



COUNCIL AGENDA: 5-24-05

ITEM: 24

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Carl W. Mosher

SUBJECT: SEE BELOW

DATE: 5-4-05

Approved

Date

5/3/05

**SUBJECT: AGREEMENT WITH H.T. HARVEY AND ASSOCIATES FOR
CONSULTING AGREEMENT FOR CITY'S SOUTH BAY MARSH
STUDIES**

RECOMMENDATION

1. Approval of an agreement with H.T. Harvey and Associates, commencing in June 2005 and terminating on December 31, 2008, for South Bay marsh assessment studies, in an amount of \$343,100 and \$45,000 for additional services, for a total not to exceed amount of \$388,100.
2. Adoption of a resolution authorizing the Director of Environmental Services to exercise an option, subject to the appropriation of funds by the City Council, to obtain marsh vegetation mapping services for the years 2006 and 2007, increasing the maximum compensation for basic and additional services by \$130,000 for a total not to exceed contract amount of \$518,100.

BACKGROUND

The Plant National Pollutant Discharge Elimination System (NPDES) permit requires periodic monitoring of marsh vegetation and habitat utilization by endangered species in the areas potentially influenced by Plant discharge. The recommended contract and resolution will provide for the continuation of the City's ongoing efforts to monitor potential Plant impacts on the environment of the South Bay. In addition to permit required vegetation mapping services in 2005 and field surveys to assess the presence or absence of the California Clapper Rail (Rail) and the Salt Marsh Harvest Mouse (Mouse), the recommended contract includes an impact assessment of the South Bay Salt Pond Restoration Project. The recommended resolution will authorize the Director of Environmental Service, upon appropriation of additional funds to secure additional vegetative mapping services in 2006 and 2007.

ANALYSIS

On February 25, 2005, a competitive Request for Proposal (RFP) was issued to solicit proposals from consulting firms to provide South Bay marsh studies services. The RFP was posted on the City's website. Four firms initially expressed intent to submit proposals on the RFP Acknowledgment Form, with one consulting firm responding to the RFP, H.T. Harvey & Associates. A screening panel consisting of technical staff from the Santa Clara Valley Water District and ESD reviewed the H.T. Harvey & Associates' proposal. The screening panel qualified and confirmed their technical and professional expertise. H.T. Harvey & Associates has provided similar marsh studies services for the City since 1989, and is also providing similar services for the South Bay Salt Pond Restoration Project.

OUTCOME

The recommended agreement will enable the Plant to meet NPDES permit requirements for vegetative mapping in 2005 and field surveys for the Rail and the Mouse in 2006. In addition, the agreement will allow the City to compare the impact of the South Bay Salt Pond Restoration Project with the potential impact of the Plant discharge. The recommended resolution will allow the Director of Environmental Services to secure marsh vegetation assessment services in 2007, as required by the Plant's NPDES permit, and in 2006 to confirm the habitat utilized by the Rail and Mouse in the surveys.

PUBLIC OUTREACH

The RFP for this scope of work was posted for six weeks prior to the proposal due date on the ESD website and the Bid Hotline section of the Department of Public Works website. The postings also included links to reports covering the last five years of the City's marsh mapping studies and the Rail and Mouse surveys last performed by the City in 1990.

COORDINATION

The project and memorandum have been coordinated with the Department of Finance, Risk Management, City Attorney's Office and the City Manager's Budget Office; and scheduled to be heard at the Treatment Plant Advisory Committee (TPAC) meeting on May 12, 2005.

COST IMPLICATIONS

1. AMOUNT OF RECOMMENDATION: \$388,100 in 2004-2005. (Total cost \$518,100)

2. COST OF PROJECT:

Basic Services \$343,100

Optional Services (subject to appropriation of funds \$130,000
by the City Council in future fiscal years)

Additional Services \$ 45,000

TOTAL CONTRACT COST \$518,100

3. SOURCE OF FUNDING: 513 – San Jose/Santa Clara Treatment Plant Operating Fund.

4. FICAL IMPACT: This project is consistent with the Council-approved Budget Strategy Economic Recovery section in that it will spur construction spending in our local economy. No General Fund operating or maintenance impact is anticipated from this contract.

BUDGET REFERENCE

Fund #	Appn. #	Appn. Name	Total Appn.	Amt. For Contract	2004-2005 Adopted Operating Budget (Page)	Last Budget Action (Date, Ord. No.)
Remaining Project Costs			\$ 388,100			
Current Funding Available						
513	0762	Non-Personal/Equipment	\$27,588,421	\$388,100	XI-65	10/12/2004, Ord. No 27267
Total Current Funding Available			\$27,588,421	\$388,100		

HONORABLE MAYOR AND CITY COUNCIL

5-4-05

Subject: H.T. Harvey & Associates for Consulting Agreement for City's South Bay Marsh Studies

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CEQA

Exempt, PP05-094.

A handwritten signature in black ink, appearing to read "C. Mosher", with a horizontal line extending to the right.

CARL W. MOSHER

Director, Environmental Services Department