



Midpeninsula Regional
Open Space District

R-23-110
Meeting 23-29
October 11, 2023

AGENDA ITEM 4

AGENDA ITEM

Award of Contract to Ecological Concerns for Alpine (Road) Trail Plant Installation & Maintenance

GENERAL MANAGER'S RECOMMENDATIONS *den*

1. Authorize the General Manager to execute a one-year term contract with Ecological Concerns of Santa Cruz, in the amount of \$191,460 for plant installation and maintenance to address permit conditions for the Alpine (Road) Regional Trail Improvement Project.
2. Authorize the General Manager to extend the contract for up to four additional one-year terms and amend the scope of work to cover future plant installation and maintenance services to ensure complete satisfaction of the permit conditions, for a base not-to-exceed contract amount of \$610,814 over the five-year term, based on contractor performance.
3. Authorize a 10% contingency of \$61,081 over the five-year term to address unforeseen issues, for a total not-to-exceed contract amount of \$671,895 over the five-year term.

SUMMARY

The recommended contract is for installation and maintenance of 2,562 nursery plants and 210 direct-seeded tree basins to revegetate Site 14 of the Alpine (Road) Regional Trail Improvement Project for the Midpeninsula Regional Open Space District (District) in Coal Creek Open Space Preserve (Preserve). The contract scope of work includes the installation of nursery plants and direct-seeded tree basins; certified weed-free straw installation; maintenance and removal of tree shelters; watering; weeding nursery plant and direct-seeded basins; invasive species control; replacement planting; general site maintenance; monitoring; and reporting. The proposed contract with Ecological Concerns would complete Year 1 of annual plant installations and maintenance at a cost of \$191,460. The contract also provides the District with the option, based on contractor performance, to extend the agreement for up to four additional years for a not-to-exceed total amount of \$610,814 over a five-year term. A 10% contingency of \$61,081 is recommended over the five-year term (~\$12,216 per year) in the event add-on tasks are necessary to meet revegetation metrics or permit conditions. The Fiscal Year 2023-24 (FY24) budget includes sufficient funding to cover the recommended actions through the end of the fiscal year. Funding for future years would be requested as part of the annual budget process.

BACKGROUND

Alpine (Road) Regional Trail follows a former dirt roadbed that extends between the end of paved Alpine Road in the north and Page Mill Road near Skyline Boulevard in the south. It runs

approximately 2.3 miles through Coal Creek Open Space Preserve (Preserve) and serves as an important regional connection for cyclists and hikers traveling from Portola Valley to upper Page Mill Road.

The Board of Directors (Board) approved the Upper Alpine (Road) Trail Repair Project on March 14, 2018 ([R-18-19](#)), awarded a contract to Waterways Consulting, Inc., for project design, permitting, bidding and construction on October 24, 2018 ([R-18-124](#)), and on April 27, 2022 ([R-22-49](#)), awarded a contract to Granite Rock Company to complete the necessary improvements. The project required permit coverage from the US Army Corps of Engineers (USACE), US Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the Regional Water Quality Control Board (RWQCB). Per permit conditions, mitigation is required to compensate for impacts that occurred during construction activities. This proposed contract would implement the project's final phase of required plant installation and maintenance.

DISCUSSION

In 2022, as part of the Alpine (Road) Regional Trail Improvement Project, the District replaced a failed culvert at site 14 with a new 210-foot-long culvert. The project required extensive grading to stabilize overly steepened slopes and roadbed scouring that occurred as a result of a culvert failure during heavy rains in 2016-17. The repairs left a large area of bare soil requiring restoration planting. The Site 14 planting plan that was approved by the permitting agencies as mitigation work for the repair outlines the installation of 2,562 nursery-grown, native perennials, shrubs, and trees, and 210 coast live oak (*Quercus agrifolia* var. *agrifolia*) and California buckeye (*Aesculus californica*) direct-seeded tree basins. Plantings will cover an area of over 0.5-acres, approximately 23,750 square feet, on slopes with a finished grade of 2:1 (where the hillside drops 1 foot for every 2 horizontal feet).

