



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: September 3, 2019

TO: Christine Daniel, City Manager

FROM: Andrew Clough, 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 Services Agreement With OTG EnviroEngineering Solutions, Inc., Increasing The Total Compensation Amount By \$99,268, For A Total Amount Not To Exceed \$206,284; And to Extend the Term to June 30, 2021, For Environmental Work Required By The Alameda County Department Of Environmental Health**

RECOMMENDATION

Staff recommends that the City Council approve a resolution authorizing the City Manager to execute a First Amendment to the Professional Services Agreement with OTG EnviroEngineering Solutions, Inc. (OTG) to increase the Total Compensation Amount by \$99,268.00, for a total not-to-exceed amount of \$206,284 to conduct environmental work toward site closures at three former underground storage tank (UST) sites, and extending the end date of the contract to June 30, 2021.

BACKGROUND

The California State Water Resources Control Board has delegated authority for oversight of Leaking Underground Fuel Tank sites (LUFT) to the Alameda County Department of Environmental Health (ACDEH); this includes the authority to require property owners and responsible persons to investigate and remediate petroleum fuel and byproducts that have leaked from USTs.

The City has had contracts with OTG for work on four former UST sites since 2015: 6303 Hollis Street (Fire Station 35), 4331 San Pablo Avenue (former fire station), 4000 San Pablo (the "Celis site") and the former UST at the City marina. The 2015-16 contract was for \$42,796, and the 2016-17 contract was for \$29,721; both were covered by funds in the CIP "Underground Tank Closures" project, CF-07. The 2017-18 contract was for \$175,486, and was funded with \$17,000 from CF-07 and the remainder from CIP Project FM-9, Emergency Generator and Fuel Tank Upgrades. Unfortunately, subsurface environmental work in urban environments is full of uncertainties, and while staff has taken two of those four projects – the marina tank site and the Celis site – to full closure with ACDEH, and are close to closure at the 4331 San Pablo Avenue site, County staff have required several rounds of expanding investigation at the 6303 Hollis Street location. Work performed so far at this site has included historical records searches and hydrological studies, and soil and groundwater sampling.

The 2018-2019 Professional Services Agreement for these properties was in the original amount of \$107,016, and provided services that have earned the 4331 San Pablo site a

recommendation for closure. Findings at 6303 Hollis Street, however, have raised additional questions for ACDEH, and more work is now required there.

The work referenced herein reflects the requirements imposed by ACDEH to attempt to address the remaining issues at this site in order to achieve case closure. This work is an effort to demonstrate the effectiveness of past remediation efforts; depending on findings, further remediation may or may not be required at these sites. At 6303 Hollis, the work includes a workplan groundwater and sub-slab vapor monitoring and analysis. The work includes administration, reporting, and coordination with ACDEH. OTG has prepared a proposed scope of work attached as Exhibit A-1 to the proposed resolution.

FISCAL IMPACT

This is an approved project in the Capital Improvement Plan, CF-07, with \$300,000 appropriated in FY 2019-20 for these tasks and work on further investigation and/or remediation which may be necessary. OTG's proposal, attached here as Exhibit A-1, lists \$69,268 in known tasks to be completed. Given the uncertain nature of sub-surface investigation, a contingency amount of \$30,000 is requested for this project.

STAFF COMMUNICATION WITH THE PUBLIC

No significant, non-routine contacts or meetings between senior staff and members of the public and/or the City's advisory bodies have taken place relative to this contract.

CONCLUSION

In order to maintain compliance with ACDEH's Leaking Underground Fuel Tank site closure requirements, the tasks listed in the attached proposal are specifically required. Staff recommends that the City Manager be authorized to execute and enter into a First Amendment of the Professional Services Agreement with OTG EnviroEngineering, Inc. in an amount not to exceed \$99,268 for services related to achieving compliance with ACDEH Leaking Underground Storage Tank Program requirements.

PREPARED BY: Nancy Humphrey, Environmental Programs Supervisor

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



Christine Daniel, City Manager

ATTACHMENTS

- Draft Resolution with Exhibit
- Professional Services Agreement with OTG EnviroEngineering Solutions, Inc., dated 7/1/2018
- First Amendment to the Professional Services Agreement with OTG EnviroEngineering Solutions, Inc., dated 7/1/2018