



Midpeninsula Regional  
Open Space District

R-22-15  
Meeting 22-04  
February 9, 2022

## AGENDA ITEM 6

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Award of Contract for Botanical Services for Multiple Projects within the Skyline Area

### GENERAL MANAGER'S RECOMMENDATIONS

1. Authorize the General Manager to enter into a multi-year contract with AECOM Technical Services, Inc., of Oakland, California to provide botanical services to support multiple projects for a base amount not to exceed \$69,170.
2. Authorize an allowance of \$14,517 for the development of mitigation measures, if deemed necessary for project implementation.
3. Authorize a 12% contingency of \$8,300 to cover unforeseen conditions and complexities, for a total contract amount not-to-exceed \$91,987.

### SUMMARY

Midpeninsula Regional Open Space District (District) requires assistance from a qualified consultant to complete botanical surveys and if necessary, prepare mitigation recommendations at six project sites. A Request for Qualifications and Proposals (RFQP) was issued on November 12, 2021. The General Manager recommends awarding a botanical services contract to AECOM Technical Services, Inc. (AECOM), for a base amount not to exceed \$69,170 with an allowance of \$14,517 to develop mitigation measures (if deemed necessary) and authorizing a 12% contingency amount of \$8,300 for a total not-to-exceed contract amount of \$91,987. The contract work is anticipated to span two fiscal years. There are sufficient funds in the Fiscal Year 2021-22 (FY22) budget to cover the recommended action and expenditures through the end of the fiscal year. Funds to continue the second year of contract work would be proposed as part of the FY23 annual budget and action plan process.

### BACKGROUND

The conservation of special status native plants and their habitats, as well as sensitive natural communities, is integral to maintaining biological diversity. Protocol botanical surveys ensure a consistent and systematic approach for surveying, locating, assessing, and mapping special status plants and sensitive natural communities to properly protect and steward these land resources. This work is also critical to ensure that proposed projects are properly designed to avoid and/or reduce impacts to these resources.

The recommended contract would provide the necessary botanical services for the following six planned projects in the Skyline Area:

Alpine Road and Thornewood Fuel Reduction – Alpine Road is bordered by both Russian Ridge and Skyline Ridge Open Space Preserves (OSPs). Under the Wildland Fire Resiliency Program (WFRP), a shaded fuel-break is planned to facilitate evacuations and emergency vehicle access. In Thornewood OSP, ecologically sensitive vegetation management will reduce wildland fire risk while maintaining and improving high biodiversity and ecological health on the landscape.

Alpine Road Regional Trail at Coal Creek OSP – The existing overly steep Alpine Road Bypass Trail is planned to be re-routed and converted to a year-round trail as part of the Alpine Road Trail Improvements project.

Restoration Forestry Demonstration Project – This project will pilot actions to improve short- and long-term forest health in upper La Honda Creek OSP, including wildfire resiliency, restoration forestry, and watershed improvements. Any area where vegetation work will be performed requires a botanical survey.

La Honda Creek Phase II Trail Connections – This project includes the construction of multiple segments of new trail to connect the existing Sears Ranch Parking Area with upper La Honda Creek OSP as envisioned in the La Honda Creek OSP Master Plan.

Lower Turtle Pond Enhancement – Lower Turtle Pond’s spillway is scheduled to be expanded to improve pond stability during flooding events and support both grazing operations and aquatic species like western pond turtle. Grading and other earth-moving work require botanical surveys.

Structures Disposition – This project, if approved through separate Board action, would demolish and remove a residence and a barn in Russian Ridge OSP, including associated abandoned utilities, and involve minor site grading and debris removal. Botanical surveys for this work would not be authorized until and if the Board approves the demolition work. This item is planned to come before the Board for consideration on February 23, 2022.

## **DISCUSSION**

Staff issued a RFQP on November 12, 2021, with the following consultant requirements that are consistent with the California Department of Fish and Wildlife (CDFW) guidelines for botanical surveys:

- Knowledge of plant taxonomy and natural community ecology;
- Familiarity with the plants of the area, including special status species;
- Familiarity with natural communities of the area, including special status natural communities;
- Experience conducting floristic field surveys or experience with floristic surveys conducted under the direction of an experienced surveyor;
- Familiarity with appropriate state and federal statutes related to plants and plant collecting; and
- Experience with analyzing impacts of development on native plant species and natural communities.

Staff circulated the RFQP through email and by posting on the BidSync website. The following six firms submitted proposals by the December 20, 2021 deadline.

