



Midpeninsula Regional
Open Space District

R-23-104
Meeting 23-26
September 13, 2023

AGENDA ITEM 7

AGENDA ITEM

Award of Contract for the Bear Creek Redwoods Landfill Cleanup Project at Bear Creek Redwoods Open Space Preserve

GENERAL MANAGER'S RECOMMENDATIONS

1. Award a contract to PARC Environmental of Fresno, California, for a not-to-exceed base contract amount of \$192,395.
2. Authorize a 15% contingency in the amount of \$28,859 to be reserved for unanticipated issues.
3. Authorize an allowance of \$28,860 to cover additional costs to transport and dispose of certain materials as hazardous waste, if unanticipated materials or higher concentrations of contaminants are found during the project, bringing the total not-to-exceed contract amount to \$250,114.

SUMMARY

The Bear Creek Redwoods Landfill Cleanup Project (Project) will remove general dump debris and hazardous containing materials and soils from a former landfill site associated with the Jesuit-Era Alma College, located within Bear Creek Redwoods Open Space Preserve (Preserve). The scope of work consists of the removal, stockpiling, and disposal of general debris, asbestos-containing materials, ash-containing hazardous materials, and petroleum-stained soils from an abandoned 1-acre dump site. Material scheduled for removal includes 145 cubic yards of debris, tires, appliances, vehicles, and 250 tons of hazardous mixed ash and soils.

The Midpeninsula Regional Open Space District (District) issued a Request for Bids (RFB) on August 3, 2023, and received two (2) bid proposals on August 30, 2023. PARC Environmental (PARC) of Fresno, California, was identified as the lowest responsive and responsible bidder. The General Manager recommends awarding a contract to PARC for a base amount of \$192,395. As the construction site is located within and adjacent to sensitive habitat with challenging access constraints and high risk of erosion, the General Manager also recommends authorizing a 15% contingency in the amount of \$28,859 to cover unanticipated construction issues bringing the contract to a not-to-exceed total of \$221,254. Additionally, the General Manager recommends awarding an allowance in the amount of \$28,860 to cover potential additional materials or higher concentrations of hazardous materials discovered during excavation not anticipated by the base contract work, bringing the total not-to-exceed contract amount to \$250,114. The adopted Fiscal Year 2023-24 (FY24) project budget is insufficient to cover the recommended action and expenditures. A budget adjustment during a quarterly review

to shift available unspent funds from other projects is planned. The project is scheduled to be completed by end of Fall 2023.

BACKGROUND

The Project site consists of a former village, workshops, and landfill associated with the Jesuit era of Alma College (1934 – 1969) (Attachment 1). The landfill consists of two over the hill side-cast dump sites adjacent to and downhill from the Alma College Loop Trail and future Phase III public access trail. Surface level debris consisting of tires, vehicles, appliances, drums, and miscellaneous debris cover a roughly 1-acre site. On July 25, 2018, the Board of Directors (Board) approved an Award of Contract with Geocon Consulting, Inc. (Geocon) to complete an assessment and characterization of suspected hazardous materials at the former Alma College dump site and develop a remediation work plan.

In 2018, Geocon completed a Phase I Environmental Site Assessment (ESA) of the former dump site and village. Geocon identified suspect asbestos-containing material, oil drums, and up to a 10-inch thick ash layer covering portions of the dump site immediately adjacent to the future Phase III public access trail. Geocon also identified stained soils within the former village site along the Alma College Loop Trail, consistent with petroleum staining, possibly from former gasoline fueling facilities related to a vehicle garage once located along the trail.

In 2019, Geocon completed a Phase II ESA, which included a comprehensive site assessment and hazardous material sampling and testing. Results from the Phase II ESA confirmed the presence of lead and cadmium within the soil profiles at concentrations that exceed commercial/industrial screening levels for soils. Concentrations of lead, zinc, and copper were identified within the ash profiles that require transportation and disposal at a Class-I facility as hazardous waste. Diesel, petroleum motor oil, and asbestos were also identified within the dump site and within the former village site, but at lower levels that do not necessitate disposal in a Class I landfill. Removal of the dump debris and hazardous materials are required prior to opening the Alma College Loop Trail and future Phase III trails to public access.

