trail Connections Project) and is knowledgeable about the site’s biological and cultural resources. LSA can apply this same information in preparing the Focused EIR for the Beatty removal project, allowing for consistency and operational efficiency. LSA’s cost proposal reflects their recently acquired knowledge of the opportunities and constraints at the project site and is noticeably lower than the proposals recently received for a similar scope of work at La Honda Creek Preserve. Additionally, the environmental evaluation work under this contract will significantly benefit the Beatty Parking Area and Trail Connection Project and provide economy of scale when that project moves forward; and
3. LSA is qualified, available and capable of meeting the project schedule.

FISCAL IMPACT

The recommended contract is anticipated to span two fiscal years, with approximately \$42,525 in expenditures during FY21. The FY21 adopted budget includes sufficient funds to cover the recommended action and expenditures through June 30. Funding for future year budgets will be proposed as part of the annual budget and action plan process.

Beatty House Removal and Site Restoration MAA22-005	Prior Year Actuals	FY21 Adopted	FY22 Projected	FY23 Projected	Estimated Future Years	TOTAL
Budget	\$0	\$50,000	\$357,500	\$0	\$0	\$407,500
Spent-to-Date (as of 09/02/20):	\$0	\$0	\$0	\$0	\$0	\$0
Encumbrances:	\$0	(\$7,007)	\$0	\$0	\$0	(\$7,007)
LSA Associates, Inc. Contract:	\$0	(\$40,500)	(\$39,286)	\$0	\$0	(\$79,786)
5% Contingency:	\$0	(\$2,025)	(\$1,964)	\$0	\$0	(\$3,989)
Budget Remaining (Proposed):	\$0	\$468	\$316,250	\$0	\$0	\$316,718

The following table outlines the Measure AA Portfolio #22 Sierra Azul: Cathedral Oaks Public Access and Conservation Projects allocation, costs-to-date, projected future project expenditures and projected portfolio balance remaining.

MAA22 Sierra Azul: Cathedral Oaks Public Access and Conservation Projects:	\$6,714,000
Grant Income (through FY23):	\$256,016
Total Portfolio Allocation:	\$6,970,016

Life-to-Date Spent (as of 09/02/2020):	(\$1,227,482)
FY21 Encumbrances:	(\$14,893)
Remaining FY21 project budgets:	(\$492,846)
Future MAA22 project costs (projected through FY23):	(\$3,454,767)
Total Portfolio Expenditures:	(\$5,189,988)
Portfolio Balance Remaining (Proposed):	\$1,780,028

The following table outlines the Measure AA Portfolio #22 Sierra Azul: Cathedral Oaks Public Access and Conservation Projects allocation, projected life of project expenditures and projected portfolio balance remaining.

MAA22 Sierra Azul: Cathedral Oaks Public Access and Conservation Projects:	\$6,714,000
Grant Income (through FY23):	\$256,016
Total Portfolio Allocation:	\$6,970,016
Projected Project Expenditures (life of project):	
22-001 Hendrys Creek Property Land Restoration	(\$513,343)
22-002 Sierra Azul Cathedral Oaks Land Conservation	-
22-003 Freudenberg Land Purchase	(\$540,587)
22-004 Beatty Parking Area and Trail Connections	(\$3,228,558)
22-005 Beatty House Removal and Site Restoration	(\$407,500)
22-XXX Reserved for Land Acquisition	(\$500,000)
Total Portfolio Expenditures:	(\$5,189,988)
Portfolio Balance Remaining (Proposed):	\$1,780,028

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

Retention of professional consultants will not result in a direct physical change to the environment [CEQA Guidelines Section 15060(c)(2)] and does not constitute Board approval of the proposed project or related proposed project elements. The Board will consider approval of the proposed project as part of the CEQA certification in Winter 2021.

NEXT STEPS

Pending Board approval, the General Manager will direct staff to enter into a contract with LSA to provide environmental services in support of the Project. The table below provides a tentative project schedule, where construction would begin after Board CEQA certification.

