



Midpeninsula Regional
Open Space District

R-22-61
Meeting 22-13
May 25, 2022

AGENDA ITEM 4

AGENDA ITEM

Award of a Professional Services Contract to provide Feasibility Studies, prepare an Alternatives Analysis and Preliminary Wildlife Crossing Design, and perform associated Environmental and Engineering Services to improve Wildlife Connectivity for Newts across Alma Bridge Road

GENERAL MANAGER'S RECOMMENDATIONS

1. Authorize the General Manager to enter into a contract with AECOM Technical Services, Inc., of Oakland, California to provide feasibility analysis, design, and environmental and engineering services for a base amount of \$278,228.
2. Authorize an allowance of \$86,910 for optional tasks, including cost modeling/monitoring program design and hydrology and hydraulics analysis, that may be deemed necessary and/or provide additional value for the overall project.
3. Authorize a 10% contingency of \$27,823 to be reserved for unanticipated issues, bringing the total contract to a not-to-exceed amount of \$392,961.

SUMMARY

The Midpeninsula Regional Open Space District (District) requires assistance from a qualified engineering and environmental services team for the Alma Bridge Newt Passage Project (Project). The Project is an interagency effort to provide wildlife passage for semiaquatic species (primarily California newts, *Taricha torosa*) across Alma Bridge Road near Lexington Reservoir adjacent to Sierra Azul Open Space Preserve in Santa Clara County, California.

A Request for Qualifications and Proposal (RFQP) was issued on February 18, 2022. The General Manager recommends awarding a contract to AECOM Technical Services, Inc., (AECOM) to provide services for a base amount of \$278,228, an allowance of \$86,910, and authorizing a 10% contingency amount of \$27,823 for a not-to-exceed total contract amount of \$392,961.

The scope under the recommended contract consists of the first phase of project work focused on feasibility, alternatives analysis, conceptual designs and providing a recommended California Environmental Quality Act (CEQA) approach for the Project. Future project phases include completing required environmental assessments (e.g., geotechnical, biological, archaeological, etc.) and CEQA review, developing construction plans, acquiring permits, providing construction support, and preparing final as-built construction drawings. Future phases may be awarded under a contract amendment based on performance and would return at a later date for Board approval.

The amended Fiscal Year 2021-22 (FY22) budget includes sufficient funds to cover the work through the end of the fiscal year. Phase One is scheduled to be complete in calendar year 2023. Funding for future year budgets will be requested as part of the annual Budget and Action Plan process. Additional funding opportunities are being explored in conjunction with Santa Clara County to offset and/or supplement District funding.

BACKGROUND

Alma Bridge Road is a two-lane Santa Clara County owned and maintained road adjacent to Lexington Reservoir in the southwestern portion of the county that provides access for multiple needs and users: property owners and residents in the Lexington Hills and Soda Springs neighborhoods; recreational users visiting Lexington Reservoir County Park, St. Joseph's Hill and Sierra Azul Open Space Preserves; staff and clients at Lupin Lodge; and personnel of Santa Clara County (County), the District, Valley Water, San Jose Water Company, and Vulcan Materials Company to access their facilities.

Alma Bridge Road parallels the northern and eastern shores of Lexington Reservoir and is a linear obstacle for migrating native wildlife species (primarily newts) that must cross the roadway from surrounding upland areas to access aquatic breeding habitat in Lexington Reservoir and surrounding creeks.

The District was first notified of newt mortality along Alma Bridge Road in November 2017 by a District volunteer. Ongoing monitoring by community science volunteers has documented over 27,000 dead newts on Alma Bridge Road since monitoring began in 2017. In response, District staff have been working with newt advocacy groups (Sierra Club, Audubon, Center for Biological Diversity, Community Science Volunteers), researchers (US Geologic Survey and US Davis Road Ecology Center), and partner entities Peninsula Open Space Trust (POST), Santa Clara County Roads and Airports (County Roads), Santa Clara County Parks (County Parks), Valley Water, and the California Department of Fish and Wildlife (CDFW) to better understand the issue and conduct a study of road related newt mortality, completed in 2021 (See [Board FYI dated December 8, 2021](#)).