Firm	Location	Proposed Fees (over 2 years)	Proposed Fees for Mitigation Measures Development <sup>^</sup>
SummitWest Environmental, Inc.	Bend, OR	\$56,662	\$2,672
Sequoia Ecological Consulting, Inc.	Danville, CA	\$63,794	Failed to Provide
<b>AECOM Technical Services, Inc.</b>	<b>Oakland, CA</b>	<b>\$68,897*</b>	<b>\$14,517</b>
Avila & Associates Consulting Engineers, Inc.	Walnut Creek, CA	\$127,023	\$13,654
Horizon Water and Environment, LLC	Oakland, CA	\$204,586	\$6,440
SWCA Environmental Consultants	Half Moon Bay, CA	\$292,813	Failed to Provide
<p>*District staff negotiated with AECOM Technical Services, Inc. to reduce fees by 3% from the original proposal.  <sup>^</sup>At this time, it is uncertain whether mitigation measures will be required; therefore, this item is accounted for as an allowance in the event this service is needed.</p>			

Evaluation criteria were determined prior to the release of the RFQP that included the quality of the proposal, project approach, firm expertise, and alignment with the District's sustainability and equity goals. After careful review of all proposals, AECOM was deemed most qualified and best suited for the project at a fair and reasonable price. AECOM's Project Manager and Senior Botanist brings 15 years of experience of rare plant surveys within the District's region (a CDFW requirement of a protocol-level survey).

The base contract includes three rounds of botanical surveys (as required by CDFW), a final botanical survey report, and Worker Environmental Awareness documents. If the consultant identifies sensitive species or habitats during the survey, the recommended allowance provides funding for the consultant to develop mitigation measures for any impact that cannot be avoided.

Botanical field surveys are conducted in the field at the times of year when plants will be both evident and identifiable. Usually this is during flowering or fruiting. The timing and number of visits necessary to determine if special status plants are present is determined by geographic location, the natural communities present, and the weather patterns of the year(s) in which botanical field surveys are conducted. Although all six projects are all geographical close, microclimates in the area may require separate timing for each survey. A 12% contingency is requested due to the complex nature and extent of the different projects.

## FISCAL IMPACT

There are sufficient funds in the various Fiscal Year 2021-22 (FY22) project budgets to cover the recommended action and expenditures through the end of the fiscal year; see tables below for the breakdown of the contracted work amongst five of the six projects. Funding for Lower Turtle Pond Enhancement (the sixth project) is not shown in the tables below since this funding being held within Natural Resources operating budget. Funds to continue the second year of contract work will be proposed as part of the annual FY23 budget and action plan process. The allowance for the development of mitigation measures will be held separately from the project budgets and only utilized if needed.

Fuel Reduction #61017	Prior Year Actuals	FY22 Amended	FY23 Projected	FY24 Projected	Estimated Future Years	TOTAL
<b>Total Budget:</b>	<b>\$115,175</b>	<b>\$306,500</b>	<b>\$660,000</b>	<b>\$660,000</b>	<b>\$610,000</b>	<b>\$2,351,675</b>
Spent-to-Date (as of 1/13/22):	(\$115,175)	(\$15,471)	\$0	\$0	\$0	(\$130,646)
Encumbrances:	\$0	(\$30,250)	\$0	\$0	\$0	(\$30,250)
AECOM Technical Services, Inc., Contract:	\$0	(\$11,750)	(\$11,750)	\$0	\$0	(\$23,500)
12% Contingency:	\$0	(\$1,400)	(\$1,400)	\$0	\$0	(\$2,800)
<b>Budget Remaining (Proposed):</b>	<b>\$0</b>	<b>\$247,629</b>	<b>\$646,850</b>	<b>\$660,000</b>	<b>\$610,000</b>	<b>\$2,164,479</b>

Alpine Road Regional Trail, Coal Creek MAA10-001	Prior Year Actuals	FY22 Adopted	FY23 Projected	FY24 Projected	Estimated Future Years	TOTAL
<b>Total Budget:</b>	<b>\$467,648</b>	<b>\$175,325</b>	<b>\$2,980,840</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,623,813</b>
Spent-to-Date (as of 01/13/22):	(\$467,648)	(\$13,993)	\$0	\$0	\$0	(\$481,641)
Encumbrances:	\$0	(\$46,701)	\$0	\$0	\$0	(\$46,701)
AECOM Technical Services, Inc., Contract:	\$0	(\$3,850)	(\$3,850)	\$0	\$0	(\$7,700)
12% Contingency:	\$0	(\$450)	(\$450)	\$0	\$0	(\$900)
<b>Budget Remaining (Proposed):</b>	<b>\$0</b>	<b>\$110,331</b>	<b>\$2,976,540</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,086,871</b>

Restoration Forestry Demonstration Project MAA05-010	Prior Year Actuals	FY22 Amended*	FY23 Projected	FY24 Projected	Estimated Future Years	TOTAL
<b>Total Budget:</b>	<b>\$32,067</b>	<b>\$99,126</b>	<b>\$571,706</b>	<b>\$365,000</b>	<b>\$0</b>	<b>\$1,067,899</b>
Spent-to-Date (as of 01/13/22):	\$32,067	(\$1,920)	\$0	\$0	\$0	(\$33,987)
Encumbrances:	\$0	(\$15,475)	\$0	\$0	\$0	(\$15,475)
AECOM Technical Services, Inc., Contract:	\$0	(\$12,400)	(\$12,400)	\$0	\$0	(\$24,800)
12% Contingency:	\$0	(\$1,500)	(\$1,500)	\$0	\$0	(\$3,000)
<b>Budget Remaining (Proposed):</b>	<b>\$0</b>	<b>\$67,831</b>	<b>\$557,806</b>	<b>\$365,000</b>	<b>\$0</b>	<b>\$990,637</b>

