



Midpeninsula Regional
Open Space District

R-21-143
Meeting 21-30
October 27, 2021

AGENDA ITEM 8

AGENDA ITEM

Award of Contract and Contract Amendment for Historic Debris Data Recovery and Health and Safety Oversight at Bear Creek Redwoods Open Space

GENERAL MANAGER'S RECOMMENDATIONS *dear*

1. Authorize the General Manager to enter into a contract with Albion Environmental, Inc., of Santa Cruz, CA to complete Historic Debris Data Recovery for a base amount of \$108,902.
2. Authorize a 15% contingency of \$16,335 to cover unforeseen tasks beyond the current scope for a total not-to-exceed contract amount of \$125,237.
3. Authorize an allowance of \$15,000 to cover health and safety measures and changes to the data recovery workplan beyond those scoped, if required based on the results of personal air monitoring data, for a total not-to-exceed contract amount of \$140,237.
4. Authorize the General Manager to amend a contract with Geocon Consultants, Inc., of Rancho Cordova, California in the amount of \$49,999 to provide health and safety oversight services and hazardous materials testing, bringing the total contract to a not-to-exceed amount of \$104,882.

SUMMARY

A small historic debris area within Bear Creek Redwood Open Space Preserve (Preserve) is contaminated with heavy metals and requires cleanup. Historic resources are known to be located within this debris area, at grade and below grade, and require documentation prior to conducting remediation activities, as required by the Preserve Plan Environmental Impact Report (EIR). The General Manager recommends awarding a contract with Albion Environmental, Inc., (Albion) for a total not to-exceed amount of \$140,237 to conduct the data recovery of the historic resources that would otherwise be affected by the cleanup. This amount includes a 15% contingency for unforeseen tasks beyond the current scope and an allowance for expanded health and safety measures and changes to the data recovery workplan that may be required, depending on the results of personal air monitoring data.

The General Manager also recommends a contract amendment in the amount of \$49,999 with Geocon Consultants, Inc., (Geocon) to provide health and safety services and oversight during the recovery work and additional services to support the next cleanup phase. The FY22 budget is insufficient to cover the recommended actions; however, if approved, funds from the FY23 projected budget will be accelerated to cover overages at a future quarterly budget review.

DISCUSSION

In July 2018 (R-18-87), the District contracted with Geocon to conduct a limited hazardous materials site investigation of a debris site at Bear Creek Redwoods Open Space Preserve, as directed in the Preserve Plan EIR. The investigation identified hazardous concentrations of lead, zinc, and copper within an ashy soil matrix (~150 cubic yards by volume), reflecting the historic practice of burning debris. Additionally, ~150 cubic yards of larger debris (metal, garbage, tires, appliances) are present and need proper disposal, some of which may contain asbestos and lead-based paint (Attachment 1).

The debris site was the subject of a preliminary assessment during the second phase of cultural resources analysis at Bear Creek Redwoods, generally covering the area east of Bear Creek Road following public access on the west side of the Preserve. Albion conducted much of the prior cultural resource investigations at Bear Creek Redwoods ([R-17-108](#)). The subsurface portion of the hazardous materials investigation was monitored by Albion to assess the potential for historic resources within the site. Albion concluded that the debris site is eligible as an individual site for the California Register of Historic Resources (CRHR) due to its Information Potential (the 4th criteria in the CRHR) related to the everyday lives of the former Alma College residents. Additionally, the site is a contributing element to the Alma College Cultural Landscape. Yet, remediation of the site is necessary to mitigate a hazardous condition. The EIR's Environmental Protection Measure CUL-1 directs the District, when avoiding impacts to eligible cultural resources is infeasible, to develop a data recovery plan that involves archival research, field excavation, photo documentation, and mapping. The goal of this work is to collect a representative sample of historic data to sufficiently address research questions. Small objects will be collected, where health and safety considerations permit, and taken to a lab for processing and analysis. Larger objects will be documented in situ.

Geocon has already developed a health and safety plan associated with the site investigations and can provide health and safety oversight for the historic resource data recovery in a cost-effective manner. This includes refining the existing health and safety plan, health and safety training for historic resources crew staff, air quality monitoring, and providing engineering controls (dust suppression, water, generator, etc.,) to facilitate the historic resources recovery.

Consultant Selection Process – Albion

Staff posted the Request for Proposal and Qualifications (RFPQ) on BidSync, where 43 firms viewed the proposal over a month-long period. Additionally, the RFPQ was emailed to consultants who have previously expressed interest in cultural resource services for the District. The RFPQ included both the Bear Creek Historic Debris Data Recovery project and the Cultural Resources Services for the Vegetation Treatment Project to encourage bidding. Four firms attended a mandatory site walk. Staff received two proposals for this project from Rincon Consultants, Inc., and Albion. Albion was deemed the most qualified firm to perform the work due to their extensive experience with cultural resource data recovery and curation. Rincon's proposal was ~\$33,106 less expensive, but included less data recovery and laboratory work—underestimating the density of artifacts that are likely to be recovered, analyzed, and reported on. Further, their experience with data recovery was limited. Albion was therefore deemed to be the most qualified firm to perform the work at a fair and reasonable price.