The District and County signed a Cooperative Agreement in February 2022 (See [Board FYI dated March 9, 2022](#)) to work together in identifying and selecting one or more corrective actions to provide safe passage for semiaquatic species (primarily newts) across Alma Bridge Road. Working under this Agreement, the District released a RFQP in February 2022 to solicit consultant services for this effort.

DISCUSSION

Project Description

The Project is an interagency effort to provide wildlife passage for semiaquatic species (primarily newts) across Alma Bridge Road in Santa Clara County, California. The project consists of multiple phases of work: Phase One (the subject of the recommended contract) is focused on feasibility, alternatives analysis, conceptual designs and providing a recommended CEQA approach for the Project. Future phases are anticipated to include completing required environmental assessments (e.g., geotechnical, biological, archaeological, etc.) and CEQA review, developing construction plans, acquiring permits, providing construction support, and

preparing final as-built construction drawings. Based on the feasibility and cost of alternatives identified, the District and County will consider amending the February 2022 Cooperative Agreement to describe how the two entities will cooperate in completing future phases of the project, including environmental assessments, CEQA, final designs, permitting, implementation and monitoring.

Consultant Selection

A Request for Proposals and Qualifications (RFQP) was posted on Bidsync in February 2021 soliciting for wildlife crossing design expertise and engineering and environmental consulting services to identify and select one or more corrective actions to provide safe passage for semiaquatic species across Alma Bridge Road. Evaluation criteria were determined prior to the release of the RFQP that included the quality of the proposal, implementation approach, and implementation expertise.

A total of seven firms attended one of two on-site preproposal tours hosted jointly by the District and County Roads. Background on the newt mortality issue was presented along with an overview of the project area, partners, stakeholders, and site-specific issues such as geologic constraints. Three firms (AECOM, Dudek and Sherwood Engineering) submitted proposals that were reviewed by an interagency team comprised of representatives from County Parks, County Roads, Valley Water, and the District. All three firms were advanced to interviews with the review team. Consultants were asked a total of ten questions developed by the interagency team to address each of their agencies' specific needs and/or goals for the project (e.g. recreation, traffic, hydrology, biology, wildlife connectivity etc.) At the conclusion of the interviews, AECOM was unanimously ranked highest by all members of the review team.

AECOM will bring world-class wildlife crossing expertise to the Project, including Tony Clevenger, an authority on wildlife crossings, Tom Langton, and international crossing expert, and Cheryl Brehme, who has previously supported this project through peer review of the [2021 H.T. Harvey Study](#). These technical experts literally "wrote the book" - [Measures to Reduce Road Impacts on Amphibians and Reptiles in California. Best Management Practices and Technical Guidance](#), which was prepared for the California Department of Transportation (Caltrans) and provides the latest scientific guidance on wildlife crossing design for amphibians and reptiles. In addition, for project continuity and local expertise, Jeff Wilkinson of H.T. Harvey (who was a primary author of the 2021 H.T. Harvey Study) and Merav Vonshak (lead scientist from the community scientist newt patrol) will also support the AECOM team.

AECOM also brings extensive experience with roadway infrastructure and wildlife crossing design for a variety of roadways and agencies. Notable projects include: traffic calming on Junipero Serra Boulevard for Santa Clara County, Highway 17 Wildlife and Trail Crossings Project for the District, Interstate 680 Express Lanes for Caltrans, State Route 37 for the Bay Area Metropolitan Transportation Commission and the Fresno to Bakersfield Segment for the High Speed Rail Authority.

Their approach also focuses on avoiding and minimizing impacts through early project design, which aligns well with the District's recently adopted Mitigation Policy. They described several CEQA exemptions that may be explored and are qualified and ready to prepare a larger environmental document in future phases as warranted based on assessments results conducted during Phase One. AECOM will also be able to leverage information from preliminary

environmental assessments conducted for the District’s Highway 17 Wildlife and Regional Trail Crossings Project, especially in areas that overlap geographically with the study area for this Project.

One of the primary notable components about the AECOM team is their vision for the Project which includes: “getting newts across the roadway and people and traffic across newt habitat.” They spoke to the importance of reaching out to all stakeholders in the project, including newt advocates, recreational users, residents, local businesses, emergency services, land management agencies, and utilities. During their interview, they provided an example of a highly complex project having multiple stakeholders where they established a formal working group to develop a Memorandum of Understanding for Project goals and information sharing. At the request of the District and County, AECOM agreed to add a public working group task to the scope of work.

