



City of Emeryville

C A L I F O R N I A

MEMORANDUM

DATE: June 1, 2021
TO: Christine Daniel, City Manager
FROM: Mary Grace Houlihan, Director of Public Works
SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute Amendment No. 3 To Professional Services Agreement With EKI Environment And Water, Inc., Increasing the Not-To-Exceed Contract Amount And Extending Time For Environmental Services Within Horton Landing Park Area Of The South Bayfront Pedestrian Bicycle Bridge Project, EPW 17-112 (CIP #16475006)**

RECOMMENDATION

Staff recommends that the City Council adopt the above-entitled resolution.

BACKGROUND

The South Bayfront Pedestrian Bicycle Bridge Project includes the construction of Horton Landing Park (and Horton Landing Park Expansion) and is currently in construction. The improvements are located on land that was determined to be contaminated.

The City retained the services of EKI Environment and Water, Inc. to assure the project site is remediated in compliance with local, state and federal laws. The remediation objective is to assure the site is cleaned up and safe for the future users of the project facilities. The City entered into three Professional Services Contracts with EKI to provide environmental consulting services for the South Bayfront Bridge project. Two of the three contracts have been completed and one contract remains active. The active contract was originally executed on August 25, 2017 for \$200,000. Council authorized a first amendment to the contract on May 21, 2019 to extend the contract termination date to December 31, 2020. A second amendment was authorized on February 18, 2020 amending the scope of services by adding \$175,500 and extending the termination date to December 31, 2021.

DISCUSSION

Environmental remediation work for the South Bayfront Bridge project is nearing completion. The environmental consulting services required from EKI to support the construction effort are projected to exceed the current contract scope and amount. EKI has provided the City with a supplemental scope of services to complete the effort required to comply with the regulatory requirements for the environmental remediation. These services include continued field observation and completion of documentation and regulatory reporting for the project. EKI has provided a cost for these services in the amount of \$40,000.

Staff has reviewed this proposal and found it to be reasonable.

Staff also recommends extending the termination date of the contract to sixty (60) days past the acceptance date of the project construction contract.

FISCAL IMPACT

EKI contract costs are included in the existing project budget as follows:

	Amount	Fund	Project No
Original	\$200,000	472	16475006
Amend 1	\$0(Time)		16475006
Amend 2	\$175,500	475	16475006
Amend 3	\$40,000	475	16475006

STAFF COMMUNICATION WITH THE PUBLIC

None.

CONFLICT OF INTEREST

None.

CONCLUSION

Cleanup of the project site is necessary for the future use of the park improvements by the public. The project is one of the City Council's top priorities. Staff recommends the City Council adopt the resolution authorizing the City Manager to execute the Agreement Amendment with EKI Environment and Water, Inc as set forth in this report.

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

- Professional Services Agreement
- Amendment 1
- Amendment 2
- Draft Resolution
- Exhibit A-3 Amendment 3 to Professional Services Agreement