DISCUSSION

The Project consists of the excavation, removal, stockpiling, and disposal of general dump debris, asbestos-containing materials, ash-containing hazardous materials, and petroleum-stained soils from the former village site and dump area. Material scheduled for removal includes 145 cubic yards of debris, tires, appliances, vehicles, and 250 tons of mixed ash and soils. The contractor will temporarily stockpile excavated material suspected of containing hazardous materials. Geocon will provide hazardous material oversight during construction, which includes the waste characterization testing of the excavated and stockpiled material. Waste characterization test results will confirm the disposal requirements and process. The petroleum-stained soils, ash, and dump area soils are anticipated to be transported and disposed of as Class I California Hazardous Waste. Geocon will provide confirmation soil sampling and testing following the removal of stained soils, ash, and dump area soils to confirm hazardous materials have been adequately removed from the project site. Following testing confirmation, the contractor will seed the site and install erosion control blankets to stabilize the hillside.

The Project grading activities are covered under a Grading Exemption from Santa Clara County and the entire scope of work is covered under the Board-adopted Bear Creek Redwoods Preserve

Plan and Environmental Impact Report (EIR). The dump site was evaluated in 2017 and 2019 and determined to be eligible for placement on the California Registry of Historical Resources (CRHR) under Criterion 4 as a contributing element to the California Register-eligible Alma College Cultural Landscape. The dump site is the only substantial domestic refuse deposit discovered to date associated with Alma College and is unique in its potential to contribute to the understanding of daily life at the College and within the workers village. In order to mitigate potential impacts to the CRHR-eligible dump site, the Board approved an Award of Contract with Albion Environmental, Inc., in October, 2021 to complete an assessment, collection, characterization, and curation of the historic debris and artifacts within the CRHR-eligible dump site. Albion completed field surveys of the dump site in 2022, which included the systematic identification and collection of surface level artifacts and the installation of three subsurface excavation pits in locations determined to have the greatest potential to contain buried artifacts. Albion has collected and documented up to 40 curation boxes worth of historic resources and artifacts from the dump site, which satisfies the District's regulatory obligation under California Environmental Quality Act (CEQA) to mitigate potential Project cleanup related impacts to historic resources. The curated items collected by Albion will be transferred to Sonoma State University where they will be catalogued, stored in a secure climate-controlled facility, and utilized for research.

Contractor Selection

A Request for Bids (RFB) was issued on August 3, 2023 via BidSync and released to five builders' exchanges. Legal notices were posted in the San Jose Mercury News and San Mateo County Times, and a link to the solicitation was posted on the District website. Two mandatory pre-bid site walks were held on August 9th and August 16th, 2023 with ten contractors in attendance.

The District publicly opened the following bids on August 30, 2023:

Bidder	Location	Total Base Bid	Engineer's Estimate (\$195,000*)
1. PARC Environmental	Fresno, CA	\$192,395	-1.5%
2. Power One, LLC.	Anaheim, CA	\$199,725	+2.5%

*In order to provide an accurate estimate, the 2019 Engineers Estimate was updated to 2023 numbers utilizing a 22% construction inflation rate.

Following the bid opening, PARC Environmental was announced as the apparent low bidder. Upon review of the bid proposals and confirmation of the contractors' qualifications, in accordance with state law and current Board purchasing policy, the General Manager recommends awarding the contract to PARC as the lowest responsive and responsible bidder.

Proposed Contingency and Allowance

The Project site is characterized by steep topography with loose and unconsolidated soils. With the amount of water received in this watershed, the project site has been susceptible to erosion and sedimentation throughout the years. Unsuitable subgrade soils are possible and may require additional repairs or stabilization beyond the scope of work. Additionally, the extent and depth of debris and hazardous materials throughout the project site has not been confirmed. Additional waste requiring removal and disposal may be discovered during the course of the Project. The

requested contingency would be used to address these issues, as well as other unforeseen issues that might arise during the Project.

Hazardous material testing completed by Geocon during the Phase II ESA has characterized a portion of the debris and soils within the project site as Class I - California Hazardous Waste. The limited sampling and testing schedule may not provide a comprehensive characterization of the entire site, with the possibility that the contractor could encounter areas containing higher concentrations of hazardous waste as they excavate the site. Higher concentrations of hazardous materials necessitate compliance with more rigorous standards for their transportation and disposal at a Class I landfill including compliance with stricter shipping requirements. The requested allowance would be used for the additional cost to transport and dispose of these materials.