Due to difficulties propagating (growing) some native plant species, some nursery plants may take several years to propagate and may require phased installation over several years. As part of a successful revegetation effort, installed plants require three to five years of maintenance (e.g., watering and weeding) before they are established well enough to survive on their own. Continuous annual watering is not practical at Site 14 and will therefore only occur in Year 1. The site is being overplanted by approximately 25% because higher mortality levels of installed plants are anticipated.

The tasks under the first-year agreement, with four potential, one-year extensions based on contractor performance, include:

- Installation of 2,562 nursery-grown, native perennials, shrubs, and trees
- Installation of 210 direct-seeded tree basins
- Installation of certified weed-free straw around nursery plant and direct seeded basins
- Maintenance and removal of tree shelters
- Watering nursery plants and direct-seeded tree basins for one year
- Hand weeding nursery plant and direct-seeded tree basins
- Invasive species control along 2.3 miles of Alpine (Road) Regional Trail
- Replacement planting
- General site maintenance
- Monitoring and reporting

Due to the unknowns of plant installation work and plant establishment periods, such as plant pathogen testing and drought conditions, the contract allows the District to annually assess the work and exercise the option to extend the agreement one year at a time, for a total of five years, to ensure full satisfaction of the associated mitigation permit conditions. This approach will also confirm whether the contractor can successfully meet the revegetation goals each year to extend the term of the work and allow the District to adjust the details of the revegetation work based on how quickly and how successful newly planted areas become well established. A 10% contingency is also recommended due to unforeseen conditions, such as higher mortality of installed plants due to potential drought conditions, which may require replacement planting beyond what is included in the scope of work.

Contractor Selection

A Request for Bids (RFB) was released on August 24, 2023, via Periscope, and released to five Builders' Exchanges. Legal notices were posted in the San Jose Mercury News and the Los Gatos Weekly Times, and a link to the solicitation was posted on the District website. A mandatory pre-bid site walk was held on September 8, 2023, with three contractor firms in attendance. Staff issued three addenda, clarifying questions on the RFB during the pre-bid site walk. Two bids were received and opened on September 20, 2023, with the results as follows:

Bidder	Location	Total Annual Base Bid	Percent Difference from Annual Cost Estimate of \$203,135
Ecological Concerns	Santa Cruz, CA	\$ 191,460	-19.0%
Confluence Restoration	Santa Cruz, CA	\$ 199,420	-14.2%

Ecological Concerns, of Santa Cruz, CA, was determined to be the lowest responsive and responsible bidder. Ecological Concerns' bid covers the first year of work at a cost of \$191,460. If the contract is extended for the full five-year period, the total cost would not exceed \$610,814. In addition, a 10% contingency of \$61,081 over the five-year term is recommended, for a total not-to-exceed contract amount of \$671,895.

FISCAL IMPACT

This contract includes both Fund 30 Measure AA work (initial plant installation) and Fund 10 operating expenditures (maintenance and replacement).

The adopted FY24 MAA Fund 30 budget includes \$1,106,763 for the Alpine (Road) Regional Trail, Coal Creek project MAA10-001. There are sufficient funds in the Fund 30 project budget, inclusive of other encumbrances, to cover eligible MAA costs under the contract through the end of the fiscal year.

There is sufficient funding in the adopted FY24 Fund 10 operating budget to cover operating costs for non-MAA project work through the end of the fiscal year.

The bulk of expenditures in future years under potential contract extensions will be for maintenance work classified as Fund 10 operating expenses. Funding for future years will be recommended as part of the annual budgeting process.

