



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: December 18, 2018
TO: Christine Daniel, City Manager
FROM: Andrew Clough, Department of Public Works
SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A First Amendment To Professional Services Agreement With EKI Environment and Water, Inc., For An Additional Compensation Amount of \$49,900, For A Total Not To Exceed Amount Of \$79,900, For Consulting Services Related to the Monitoring and Cleanup of Horton Landing Park Expansion Site**

RECOMMENDATION

Staff recommends that the City Council adopt the above referenced resolution.

BACKGROUND

The South Bayfront Pedestrian Bicycle Bridge and Horton Landing Park Expansion are Capital Improvement Projects listed in the current Capital Improvement Plan as well as the City General Plan. Plans and Specifications were prepared for the South Bayfront Pedestrian Bicycle Bridge that include the construction of Horton Landing Park. These plans are being revised to add path and landscape improvements that extend southward across lands recently acquired from Union Pacific Railroad (Sliver Parcel). As a part of the parcel acquisition, the City hired EKI Environment and Water, Inc. (EKI) to perform soil assessments regarding hazardous materials.

During the pre-parcel acquisition assessment, costs were incurred that were not anticipated. EKI seeks compensation for those costs. Contamination was found on the newly acquired parcel that needs to be remediated. EKI has submitted proposals for additional services related to the remediation of contamination on the site before and in conjunction with project construction.

DISCUSSION

The City Manager executed a contract with EKI to do hazardous soil assessment of the Sliver Parcel during the pre-parcel acquisition due diligence phase. The estimate to perform this work was \$30,000. Costs have exceeded that amount. EKI has requested additional funding authorization for those costs.

The Sliver Parcel was found to be contaminated with some hazardous materials. The found contamination was consistent with the general levels of contamination in the area. To redevelop the land and to construct the park expansion requires that the Sliver Parcel be cleaned up.

To do that, the previously approved site cleanup plans for Horton Landing Park need to be revised and submitted to the Department of Toxic Substance Control (DTSC) for review and approval.

Additionally, project plans and specifications need to be revised to include plan sheets and specification sections related to the soil remediation. During construction, the soil remediation work will need to be monitored, analyzed and documented in accordance with the Soil Clean-up Plan. EKI submitted a second proposal to address this work related to the clean-up of the Sliver Parcel. An agreement amendment has been drafted which references the two proposals.

FISCAL IMPACT

The original agreement was executed for \$30,000. EKI submitted two proposals for two additional scopes of work which are reflected in the proposed First Amendment. The July 3, 2018 proposal revises the budget upward by \$14,900, which represents additional environmental services related to the future Horton Landing Park site. The additional work in this scope includes further soil investigation and reporting to DTSC.

A second proposal, dated August 3, 2018, for \$35,000, relates to environmental services related to preparation of a Site Cleanup Plan and updating the hazardous waste remediation portion of contract documents related to the future Horton Landing Park. The work performed under this scope would include preparation of a Site Cleanup Plan for the Horton Landing Park Expansion area; and preparing bid documents in accordance with the Horton Landing Park Expansion Site Cleanup Plan.

Together the two additional scopes of work total \$49,900, thereby increasing the not-to-exceed amount to \$79,900. The Capital Improvement Plan allocates \$125,000 for professional services and \$100,000 for contingency amounts. The City previously executed an agreement with Biggs-Cardosa that includes costs for preparing improvement plans along the Sliver Parcel. Improvement Plan preparation costs were estimated to be \$49,613. Considered together, Sliver Parcel professional services are \$129,513. The exceedance is 3.6 percent over budget but is within the contingency amount.

Horton Landing Park Expansion is funded by Park Impact Fees.

STAFF COMMUNICATION WITH THE PUBLIC

None.

CONCLUSION

Cleanup of the Sliver Parcel is necessary to the development of the Park Expansion and the broader Greenway improvements within the City. The project is the Council's top priority for new facilities. Therefore, staff recommends the Council adopt the resolution authorizing the City Manager to execute the Agreement Amendment with EKI Environment and Water, Inc.

PREPARED BY: Todd Teachout, P.E. – Project Manager,
S. Bayfront Pedestrian & Bicycle Bridge.

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



Christine Daniel, City Manager

ATTACHMENTS

- Draft Resolution
- Exhibit A First Amendment to Professional Services Agreement
- Exhibit A.1 July 3rd, 2018, Proposal for Professional Services
- Exhibit A.2 August 3rd, 2018 Proposal for Professional Services
- Exhibit B Original PSA Agreement