The other firms that submitted proposals either did not possess the same depth of wildlife crossing expertise or were heavily focused on wildlife outcomes and did not fully address the entire breadth and wide-ranging needs of the Project (such as recreation, traffic, hydrology, etc.)

Refinements to the Project scope that occurred during contract negotiations, including adding a new task under the base contract and a separate allowance for optional tasks, brings the recommended contract amount to \$392,961. This amount includes a contingency of 10% to address potential unforeseen conditions that may arise. Most of the Project is located within road right-of-way or adjoining lands (owned by varying partner agencies) and may have issues unknown to the District.

FISCAL IMPACT

The FY22 amended budget includes \$20,000 for the Alma Bridge Road Newt Mortality and Population Study project VP22-001. There are sufficient funds in the project budget to cover the recommended action and expenditures through the end of the fiscal year. The upcoming FY23 Budget includes a proposed budget of \$230,000 to continue this work.

Based on the need for additional funds to complete both Phase One and future phases (based on cost estimates completed in Phase 1), additional funding will be needed and is being explored in conjunction with Santa Clara County, including grant funds from Valley Water, Santa Clara County Fish and Game Commission, and the Wildlife Conservation Board. Project management staff are working with Grants Program staff to prepare grant requests to offset and/or supplement current District funding. Should the District be unsuccessful in securing additional funding to cover the cost of the recommended action, a budget adjustment in FY23 would be requested at a quarterly review.

Alma Bridge Road Newt Mortality and Population Study VP22-001	Prior Year Actuals	FY22 Amended*	FY23 Projected	FY24 Projected	Estimated Future Years	TOTAL
Total Budget:	\$149,996	\$20,000	\$230,000	\$0	\$0	\$399,996
Spent-to-Date (as of 4/26/2022):	(\$149,996)	\$0	\$0	\$0	\$0	(\$149,996)
Encumbrances:	\$0	\$0	\$0	\$0	\$0	\$0
AECOM Contract:	\$0	(\$10,000)	(\$268,228)	\$0	\$0	(\$278,228)

10% Contingency:	\$0	\$0	(\$86,910)	\$0	\$0	(\$86,910)
Allowance:	\$0	\$0	(\$27,823)	\$0	\$0	(\$27,823)
Budget Remaining (Proposed):	\$0	\$10,000	(\$152,961)	\$0	\$0	(\$142,961)

**Quarter 3 adjustment going to the Board at the same 5/25 meeting*

The recommended action is currently not funded by Measure AA because it is in the study and feasibility stage. Once a capital project with construction is developed, this project may become Measure AA eligible.

BOARD AND COMMITTEE REVIEW

Prior items pertaining to this issue have been brought before the Planning and Natural Resources Committee (PNR) during the Beatty Parking Area and Trail Connection Project or as informational items (FYIs) to the full Board on the following dates:

- [PNR meeting \(R-20-07\), January 14, 2020](#)
- [FYI dated July 8, 2020](#)
- [PNR meeting \(R-20-83\), August 4, 2020](#)
- [Board Agenda Item \(R-20-104\), September 23, 2020, minutes](#)
- [FYI dated December 8, 2021](#)
- [FYI dated March 9, 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 CEQA. Additionally, Phase One is categorically exempt from 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.

The Project is currently in the planning and feasibility phase for possible future actions that have not yet been approved, adopted or funded, but are anticipated. The Consultant scope of work under Phase One includes recommending a CEQA approach for future phases of the Project. Once the CEQA approach and lead agency for this Project are determined, this information will be provided to the Board.

NEXT STEPS

If approved, the General Manager will enter into a contract with AECOM. Final contract signature is subject to meeting all District requirements, such as having all required insurance in place. Phase One completion is anticipated in calendar year 2023. The timing of future phases of the project, including environmental assessments, CEQA, final designs, permitting,

implementation and monitoring will be dependent on the results of Phase One, funding availability, and agreements with partner agencies.

