



Staff Report

RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH NINYO & MOORE IN THE AMOUNT OF \$32,300 AND A CONTINGENCY IN THE AMOUNT OF \$3,230 FOR ENVIRONMENTAL CONSULTING SERVICES FOR THE OLD BELMONT FIRE STATION AT 875 O'NEILL AVENUE

Honorable Chair and Directors:

Summary

Redevelopment Agency approval is requested to complete a Professional Services Agreement (PSA) with Ninyo & Moore for Environmental Consulting, and Preparation and Implementation of a Site Assessment Workplan, and Site Assessment Report Submittal for the Old Belmont Fire Station, 875 O'Neill Avenue, Belmont, California. The City of Belmont is the owner of the parcel and is responsible for the investigation and cleanup of fuel released from two vehicle fuel tanks removed in the 1970's and one diesel heating fuel tank removed in 1997.

Background

The Groundwater Protection Program of the San Mateo County Health Services Agency (HSA) requires the City of Belmont to implement a Workplan for Groundwater and Vapor Intrusion Investigation for the Old Belmont Fire Station at 875 O'Neill Avenue and perform other activities eventually leading to site closure. The proposed work is also being coordinated with development plans for Firehouse Square, a Redevelopment Agency target area.

Previous installation of three monitoring wells, and testing and monitoring of the wells was conducted after the tanks were removed. The site was previously characterized as a low risk groundwater case but additional measurement is needed to determine natural attenuation. With additional data points available to evaluate the progress of natural attenuation, it may be determined if the site may be closed. The test results will also be used to evaluate a proposed remediation plan that will contribute to site closure.

The City is currently making an application to the San Mateo County Health Services Agency of a detailed Site Conceptual Model and updated Workplan. The Workplan has been amended from a plan previously submitted to HSA to reflect changes needed, as requested by HSA and to reflect further discussion with the developer of the adjoining property. Some adjustment to the plan is due to current plans by the developer of adjoining property to excavate and perform other development activity on the property concurrent with implementation of the workplan. The work as proposed will aid the City in eventual closure of the City site. The work program includes borings and testing on the alley, Civic Lane, and on the adjoining private property that

is proposed

for development. An access agreement will be approved to implement the scope of work as proposed. The work will include specific components required for site closure and will be implemented in conformance with the Underground Storage Tank fund, to allow for reimbursement from the fund for some work.

The Public Works Department solicited for proposals from more than seventy consulting firms and the City received six proposals. California law requires selection of Architectural and Engineering (A&E) contract services on the basis of demonstrated competence and professional qualifications. Negotiations shall begin with the most qualified consultant. Should negotiations not result in a price the City considers to be fair and reasonable, negotiations shall be formally terminated and the City shall then undertake negotiations with the second most qualified consultant. If the negotiation with the second most qualified firm is not successful, negotiations shall be formally terminated and the City shall then undertake negotiations with the third most qualified consultant, etc. until the price is determined to be fair and reasonable by the City. (California Government Code, Chapter 10, Sections 4525 through 4529.5). The City staff procurement committee consisting of the City Engineer/Assistant Public Works Director, Senior Civil Engineer, and the City Construction Inspector independently screened and ranked these proposals based on the following criteria:

- Team Experience for Similar Services
- Team Members Experience
- Project Approach
- Understanding of City's Needs
- References

The top three consultants were Ninyo & Moore, Technology, Engineering and Construction Inc., and Weiss Associates. The top three consultants were selected to move on to the next phase of the selection process, and interviews were conducted and a selection made. Ninyo & Moore is on the San Mateo County Health Department Groundwater Program list of consultants, and their rates are within the allowable guidelines for reimbursement from the Underground Tank Storage Fund Program.

The most recent activity on this site included Golder and Associates, Inc. taking well monitoring samples and preparing a workplan outlining proposed testing and monitoring of the site. Final negotiations between the City and Golder and Associates, Inc. regarding terms under which the field drilling and testing work proposed in the Work Plan would be implemented were unsuccessful. Negotiations were terminated and a new Request for Proposals was issued. Approval of an agreement to implement the field drilling and testing work proposed in the work plan prepared by Golder was authorized by the Redevelopment Agency, as the cost was in excess of \$25,000.