FISCAL IMPACT

The FY24 adopted budget includes \$219,573 for the Bear Creek Redwoods Landfill Cleanup Project MAA21-010. The project budget is insufficient to cover the recommended action and expenditures. A budget adjustment during a quarterly review is planned that will shift unspent funds from other projects into this project budget to address the funding gap. The project is scheduled to be completed by end of Fall 2023.

Bear Creek Redwoods Landfill Characterization and Remediation MAA21-010	Prior Year Actuals	FY24 Adopted	FY25 Projected	FY26 Projected	Estimated Future Years	TOTAL
Total Budget:	\$225,042	\$219,573	\$0	\$0	\$0	\$444,615
Spent-to-Date (as of 8/29/23):	(\$225,042)	(\$5,045)	\$0	\$0	\$0	(\$230,087)
Encumbrances:	\$0	(\$20,168)	\$0	\$0	\$0	(\$20,168)
PARC Environmental Contract:	\$0	(\$192,395)	\$0	\$0	\$0	(\$192,395)
15% Contingency:	\$0	(\$28,859)	\$0	\$0	\$0	(\$28,859)
Allowance	\$0	(\$28,860)	\$0	\$0	\$0	(\$28,860)
Budget Remaining (Proposed):	\$0	(\$55,753)	\$0	\$0	\$0	(\$55,753)

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 Projects Portfolio Allocation:	\$17,478,000
Grant Income (through FY27):	\$5,018,002
Interest Income Allocation:	\$2,709,530
Fund 40 Allocation:	\$1,750,000
Total Portfolio Allocation:	\$26,955,532
Life-to-Date Spent (as of 08/29/23):	(\$16,001,371)
Encumbrances:	(\$2,098,110)
Remaining FY24 Project Budgets:	(\$1,289,139)

Future MAA21 project costs (projected through FY27):	(\$4,246,149)
Total Portfolio Expenditures:	(\$23,634,769)
Portfolio Balance Remaining (Proposed):	\$3,320,763

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 FY27):	\$5,018,002
Interest Income Allocation:	\$2,709,530
Fund 40 Allocation:	\$1,750,000
Total Portfolio Allocation:	\$26,955,532
Projected Project Expenditures (life of project):	
21-001 Moody Gulch Fence & Gate Improvements	(\$847)
21-004 Bear Creek Stables Project	(\$3,776,746)
21-005 Bear Creek Redwoods Public Access	(\$5,548,003)
21-006 Bear Creek Redwoods - Alma College Cultural Landscape Rehabilitation	(\$5,616,223)
21-007 Bear Creek Redwoods Preserve Plan Invasive Weed Treatment	(\$2,038,951)
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	(\$444,615)
21-011 Phase II Trail Improvements, Bear Creek Redwoods OSP	(\$4,949,460)
21-012 Bear Creek Redwood Tree Restoration	(\$90,915)
Total Portfolio Expenditures:	(\$23,634,769)
Portfolio Balance Remaining (Proposed):	\$3,320,763

PRIOR BOARD AND COMMITTEE REVIEW

- July 25, 2018:** The Board approved an Award of Contract with Geocon Consulting, Inc., to complete an assessment and characterization of suspected hazardous materials at the former Alma College dump site and develop a remediation work plan at Bear Creek Redwoods Open Space Preserve. ([R-18-87](#), [Meeting Minutes](#))
- October 27, 2021:** The Board approved an Award of Contract with Albion Environmental, Inc., to complete an assessment, collection, characterization, and curation of the historic debris and artifacts within the CRHR-eligible dump site. ([R-21-143](#), [Meeting Minutes](#))

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

Potential environmental impacts of the Bear Creek Redwoods Landfill Cleanup Project were analyzed as part of the Bear Creek Redwoods Phase II Project in the Bear Creek Redwoods

Preserve Plan and Environmental Impact Report, which was certified by the Board on January 25, 2017 ([R-17-15](#)).

NEXT STEPS

If approved, the General Manager will enter into a contract with PARC. Final contract execution is subject to meeting all District requirements, such as having all required insurance and bonding in place. Work is estimated to commence in October 2023 and will be completed by November 2023.