For a description of the consultant selection process that led to an award of contract with Geocon, please refer to the report section *Board and Committee Review*.

FISCAL IMPACT

The FY22 adopted budget includes \$156,839 for the Bear Creek Redwoods Landfill Characterization and Remediation project MAA21-010. The FY22 project budget is insufficient to cover the recommended action; however, if approved, funds from the FY23 projected budget will be accelerated to cover the overage at a future quarterly budget review. The FY22 overage is due to additional hazardous materials (asbestos) discovered in the area of the historic debris, resulting in increased costs for the cultural resource data recovery and hazardous materials oversight.

Bear Creek Redwoods Landfill Characterization and Remediation MAA21-010	Prior Year Actuals	FY22 Adopted	FY23 Projected	FY24 Projected	Estimated Future Years	TOTAL
Total Budget:	\$39,195	\$156,839	\$280,000	\$0	\$0	\$476,034
Spent-to-Date (as of 10/12/21):	(\$39,195)	\$0	\$0	\$0	\$0	(\$39,195)
Encumbrances:	\$0	(\$15,688)	\$0	\$0	\$0	(\$15,688)
Albion Environmental, Inc. Contract:	\$0	(\$108,902)	\$0	\$0	\$0	(\$108,902)
15% Contingency:	\$0	(\$16,335)	\$0	\$0	\$0	(\$16,335)
Allowance:	\$0	(\$15,000)	\$0	\$0	\$0	(\$15,000)
Geocon Consultants, Inc Contract Amendment:	\$0	(\$43,999)	(\$6,000)	\$0	\$0	(\$49,999)
Budget Remaining (Proposed):	\$0	(\$43,085)	\$274,000	\$0	\$0	\$230,915

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

MAA21 Bear Creek Redwoods: Public Recreation and Interpretive Project Portfolio Allocation:	\$17,478,000
Grant Income (through FY25):	\$5,243,173
Committed General Fund Capital (Fund 40) funds:	\$700,000
Allocation of available MAA interest earnings:	\$1,223,530
Total Portfolio Allocation:	\$24,644,703
Life-to-Date Spent (as of 10/12/21):	(\$11,363,097)
Encumbrances:	(\$3,451,562)
Remaining FY22 Project Budgets:	(\$1,314,593)
Future MAA21 project costs (projected through FY25):	(\$7,871,678)
Total Portfolio Expenditures:	(\$24,000,930)
Portfolio Balance Remaining (Proposed):	\$643,773

The following table outlines the Measure AA Portfolio 21 allocation, projected life of project expenditures and projected portfolio balance remaining.

MAA21 Bear Creek Redwoods: Public Recreation and Interpretive Projects Portfolio Allocation:	\$17,478,000
Grant Income (through FY25):	\$5,243,173
Committed General Fund Capital (Fund 40) funds:	\$700,000
Allocation of available MAA interest earnings:	\$1,223,530

Total Portfolio Allocation:	\$24,644,703
Projected Project Expenditures (life of project):	
21-001 Moody Gulch Fence & Gate Improvements	(\$847)
21-002 Bear Creek Redwoods Preserve Plan	\$14,369
21-004 Bear Creek Stables Project ¹	(\$5,685,381)
21-005 Bear Creek Redwoods Public Access	(\$5,548,003)
21-006 Bear Creek Redwoods Alma College Cleanup and Stabilization	(\$6,628,543)
21-007 Bear Creek Redwoods Preserve Plan Invasive Weed Treatment	(\$1,441,333)
21-008 Bear Creek Redwoods Ponds Restoration and Water Rights	(\$681,517)
21-009 Bear Creek Redwoods Webb Creek Bridge	(\$487,492)
21-010 Bear Creek Redwoods Landfill Characterization and Remediation	(\$476,034)
21-011 Phase II Trail Improvements, Bear Creek Redwoods OSP	(\$2,975,234)
21-012 Bear Creek Redwood Tree Restoration	(\$90,915)
Total Portfolio Expenditures:	(\$24,000,930)
Portfolio Balance Remaining (Proposed):	\$643,773

¹ 21-003 Bear Creek Redwoods Stables Water System was combined with MAA21-004

BOARD AND COMMITTEE REVIEW

The Board awarded a contract to Geocon ([R-18-87](#)) for the debris site hazardous materials investigation and Albion ([R-17-108](#)) for archaeological services.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

This project is covered by the Bear Creek Redwoods Preserve Plan EIR.

