



Midpeninsula Regional  
Open Space District

## PROCUREMENT AGENDA ITEM

R-25-119  
Meeting 25-26  
September 24, 2025

### AGENDA ITEM 3

#### AGENDA ITEM

Award of Contract for State and Federal Programmatic Permit Compliance Support

#### GENERAL MANAGER'S RECOMMENDATIONS

1. Authorize the General Manager to enter into a contract with Montrose Environmental to provide consulting services over a two-year period in support of state and federal programmatic permit compliance for implementation of the Open Space Maintenance and Restoration Program for a base amount not to exceed \$346,693.
2. Authorize a 10% contingency of \$34,669 to cover unforeseen circumstances for a total contract amount not to exceed \$381,362.

#### DISCUSSION

Performing work in regulated habitats requires extensive coordination with environmental regulatory agencies and careful compliance with permit requirements. In 2018, Midpeninsula Regional Open Space District (District) initiated development of a programmatic approach to authorizing small-scale restoration, routine maintenance, and facility improvements. The goal has been to streamline environmental permitting, enabling the District to implement projects more efficiently while reducing the workload of obtaining individual project approvals.

This effort resulted in the Open Space Maintenance and Restoration Program (OSMRP) and its associated Initial Study/Mitigated Negative Declaration (IS/MND), finalized in 2021. The OSMRP provides a robust framework of best management practices, avoidance and minimization measures, and other protective strategies that allow the District to deliver high-quality land stewardship projects while avoiding or minimizing impacts to natural resources.

Along with establishing the OSMRP, the District secured a suite of programmatic permits from the California Department of Fish and Wildlife, San Francisco Bay Regional Water Quality Control Board, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and the County of San Mateo. For these programmatic permits, the District submits a list of projects planned for the year that must remain within the permit thresholds for site disturbance. Each programmatic permit, in addition to the OSMRP, contains a unique set of conditions that is specific to the agency. The District is required to comply with all conditions, which depending on the project

may include biological and cultural surveys, sensitive resource buffers, site monitoring, revegetation, invasive weed management, erosion control, seasonal restrictions, etc.

Since 2022, the District has engaged consultant support to help get authorization for up to 75 projects per year under the OSMRP and the programmatic permits. The proposed two-year contract with Montrose Environmental will supply the District with technical assistance to prepare and submit project notifications to the regulatory agencies, track programmatic permit approvals for the annual projects, and ensure compliance with all permit conditions during project implementation. The consultant will also help streamline the reporting process of work completed and permit conditions met, prepare for upcoming permit renewals, and, if necessary, support the acquisition of new or expanded programmatic permits to maintain the program's effectiveness.

## **BUDGET / FISCAL IMPACT**

### **The current fiscal year budget contains:**

- ☒ sufficient funds.
- ☐ insufficient funds; the next quarterly budget update will include a reallocation of unspent funds from other budgets to cover this expenditure.
- ☐ insufficient funds; approval of this item requires a fiscal year budget augmentation.
- ☐ future fiscal year budgets will include additional funds to complete the contracted work.

### **Measure AA**

- ☒ No, this contract is not part of a Measure AA project.
- ☐ Yes, this contract is part of a Measure AA project.

## **PROCUREMENT PROCESS AND SELECTION**

On July 21, 2025, staff issued a Request for Qualifications and Proposals (RFQP) via BidNet Direct and sent emails to a list of qualified firms. A mandatory pre-proposal conference call was held on August 4, 2025, attended by 11 firms. The following three firms submitted proposals by the August 25, 2025, deadline.

<b>Consultant</b>	<b>Location</b>	<b>Proposed Fee</b>
Montrose Environmental	Oakland, CA	\$346,693
Environmental Science Associates (ESA)	Oakland, CA	\$792,981
NCE	Richmond, CA	\$2,749,940

The proposals were evaluated using criteria outlined in the RFQP, including quality of the proposal, implementation approach, implementation expertise, time and cost saving strategies and their experience working with programmatic environmental permitting compliance in California. The panel deemed Montrose Environmental as the most qualified and best suited for the Project at a fair and reasonable price.

## PRIOR BOARD/COMMITTEE ACTION SUPPORTING THE PROJECT

- On July 25, 2018 the Board approved entering into a contract with Montrose Environmental Solutions Inc., formerly Horizon Water and Environment, LLC., to provide state and federal environmental permitting and CEQA services ([R-18-90, Minutes](#)).
- On May 15, 2019, the contract was amended to provide additional permitting support ([R-19-54, Minutes](#)).
- On January 26, 2021, the Open Space Maintenance and Restoration Program Initial Study/Mitigated Negative Declaration was adopted by the Planning and Natural Resources committee ([R-21-12, Minutes](#)) and on September 22, 2021 it was approved by the Board ([R-21-126, Minutes](#)).

## 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. An IS/MND was prepared in 2021 to implement all projects covered under the OSMRP (state clearinghouse number 2021080129). Any projects that aren't covered by the OSMRP IS/MND would separately undergo environmental review.

## NEXT STEPS

If approved, Montrose Environmental will assist the District with implementing the OSMRP for an initial two-year term. At the end of this period, staff may return to the Board to request authorization for a two-year extension.

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