



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**DATE:** February 6, 2018

**TO:** Carolyn Lehr, City Manager

**FROM:** Andrew Clough, Acting Public Works Director

**SUBJECT:** Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A First Amendment To The Professional Service Agreement With EKI Environment & Water, Inc., Increasing The Compensation Amount By \$25,000 For A Total Amount Not To Exceed \$62,000 For Environmental Services For The South Bayfront Bridge/Horton Landing Park Project, EPW 17-103 (CIP # 16475006)

## RECOMMENDATION

Staff recommends that the City Council adopt the above referenced resolution

## BACKGROUND

The South Bayfront Pedestrian Bicycle Bridge Project, when built, will create an additional east/west route across the Union Pacific Railroad right-of-way for non-motorized traffic. Plans and specifications were started in 2008. On August 3, 2017, the City entered into a Professional Services Agreement with EKI, Inc. to examine the Horton Landing Park area of Project site with regard to hazardous material contamination, to develop plans to clean up the site, and to work to get the plan approved by the California Department of Toxic Substances Control. Finding toxic substances without adequate pre-construction investigation can add significant costs to the project due to delay and extra work impacts to the contractor.

EKI completed cleanup plans for Horton Landing Park area in 2010 which were approved by DTSC. EKI did not look into conditions on the project area on the West side of the railroad tracks within the Bay Street Shopping Center site. To do that a proposal was prepared to sample excavated materials being made by AECOM in conjunction with Archeological Investigations being done on the West Side Bay Street Shops and Residences. That work, totaling \$37,000, was authorized by the City Manager on October 13, 2017.

The original workplan did not anticipate the necessary time, regulatory coordination, and reporting requirements that have occurred. EKI has requested additional funding authorization to complete necessary characterization and reporting obligations.

This item provides information about the efforts and requests the Council adopt a resolution authorizing the City Manager to execute Amendment No. 1 to Professional

Services Agreement with EKI to complete west side hazardous materials testing, analysis and reporting.

## **DISCUSSION**

The original EKI west side work scope anticipated 3 days of field work in one mobilization coordinated with west side archeological investigation. Archeological excavation work required two mobilization efforts. The first, lasting 3 days. The second, lasting 4 days. EKI expected that coordination with DTSC could be accomplished informally with e-mails and phone calls. In actuality, DTSC required a formal work plan be developed then reported to be consistent with the Bay Street Site Management Plan. To complete the work EKI is requesting a contract funding augmentation of \$25,000 to complete sampling, waste characterization and final coordination with DTSC. To address the request, a draft Amendment to Professional Services Agreement has been prepared to not exceed an augmentation amount of \$25,000 and a total cost of \$62,000 without further future consideration.

Under the original work plan, EKI performed detailed sampling and waste characterization of the excavated soil within the west side Stair, Ramp, Bridge abutment footings and sanitary sewer locations in coordination with AECOM Archeological Resource assessment. The Archeological work took soil core samples at the various locations during the first 3 day mobilization effort. Results were inconclusive so additional authorization was made to excavate to approximately 5 feet deep in the footing locations. This work required the preparation of the Excavation Work Plan, subject to review and approval by DTSC. The additional work, done in a second mobilization, took 4 days and collected additional samples. Archeological discoveries were insignificant; however, unanticipated potential hazardous materials were found which will require revisions to the site cleanup plans and additional formal reporting to DTSC and the owners of the Bay Street site.

This environmental work is being done in order to avoid delays and other impacts in the construction phase. It is prudent and appropriate to complete hazardous materials investigation now, before construction begins.

## **FISCAL IMPACT**

The original EKI Agreement for West side work was written to not to exceed \$37,000. EKI's budget augmentation of \$25,000 will take the total agreement costs to \$62,000. The City Manager's approval authorization is limited to efforts less than or equal to \$45,000. This work is proposed to be funded from the Contingency Component of the Capital Improvement Plan Project Budget. The FY16/17 Capital Improvement Program Budget includes approximately \$16M in funding for the South Bayfront Bridge and Horton Landing Park Project. As part of the mid cycle budget approval by the City Council in June 2015, \$14.5M was appropriated to the project from former Redevelopment Agency funds. There is sufficient funding to cover these estimated costs of EKI.

## **STAFF COMMUNICATION WITH THE PUBLIC**

Staff have not had communications with the public.

## **CONCLUSION**

Completing this hazardous materials investigation and cleanup plan preparation now is expected to minimize risks and costs due delays and abatement/mitigation costs that could occur during construction of the bridge and park.

**PREPARED BY:** Todd Teachout, Interim City Engineer

**APPROVED AND FORWARDED TO THE  
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



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Carolyn Lehr, City Manager

## **ATTACHMENTS**

1. Resolution
2. Amendment No. 1 to Professional Services Agreement
3. Scope of Work
4. Original Professional Services Agreement