



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**DATE:** February 18, 2020

**TO:** Christine Daniel, City Manager

**FROM:** Christine Daniel, Acting Public Works Director

**SUBJECT:** **Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute Amendment Number Two To Professional Services Agreement With EKI Environment And Water, Inc., To Increase The Total Compensation By \$175,500, For A Total Amount Not To Exceed \$375,500, And Extending The Contract Termination Date, For Environmental Services Within Horton Landing Park Area Of The South Bayfront Pedestrian Bicycle Bridge Project, EPW 17-112**

### RECOMMENDATION

Staff recommends that the City Council adopt the above-entitled 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, which include the construction of Horton Landing Park. The Project is currently in construction. The City retained EKI Environment and Water, Inc. to study, monitor, inspect and report on hazardous material remediation within the Project. Due to changes in the scope of the project, the previously approved budget and time estimates are insufficient for completion of the project.

At staff's request, EKI prepared a services augmentation proposal that is expected to allow completion of the studying, monitoring, inspection and reporting services in conjunction with the remediation of the project site.

### DISCUSSION

In July of 2017, the City Manager executed a contract with EKI to update the Project East Side Site Cleanup Plan, assist in developing Project Construction Specifications related to site Cleanup, perform monitoring and inspection services during construction and prepare completion reports for regulatory authorities. The estimate to perform this work was \$200,000 and the work was expected to be completed by June 30, 2019. After the contract was executed, the City acquired an approximately 6,000 square foot parcel from Union Pacific and added it to the project. As a condition of purchase, the contamination of the parcel was required to be cleaned up to the standards for an unrestricted land use. The time to acquire the parcel, modify the plans and bid and award the contract extended implementation dates. In May of 2019, the City executed Amendment No. 1 to the EKI contract, extending the time for completion to December 31, 2020. Since that time, staff and EKI have reevaluated the budget and concluded it is insufficient to complete the

remaining activities. EKI has proposed additional funding of \$175,500 for the necessary services.

Construction started on January 6, 2020 and is expected to continue until approximately mid-October of 2021. Final administrative close out activities are expected to continue to the end of December 2021. To address this timeline, staff also proposes to extend the contract termination to December 31, 2021.

### **FISCAL IMPACT**

The original contract amount was \$200,000. EKI's proposal increases the budget by \$175,500, bringing the total budget for east side services to \$375,500. Sufficient funding for this increase is available in the Capital Improvement Plan budget for this project.

The Capital Improvement Plan allocates \$3,881,000 for professional services and \$2,540,000 for contingency amounts from the South Bayfront Bridge Capital Project Budget.

Horton Landing Park Expansion has no specific professional services budget allocation but does have a contingency amount of \$180,000. The Horton Landing Park Expansion is funded by Park Impact Fees.

### **STAFF COMMUNICATION WITH THE PUBLIC**

None.

### **CONCLUSION**

The South Bayfront Bridge/Horton Landing Park Project site needs to be remediated. The project adds park facilities in the City. The South Bayfront Bridge project is the Council's top priority for new facilities. Staff recommends the Council adopt the resolution authorizing the City Manager to execute Amendment 2 to the agreement 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 Second Amendment to Professional Services Agreement
- Exhibit A.1 November 21, 2019, Proposal for Additional Professional Services
- Exhibit B Original PSA Agreement
- Exhibit C First Amendment to Professional Services Agreement