NEXT STEPS

Should the Board authorize the General Manager to enter into contract with Albion and amend the contract with Geocon, the historic resources data recovery work will be scheduled and undertaken as soon as practical. The historic data report will be completed before the end of the Fiscal Year. Staff is targeting the fall of 2022 to remediate the debris site. Staff will procure the services of a design-build firm to develop a Remedial Action Plan, enter into the appropriate regulatory program (anticipated to be the voluntary cleanup program with Santa Clara County Department of Environmental Health), remediate the site in the Fall 2022, and complete the site closure process. The design-build contract is estimated to cost about \$225,000.

Attachment

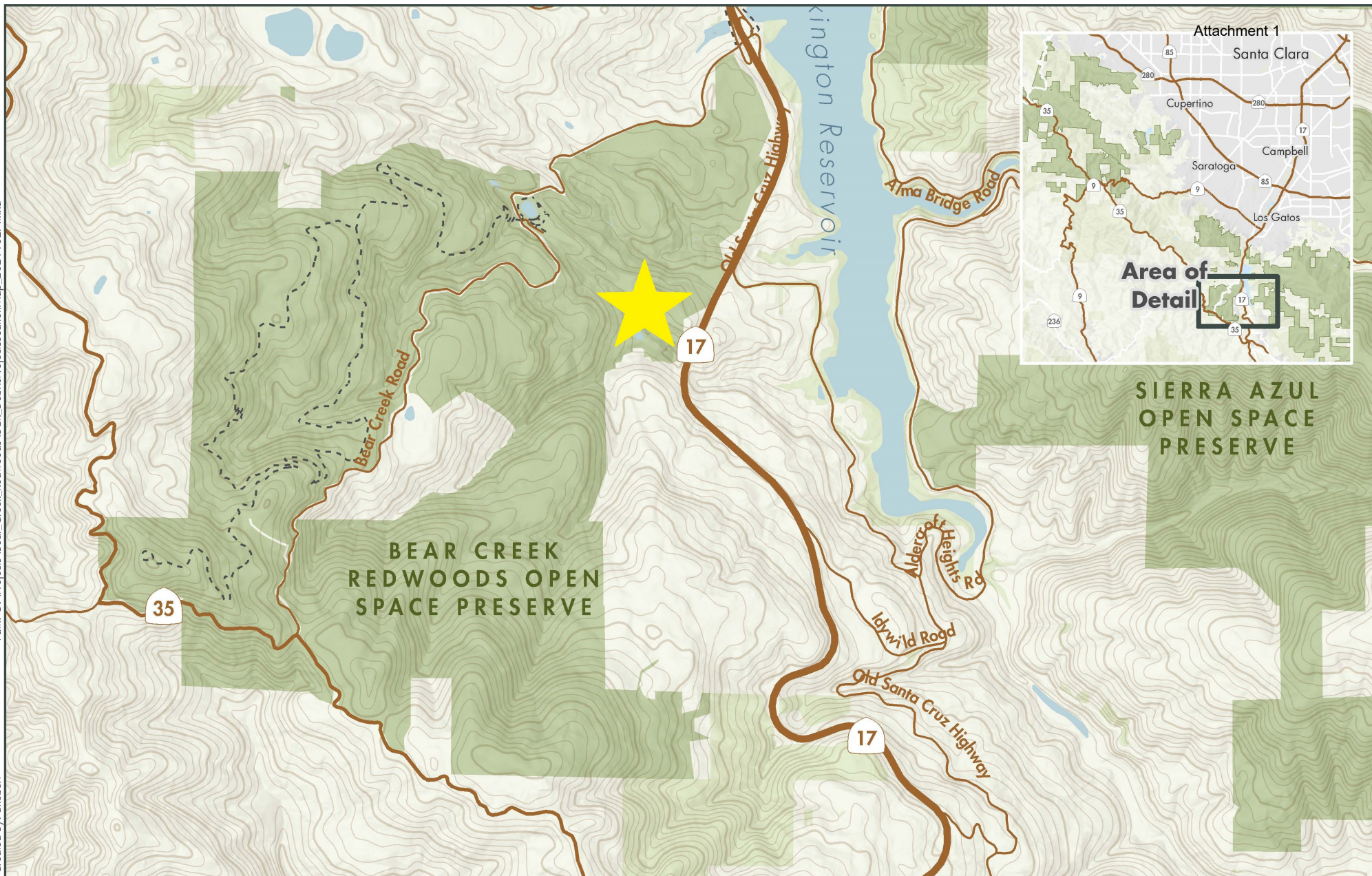
1. Map of Debris Site, Excerpt of Phase II report from Geocon

Responsible Department Head:

Kirk Lenington, Natural Resources Department Manager

Contact Person:

Aaron Hébert, Sr. Resource Management Specialist, Natural Resources Department



Historic Data Recovery Project Location Map

-  MROSD Preserves
-  Other Protected Lands
-  Private Property

Midpeninsula Regional
Open Space District
(Midpen)
10/15/2021



Feet
0 1,200 2,400