Attachment(s)

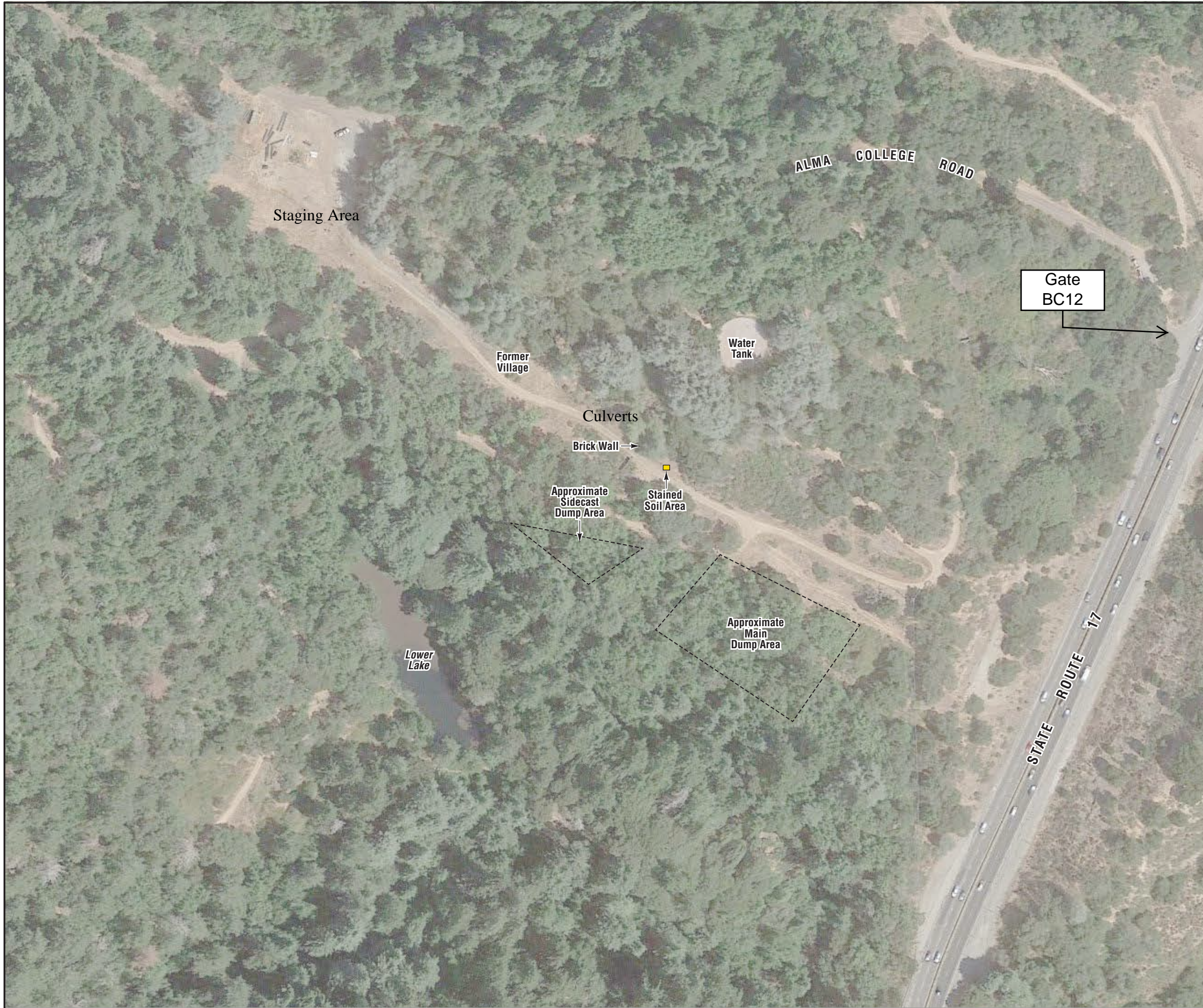
1. Project Site Map
2. Project Location Map

Responsible Department Head:

Jason Lin, PE, Engineering and Construction Department Manager

Prepared by / Contact person:

Zachary Alexander, Capital Project Manager III, Engineering and Construction Department



Attachment 1: Project Site Map




GEOCON
 CONSULTANTS, INC.
3160 GOLD VALLEY DR - SUITE 800 - RANCHO CORDOVA, CA 95742
 PHONE 916.852.9118 - FAX 916.852.9132