Alpine Road Regional Trail, Coal Creek MAA10-001	Prior Year Actuals	FY24 Adopted	FY25 Projected	FY26 Projected	Estimated Future Years	TOTAL
District Funded (Fund 30):	\$2,041,414	\$1,106,763	\$30,000	\$20,000	\$60,000	\$3,258,177
Grant Amount:	\$272,211	\$0	\$0	\$0	\$0	\$272,211
Total Budget:	\$2,313,625	\$1,106,763	\$30,000	\$20,000	\$60,000	\$3,530,388
Spent-to-Date (as of 09/21/23):	(\$2,313,625)	(\$2,212)	\$0	\$0	\$0	(\$2,315,837)
Encumbrances:	\$0	(\$753,198)	\$0	\$0	\$0	(\$753,198)
Ecological Concerns Inc. Contract:	\$0	(\$116,872)	(\$19,000)	(\$20,000)	(\$44,000)	(\$199,872)
10% Contingency:	\$0	(\$11,687)	(\$1,900)	(\$2,000)	(\$4,400)	(\$19,987)
Budget Remaining (Proposed):	\$0	\$222,794	\$9,100	(\$2,000)	\$11,600	\$241,494

The following table outlines the Measure AA Portfolio 10 Coal Creek — Reopen Alpine Road for Trail Use allocation, costs-to-date, projected future project expenditures and projected portfolio balance remaining.

MAA10 Coal Creek — Reopen Alpine Road for Trail Use Portfolio Allocation:	\$8,017,000
Grant Income (through FY27):	\$272,211
Total Portfolio Allocation:	\$8,289,211
Life-to-Date Spent (as of 09/21/23):	(\$2,315,837)
Encumbrances:	(\$753,198)
Remaining FY24 Project Budgets:	(\$351,353)
Future MAA10 project costs (projected through FY27):	(\$110,000)
Total Portfolio Expenditures:	(\$3,530,388)
Portfolio Balance Remaining (Proposed):	\$4,758,823

The following table outlines the Measure AA Portfolio 10 allocation, projected life of project expenditures and projected portfolio balance remaining.

MAA10 Coal Creek — Reopen Alpine Road for Trail Use Portfolio Allocation:	\$8,017,000
Grant Income (through FY27):	\$272,211
Total Portfolio Allocation:	\$8,289,211
Projected Project Expenditures (life of project):	
10-001 Alpine Road Regional Trail, Coal Creek	(\$3,530,388)
Total Portfolio Expenditures:	(\$3,530,388)
Portfolio Balance Remaining (Proposed):	\$4,758,823

PRIOR BOARD AND COMMITTEE REVIEW

- **March 14, 2018:** The Board approved the Upper Alpine Road Regional Trail Improvement Project. ([R-18-19](#), [meeting minutes](#))
- **October 24, 2018:** The Board approved the Award of Contract with Waterways Consulting, Inc., for design and engineering services, preparation of construction documents, permitting and bidding process support, and construction oversight for the

Alpine Road Trail Repair at Coal Creek Open Space Preserve. ([R-18-124](#), [meeting minutes](#))

- **February 13, 2019:** The Board approved the Memorandum of Understanding with the County of San Mateo for the repair and future transfer of ownership and management of the Alpine Road Trail. ([R-19-19](#), [meeting minutes](#))
- **April 6, 2020:** The Board adopted a resolution authorizing the District to apply for Stanford Recreation Mitigation Funding from Santa Clara County and enter into a funding agreement if the application was successful. ([R-20-30](#), [meeting minutes](#))
- **January 13, 2021:** The Board certified the Mitigated Negative Declaration for the Alpine Road Trail Improvements. ([R-21-04](#), [meeting minutes](#)).
- **April 27, 2022:** The Board authorized the award of contract to Granite Rock Company to complete the Alpine Road Regional Trail Improvement Project ([R-22-49](#), [meeting minutes](#)).

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

The revegetation and plant maintenance work that is the subject of the recommended contract was analyzed in the Alpine (Road) Trail Improvements Project Initial Study/Mitigated Negative Declaration, which was certified by the Board on January 13, 2021 (R-21-04).

NEXT STEPS

Upon Board authorization, the General Manager will execute a contract with Ecological Concerns to complete the plant installation and maintenance work at the Alpine (Road) Regional Trail.

