



Midpeninsula Regional
Open Space District

R-23-148
Meeting 23-35
December 13, 2023

AGENDA ITEM 7

AGENDA ITEM

Award of Contract for Design and Engineering Services for the Prospect Road Culvert Replacement Project at Fremont Older Open Space Preserve

GENERAL MANAGER'S RECOMMENDATIONS *deur*

1. Award a contract to BKF Engineers of Redwood City, California, for design, engineering, permitting, and construction administration for the Prospect Road Culvert Replacement Project for a not-to-exceed base contract amount of \$81,964.
2. Authorize a 15% contingency of \$12,295 to cover unforeseen work, bringing the total-not-to-exceed contract amount to \$94,259.

SUMMARY

The Prospect Road Culvert Replacement Project (Project) seeks to replace a culvert damaged in the 2022/2023 winter storms. The culvert plays an important ecological function in facilitating the flow of Prospect Creek through Fremont Older Open Space Preserve (Preserve). The portion of Prospect Road running over the top of the culvert also needs replacement as part of the project. The road provides the only means of vehicular access to six residences, including the historic Fremont Older house, and is a multi-modal visitor trail connection.

The selected consultant will complete the design, obtain permits, support the CEQA analysis, and provide construction administration. A request for proposals/qualifications (RFPQ) was issued on October 13, 2023, with three firms submitting proposals on November 9, 2023. Based on the results of the RFPQ, the General Manager recommends awarding a contract to BKF Engineers (Consultant) for a base not-to-exceed contract amount of \$81,964 and authorizing a 15% contingency in the amount of \$12,295, bringing the total-not-to-exceed contract amount to \$94,259. There are sufficient funds in the adopted Fiscal Year 2023-24 (FY24) budget to begin the Project. Funding for future years' budgets will be requested as part of the annual Budget and Action Plan process.

DISCUSSION

The Project is located along Prospect Road within the Midpeninsula Regional Open Space District's (District) Fremont Older Preserve. Fremont Older is a 739-acre preserve in Santa Clara County that extends towards Mt. Eden Road to the south and Stevens Creek County Park to the west.

The winter storms of 2022/2023 damaged an existing perched culvert running underneath Prospect Road, which is an approximately 10-foot-wide traffic-rated, multi-use asphalt road. Materials under and around the existing 48-inch diameter corrugated metal pipe culvert were washed out and approximately 10-feet of the culvert collapsed. A 5-foot tall by 1-foot wide by 4-foot-deep concrete-sack headwall with unclassified fill also incurred damage. The design and engineering work includes replacement of those elements and added defensible measures, such as increased culvert pipe sizing, headwalls, and embankment stabilization.

Since the damage occurred during the 2022/2023 winter storms, the Project may qualify for Federal Emergency Management Agency (FEMA) hazard mitigation funding. FEMA inspectors visited the site on October 4, 2023 to assess the damage.

Contract Scope of Work

The Consultant team, which includes civil engineers, geotechnical engineers and surveyors would undertake the following work under the recommended consultant contract:

Site Investigation, Basis of Design and Alternatives Analysis: The Consultant will provide a boundary and topographic survey, a written assessment of the site damage, a hydrologic and hydraulic analysis report, and a geotechnical report. The consultant will prepare an alternatives analysis document taking into consideration mitigation from future storms, construction costs, environmental impacts, and permitting requirements. To support the environmental regulatory permitting, the Consultant will create impact tables that include both temporary and permanent calculations to inform permit requirements. The selected design will be documented at a 35% conceptual level.

65% Design Development: The Consultant will prepare 65% design development level plans and technical specifications along with an estimate of construction costs. The plans and technical specifications will support the regulatory permitting process.

95% PS&E and Building Permits: The Consultant will prepare 95% plans and technical specifications and use them to apply for building permits from Santa Clara County. The Consultant will provide an updated estimate for construction costs at this stage. In addition to providing plans and technical specifications, the consultant will provide calculations and other required documentation to support the permitting process. The consultant will update the 95% plans and specifications per the County Building Department plan check comments and publish them as a complete bid package.

Bidding, Construction Administration and Project Closeout: The Consultant will provide support during bidding and construction administration, ensuring successful project implementation and compliance with contract documents and permits.

Consultant Selection

On October 13, 2023 staff issued a request for proposals/qualifications (RFPQ) via Periscope, posted the RFPQ on the District's website, and send direct emails to a list of qualified firms. An optional pre-proposal site tour was held on October 26, 2023, attended by representatives from 3 firms. The following three firms submitted proposals by the November 9, 2023 deadline.

Firm	Location	Proposed Fee
Sherwood Design Engineers	Santa Cruz, CA	\$239,070
Indigo Civil	Carlsbad, CA	\$90,385
BKF Engineers	Redwood City, CA	\$81,964

The proposals were evaluated using criteria outlined in the RFPQ, including quality of the proposal, implementation approach, and implementation expertise. A consultant selection panel comprised of three staff from Engineering & Construction reviewed the proposals on November 9, 2023 and, based on staff scoring, BKF was determined to be the best consultant for the Project.

Contingency and Allowance

The recommended 15% contingency requested herein supports unforeseen tasks that may arise due to site specific conditions and/or unknown requirements or project delays tied to FEMA funding.

FISCAL IMPACT

The FY24 adopted budget includes \$121,000 for the Prospect Road Culvert Replacement project #35034. There are sufficient funds in the project budget to cover the recommended action and expenditures through the end of the fiscal year. Funding for future years' budgets will be requested as part of the annual Budget and Action Plan process.

Prospect Road Culvert Replacement #35034	Prior Year Actuals	FY24 Adopted	FY25 Projected	FY26 Projected	Estimated Future Years	TOTAL
Total Budget (fund 40):	\$0	\$121,000	\$226,250	\$116,000	\$0	\$463,250
Spent-to-Date (as of 11/13/23):	\$0	\$0	\$0	\$0	\$0	\$0
Encumbrances:	\$0	\$0	\$0	\$0	\$0	\$0
BKF Engineers Contract:	\$0	(\$53,277)	(\$18,238)	(\$10,449)	\$0	(\$81,964)
15% Contingency:	\$0	(\$7,992)	(\$2,828)	(\$1,475)	\$0	(\$12,295)
Budget Remaining (Proposed):	\$0	\$59,731	\$205,184	\$104,076	\$0	\$368,991

The recommended action is not funded by Measure AA.

PRIOR BOARD AND COMMITTEE REVIEW

August 9, 2023 Board Meeting: Agreements for Federal Emergency Agency Public Assistance Program and California Office of Emergency Services California Disaster Assistance Act Funding to Support Storm Recovery ([R-23-82](#), [meeting minutes](#))

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

The award of a contract for design and engineering services is not a project subject to the California Environmental Quality Act (CEQA). Potential environmental effects of the Prospect Road Culvert Replacement Project will be evaluated prior to an award of contract for construction.

NEXT STEPS

Following Board approval, the General Manager will execute a contract with BKF to begin the design, construction documentation and permitting work for the Project.

Attachments

1. Project Site Map
2. Project Site Map Enlargement

Responsible Department Head:

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Prepared by:

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Creekside Trail

Cora Older Trail

Creekside Trail

Prospect Creek

FO01

Prospect Road Culvert Replacement

- | | | |
|----------------|---------------------------|----------------------------|
| Gate | Building | --- Trail |
| ● Present | ■ Present | ■ Preserve Boundary (fill) |
| Culvert | Trail (classes) | |
| ⊗ Present | — Paved Road | |
| | — Unpaved All-Season Road | |

Midpeninsula Regional
Open Space District
(MROSD)
12/13/2023