\*FY22 amended budget includes proposed Q2 budget adjustment going to the Board at the same 02/09/22 meeting (R-22-XX)

La Honda Creek Phase II Trail Connections MAA05-007	Prior Year Actuals	FY22 Adopted	FY23 Projected	FY24 Projected	Estimated Future Years	TOTAL
<b>Total Budget:</b>	<b>\$0</b>	<b>\$95,573</b>	<b>\$191,049</b>	<b>\$80,000</b>	<b>\$105,000</b>	<b>\$471,622</b>
Spent-to-Date (as of 01/13/22):	\$0	(\$1,856)	\$0	\$0	\$0	(\$1,856)
Encumbrances:	\$0	\$0	\$0	\$0	\$0	\$0
AECOM Technical Services, Inc., Contract:	\$0	(\$3,100)	(\$3,100)	\$0	\$0	(\$6,200)
12% Contingency:	\$0	(\$350)	(\$350)	\$0	\$0	(\$700)
<b>Budget Remaining (Proposed):</b>	<b>\$0</b>	<b>\$90,267</b>	<b>\$187,599</b>	<b>\$80,000</b>	<b>\$105,000</b>	<b>\$462,866</b>

Structures Disposition #35010	Prior Year Actuals	FY22 Amended*	FY23 Projected	FY24 Projected	Estimated Future Years	TOTAL
<b>Total Budget:</b>	\$0	\$56,000	\$524,500	\$524,500	\$0	\$1,105,000
Spent-to-Date (as of 1/13/22):	\$0	\$0	\$0	\$0	\$0	\$0
Encumbrances:	\$0	\$0	\$0	\$0	\$0	\$0
AECOM Technical Services, Inc., Contract:	\$0	(\$2,050)	(\$2,050)	\$0	\$0	(\$4,100)
12% Contingency:	\$0	(\$250)	(\$250)	\$0	\$0	(\$500)
<b>Budget Remaining (Proposed):</b>	\$0	\$53,700	\$522,200	\$524,500	\$0	\$1,100,400

\*FY22 amended budget includes proposed Q2 budget adjustment going to the Board at the same 02/09/22 meeting (R-22-20)

Note: Fuel Reductions project #61017, Lower Turtle Pond Enhancement project (no project number), and Structures Disposition project #35010 are not funded by Measure AA.

## PRIOR BOARD AND COMMITTEE REVIEW

### Alpine Road and Thornewood Fuel Reduction

The Board approved the Environmental Impact Report (EIR) prepared for the WFRP on May 12, 2021 ([R-21-58](#), [Minutes](#)). Under the WFRP, the project area is prioritized as a Tier 1 or 2, with additional areas included for economy of scope.

### Alpine Road Regional Trail at Coal Creek OSP

The Board certified the Mitigated Negative Declaration for the Alpine Road Trail Improvements on January 13, 2021 ([R-21-04](#), [Minutes](#)). This project covers the proposed re-route of the existing “Bypass Trail” alignment.

### Restoration Forestry Demonstration Project

On July 28, 2021, the Board received a presentation on the findings of the La Honda Forest Health Management Assessment ([R-21-103](#), [Minutes](#))

### La Honda Creek Phase II Trail Connections

The Board certified the Mitigated Negative Declaration and approved the La Honda Creek Master Plan on August 22, 2012 ([R-22-15](#), [Minutes](#)). This project covers Phase II of the proposed Master Plan trail alignments for public access.

### Lower Turtle Pond Enhancement

A Board Committee did not previously review this item. The botanical survey is necessary to determine the feasibility of the proposed pond improvements and to develop the project description.

### Structures Disposition

Botanical surveys for this work would not be authorized until and if the Board approves the demolition work. This item is planned to come before the Board for consideration on February 23, 2022.

**PUBLIC NOTICE**

Public notice was provided as required by the Brown Act.

**CEQA COMPLIANCE**

Award of a contract is not a project subject to the California Environmental Quality Act. Additionally, the proposed botanical surveys to be provided by the consultant are categorically exempt from the California Environmental Quality Act (CEQA) under Article 19, Section 15306:

Section 15306 exempts basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded.

Implementation of the projects identified above require a separate CEQA analysis. For each respective project, the Board has taken or will take a separate action to proceed with the project, at which time the appropriate CEQA determination and findings are made.

**NEXT STEPS**

Following Board approval, the General Manager will execute a contract with AECOM Technical Services, Inc., for a two-year period beginning in FY22.

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