Attachment:

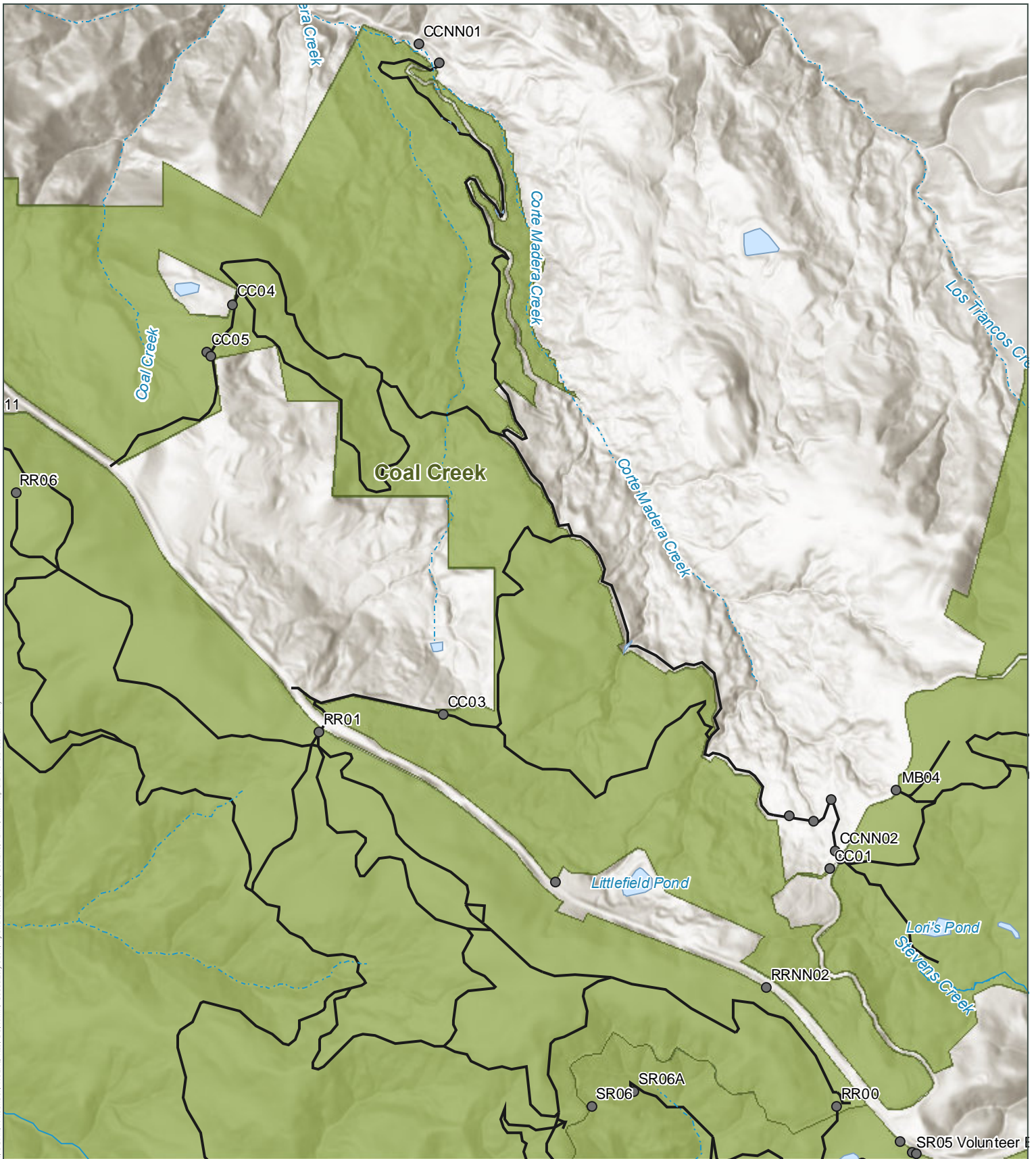
1. Alpine Road Site Access Map

Responsible Department Head:

Kirk Lenington, Natural Resources Department Manager

Prepared by:

Amanda Mills, Resource Management Specialist II



Alpine Road Site Access

Gate

- Other
- Present
- Hiking, bicycling, equestrian trail
- Preserve Boundary (fill)

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Midpeninsula Regional
Open Space District
(MROSD)



9/27/2023