Bear Creek Redwoods Preserve Former Dump Site

Santa Clara County,
California

PROJECT LOCATION MAP

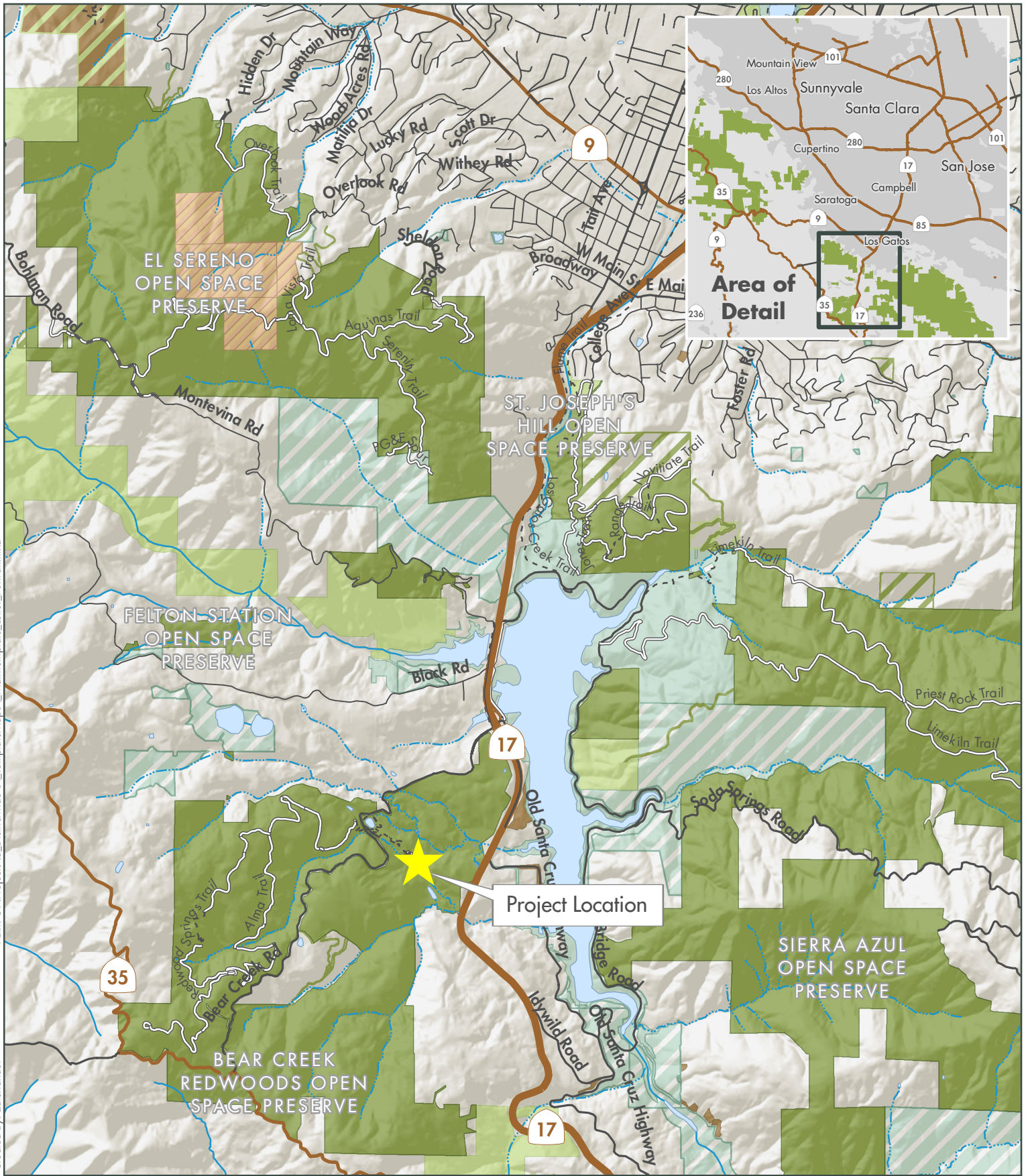
S1605-03-01A

March 2023

Figure 2

Path: G:\Projects\va_Districtwide\VA_TemplateMaps\MainTemplate_Letter_Portrait.mxd

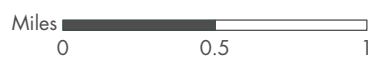
Created By: zalexander



Attachment 2 - Bear Creek Redwoods Landfill Cleanup Location Map

Midpeninsula Regional
Open Space District
(Midpen)
7/25/2023

- MROSD Preserves
- Watershed Land
- Other Protected Lands
- Land Trust
- Private Property
- Other Public Agency
- Project Location



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.