Attachment:

1. Project Map

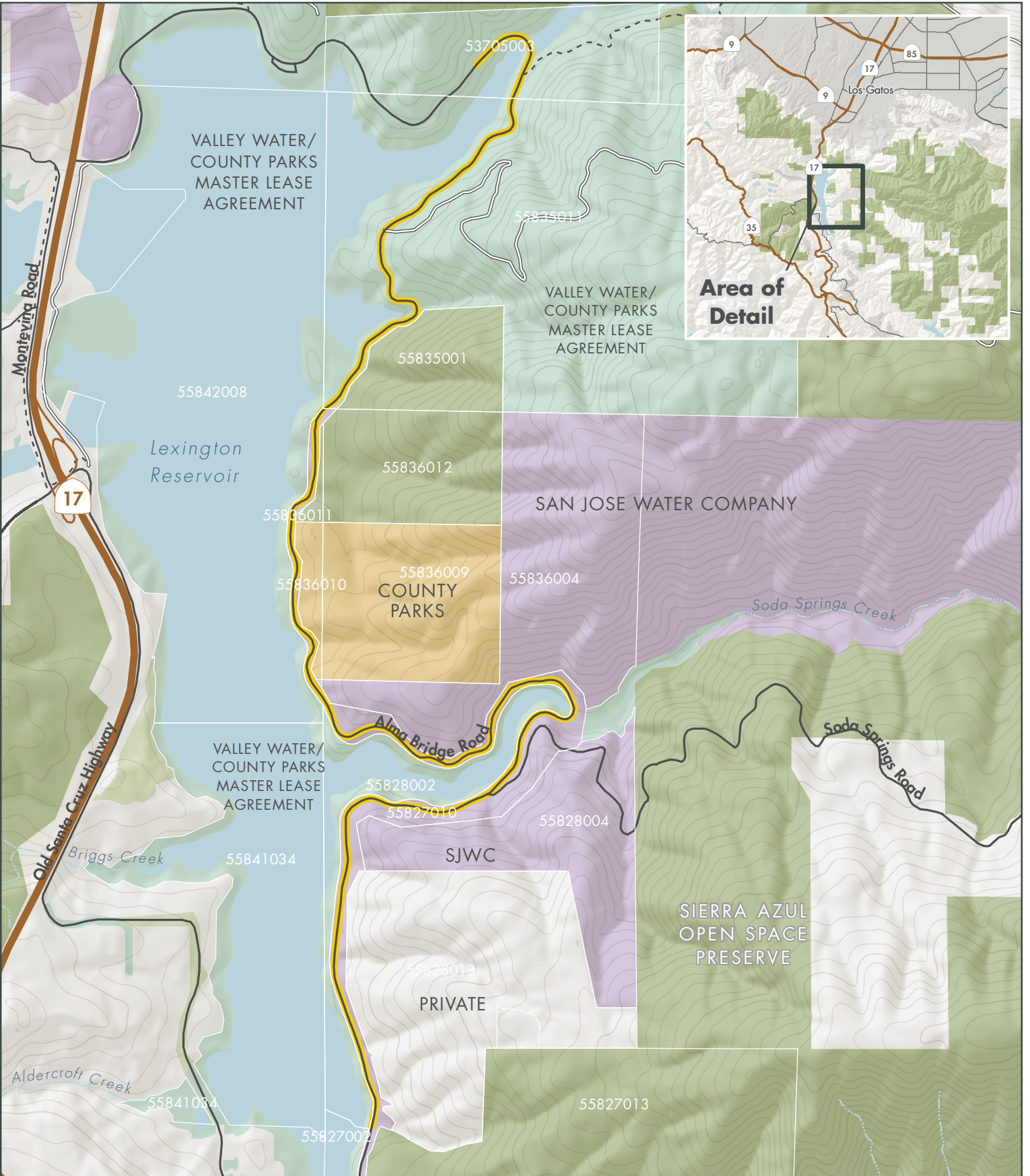
Responsible Department Head:

Kirk Lenington, Natural Resources Department Manager

Prepared by / Contact person:

Julie Andersen, Senior Resources Management Specialist Natural Resources Department

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Created By: ngreig



Alma Bridge Road Newt Mortality Interagency Project Area

- Midpen preserve
- Valley Water property
- County Parks property
- SJWC property
- Other protected land
- Other private property
- Project Area

Midpeninsula Regional
Open Space District
(Midpen)
11/18/2021



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.