



Midpeninsula Regional  
Open Space District

R-11-19  
Meeting 11-03  
January 26, 2011

## **AGENDA ITEM 8**

### **AGENDA ITEM**

Award of Contract with GEOCON Consultants, Inc., to complete Remediation Design and perform Construction Oversight for the Remediation of Mercury Mine Waste at Hicks Flat within Sierra Azul Open Space Preserve

### **GENERAL MANAGER'S RECOMMENDATION**

Authorize the General Manager to enter into a professional services contract with GEOCON Consultants, Inc., for an amount not to exceed \$107,500 as well as a contingency of \$13,000 (12% of the contract) to complete the remedial design, develop required plans, and perform construction oversight for the remediation of mercury mine waste at Hicks Flat within Sierra Azul Open Space Preserve.

### **SUMMARY**

Partnering with the Association of Bay Area Governments (ABAG), the District requested and was awarded \$315,000 in grant funds from the State Water Resources Control Board under the Federal Clean Water Act Section 319(h) – Nonpoint Source Implementation Grant Program for the remediation of mercury mining waste rock at Hicks Flat. Midpeninsula Regional Open Space District's (District) Board of Directors authorized the acceptance of these grant funds at the meeting of July 28, 2010 (refer to Board report R-10-87). To begin the remediation project, staff recommends contracting with GEOCON Consultants, Inc., in an amount not to exceed \$107,500 for professional services to complete the remediation design, develop required technical plans, and perform construction oversight to insure that the project is completed in conformance with the required plans. Staff is also requesting a contingency in the amount of \$13,000 (12% of the contract amount) to address unanticipated issues, such as problematic subsurface soil conditions, or additional work required by permitting agencies during project review.

### **DISCUSSION**

District staff is proposing that the District remediate an estimated 2,700 cubic yards of mercury mining waste rock at Hicks Flat located in the Rancho de Guadalupe area of Sierra Azul Open Space Preserve. The District acquired the Rancho de Guadalupe property in 1995. This property lies within the New Almaden Mercury Mining District and was historically used as a waste rock disposal area for the Guadalupe Mines.

The site falls within the Guadalupe River Watershed, and is abutted on the southeast by Cherry Springs Creek and Hicks Creek, both tributaries to nearby Guadalupe Creek. Guadalupe Creek is identified as one of the mercury-impaired waterways within the watershed under Section 303(d) of the Clean Water Act and a component of the Guadalupe River Watershed Mercury Total Maximum Daily Load (TMDL) regulatory program.

Detailed studies conducted between 1990 and 1995 indicate that the mining waste rock at the site contains elevated levels of total mercury. The creek sediment sampling results indicate that some of the waste rock has spilled into Hicks Creek from a steep embankment in the southeast portion of the site. The primary risk from this site to the Guadalupe River watershed is from erosion of these materials into Hicks Creek. Since sediment from Hicks Flat is entering Hicks Creek, which is a tributary to Guadalupe Creek, remediation of the known mercury source is of high priority.

District staff proposes a remediation approach consistent with the erosion control measures presented by the Regional Water Quality Control Board (RWQCB) in their TMDL study, and has secured grant funding from the RWQCB to implement the project. A specific remedial design plan for this site must be developed and analyzed to inform the environmental review and permitting process. Staff anticipates the main elements of the cleanup and abatement proposed for this site may include:

- Removing fill materials located directly adjacent to Hicks Creek
- Re-grading fill slopes and waste rock to prevent future erosion and establish stable drainage
- Augmenting waste rock with suitable soils, if necessary, to support adequate re-vegetation
- Installing erosion control measures
- Re-vegetating the site with native plant species

Last year, the District partnered with ABAG and was subsequently awarded a \$315,000 grant from the State Water Resources Control Board to clean-up and abate the mercury mining waste rock at Hicks Flat. Of these grant funds, ABAG will use \$30,000 for grant administration and the District will use \$285,000 to complete project design, CEQA review, permitting, project implementation, and project monitoring. This grant will enable the District to allocate resources in a timely manner to mitigate a known source of mercury contamination.

### **RFQP for Remediation Planning, Design, and Construction Oversight**

A Request for Qualifications and Proposals (RFQP) for Remediation Planning, Design, and Construction Oversight was released on November 12, 2010. The RFQP was issued directly to a list of environmental/engineering companies, to companies that had made specific inquiries about the project, and was posted on the District website for public review and response. A mandatory site visit was held on December 1, 2010, and ten (10) prospective companies attended, some of whom intended to present joint proposals as a team. The proposal submittal deadline was 5:00 p.m. on December 8, 2010. The proposals required submission of qualifications and experience as well as a separate sealed envelope with a completed fee and cost worksheet.

A District staff review committee assessed the qualifications of each proposal, including the quality/approach of the proposal and overall team expertise. Based on the criteria outlined in the RFQP, staff has determined that GEOCON Consultants, Inc. submitted the proposal with the best

combination of expertise, staffing, and project approach, as well as a very competitive fee to provide the necessary remediation services.

A total of four (4) proposals were received as shown below. The firms are listed based on their qualifications ranking:

<b>Firm</b>	<b>Location</b>
GEOCON Consultants, Inc.	Rancho Cordova and Livermore, CA
Weiss Associates, CH2M Hill	Mountain View and San Jose, CA
Northgate Environmental , ESA PWA	Oakland and San Francisco, CA
Pristine Earth, Inc.	Fremont, CA

### **FISCAL IMPACT**

There is no unbudgeted fiscal impact from this recommended action. The \$285,000 in grant funds awarded to the District will fund approximately three-fourths of the project. This is because the District is required to provide a 25% or \$105,000 match, which will be met with staff time for project administration. Total project cost, including staff time, is estimated at \$390,000. Sufficient funds are provided in the budget for FY2010-11 to begin the project. Future budgets will include an additional budget allocation for this project, which is expected to be completed in FY2012-13.

### **PUBLIC NOTICE**

Notice has been provided as required by the Brown Act. No additional notice is required.

### **CEQA COMPLIANCE**

Following completion of the preliminary remediation alternatives analysis and the preparation of the preferred remediation project design, the District will prepare and circulate the necessary CEQA documents.

### **NEXT STEPS**

Upon Board authorization, the General Manager will execute a professional consulting services contract with GEOCON Consultants, Inc., in an amount not to exceed \$107,500 for remediation design and construction oversight. Staff will retain \$13,000 as a contingency in the event unanticipated issues arise during project design, permitting, and/or construction oversight.

Prepared by:  
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Contact person:  
Same as above