The previous workplan also needs to be modified to reflect development of the adjoining project moving forward, to allow for additional testing required after most recent review of the addendum that had not been approved previously by the County, and by proposed alteration of the planned approach to site closure to include remediation work. The proposed investigation and scheduling needs of the project also required adjustment from the original plan that is reflected in the current scope of work.

General Plan/Vision Statement

Approval of this work enhances public safety consistent with the City of Belmont Vision that our small town ambience sets it apart as a tranquil, safe, and desirable place to live. The project also supports current economic development plans for the Firehouse Square Redevelopment Target Site.

Fiscal Impact

The value of the professional services agreement with Ninyo & Moore is not to exceed \$32,300.00 as shown on the scope of work, Exhibit A with a contingency of \$3,230.00.

Funding will be drawn from Low and Moderate Income Housing Account 822-4633-9552-9020. Staff will apply for reimbursement of the actual cost from the State Underground Storage Tank Cleanup Fund after the work is complete.

Public Contact

Public contact consists of posting the City Council agenda.

Recommendation

Redevelopment Agency approval is requested to complete a professional services agreement with Ninyo & Moore for Environmental Consulting, and Preparation and Implementation of a Site Assessment Workplan, and Site Assessment Report Submittal for Old Belmont Fire Station, 875 O'Neill Avenue, Belmont, California.

Alternatives

1. Take no action.
2. Refer back to staff for additional information.
3. Deny approval.

Attachments

- A. Resolution
- B. Exhibit A

Respectfully submitted,

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City Engineer

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Director of Public Works

Jack R. Crist
City Manager

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REDEVELOPMENT AGENCY RESOLUTION NO. _____

**RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BELMONT
RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH
NINYO & MOORE IN THE AMOUNT OF \$32,300 AND A CONTINGENCY IN THE
AMOUNT OF \$3,230 FOR ENVIRONMENTAL CONSULTING SERVICES FOR THE
OLD BELMONT FIRE STATION AT 875 O'NEILL AVENUE**

WHEREAS, the City requires a qualified and experienced environmental consultant to conduct the environmental investigation and submit a report for Groundwater and Vapor Intrusion Investigation for the Old Belmont Fire Station at 875 O'Neill Avenue based on a work plan to be approved by the San Mateo County Health Services Agency; and,

WHEREAS, Ninyo & Moore is qualified to performed this work; and,

WHEREAS, Ninyo and Moore has submitted an acceptable proposal for environmental investigation and has signed a Professional Services Agreement and agreed to do the investigative work.

NOW, THEREFORE, BE IT RESOLVED:

1. The Redevelopment Agency of the City of Belmont directs the Executive Director to execute a Professional Services Agreement with Ninyo & Moore, approved as to form by the City Attorney, in an amount not to exceed \$32,300 with a contingency of \$3,230 and directs the Agency Secretary to affix her signature thereto.
2. Funding for this agreement is from Low and Moderate Income Housing Account 822-4633-9552-9020.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Redevelopment Agency of the City of Belmont at a regular meeting thereof held on August 12, 2008, by the following vote:

AYES, DIRECTOR(S): _____

NOES, DIRECTORS(S): _____

ABSTAIN, DIRECTORS(S): _____

ABSENT, DIRECTORS(S): _____

Secretary, Redevelopment Agency

APPROVED:

Chair, Redevelopment Agency

EXHIBIT A

Work is to be performed as shown on the Proposal and Cost Estimate for Environmental Consulting Preparation and Implementation of a Site Assessment Workplan, and Site Assessment Report Submittal for Old Belmont Fire Station, 875 O'Neill Avenue, Belmont, California, prepared by Ninyo and Moore dated July 29, 2008, as may be amended to reflect requirements of the San Mateo County Health Services Agency and approved by the City of Belmont. The hourly rate is as shown on the enclosed proposal. The maximum amount is not to exceed \$32,300.