Milestones	Tentative Schedule
Award of Contract – Environmental Consultant Services	September 9, 2020
Environmental review / early permitting	Fall 2020 – Winter 2021
Final design / permitting	Summer 2021
CEQA Certification /Award of Demolition & Site Restoration Contract / Final Permits	Winter 2022

Construction Activities	Winter 2022 – Spring 2022
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Attachments

1. Beatty Property Site Map

Responsible Department Head:

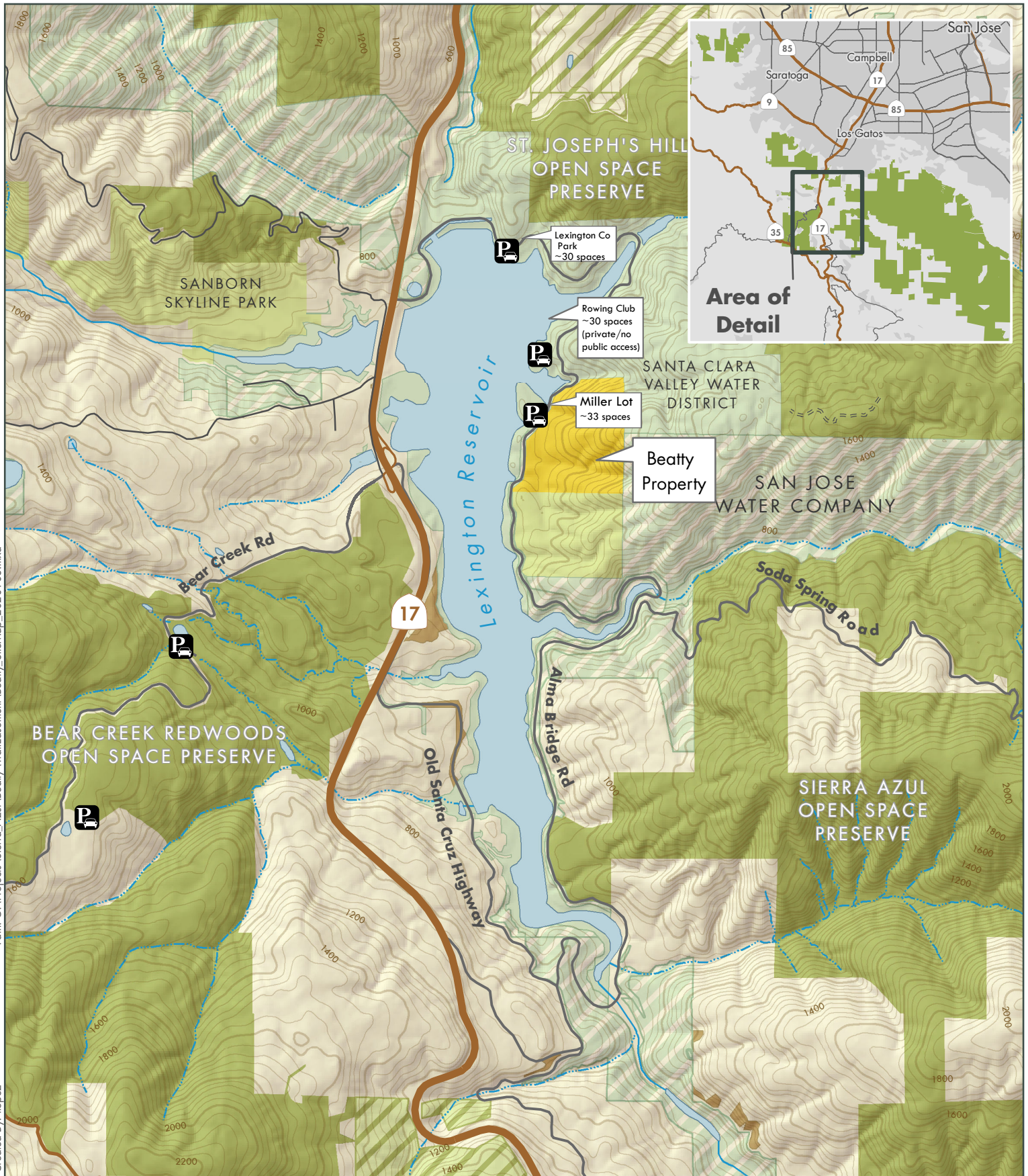
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Beatty Property Site Map

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|---|-----------------------|---|------------------------|
|  | MROSD Preserves |  | Watershed Land |
|  | Other Protected Lands |  | Former Beatty Property |
|  | Private Property | | |

ATTACHMENT 1

Midpeninsula Regional
Open Space District
(Midpen)
1/8/2020

