



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 Amendment No. 1 To The Professional Services Agreement With EKI Water And Environment Inc. (EKI) For Soil Offhaul Services At APN 049-1041-026-16 Related To The Development of the Sherwin Williams Project; And Appropriating \$68,314 from the General Capital Fund (Fund 475)**

RECOMMENDATION

Staff recommends that the City Council of the City of Emeryville adopt the above entitled resolution.

BACKGROUND

On June 19, 2018, City Council adopted Resolution No. 18-83 authorizing the City Manager to enter into a Professional Services Agreement with EKI Water and Environment Inc. (EKI) in an amount not to exceed \$66,000 for hazardous material investigation and mitigation services at APN 049-1041-026-16, known as former UPRR Parcel D; and appropriating General Capital Funds for the agreement. The scope of this contract included preparation of the necessary Risk Management Plan (RMP) for activities which will disturb soils in the Soil Exceedance Areas and other optional tasks for field inspections to document compliance with the RMP; preparation of a Completion Report; preparation of site-specific plans for earthwork activities; waste characterization and soil collection and analysis.

DISCUSSION

In order to determine the suitability of reusing stockpiled soils for project fill, sampling and analysis was performed and revealed that material within two on-site stockpiles was not suitable for incorporating into the project and will need to be disposed of at a legal disposal facility. In order to coordinate with the Sherwin Williams project schedule, it is necessary to remove this soil prior to the developer's grading operations, which are scheduled for October 2019. This additional work was not contemplated in the current agreement with EKI and thus Amendment No. 1 to the existing Agreement is necessary.

The attached proposal provides for the loading, offhaul, and disposal of 1,250 tons of material for the amount of \$68,314. The work includes dust control, trucking management and disposal fees for Keller Canyon Landfill near Pittsburg, CA.

FISCAL IMPACT

Staff recommends that the City Council appropriate \$68,314 from the General Capital Fund (Fund 475) for this First Amendment.

CONFLICT OF INTEREST

Councilmember Bauters has a conflict of interest with the Sherwin Williams Project due to the proximity of his residence to the project site.

CONCLUSION

Staff recommends that it is in the public's interest for City Council to adopt the above described resolution authorizing the contract amendment.

PREPARED BY: Michael Roberts, Senior Civil Engineer, Public Works

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



Christine Daniel, City Manager

ATTACHMENTS

- Original PSA with EKI
- Draft Resolution
- First Amendment to the Contract with EKI