



DATE: August 5, 2024

TO: Mayor and Members of the City Council

VIA: Stefan Chatwin, City Manager
Marlene Subhashini, Assistant City Manager

FROM: Andrew Brozyna, Public Works Director/City Engineer

DEPARTMENT: Public Works

SUBJECT: TASK ORDER NO. HBG-2024-02 (TO #2) TO THE MASTER ENVIRONMENTAL SERVICES AGREEMENT WITH HUFFMAN BROADWAY GROUP, INC. IN THE AMOUNT NOT-TO-EXCEED \$111,300, FOR REGULATORY AGENCY REQUIRED MITIGATION MONITORING AND COMPLIANCE REPORTING ASSOCIATED WITH THE LEVEE PROTECTION PLANNING AND IMPROVEMENTS PROJECT (CIP 327-657)

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution authorizing:

1. The Mayor to execute Task Order No. HBG-2024-02 (TO #2) to the Master Environmental Services Agreement with Huffman Broadway Group, Inc. (HBG), in the amount not-to-exceed \$111,300, to provide post-construction professional services for regulatory agency required mitigation monitoring and compliance reporting for the Levee Protection Planning and Improvements Project (CIP 327-657); and
2. A project contingency in the amount of \$12,000 with authority given to the City Manager to execute task order amendments up to the contingency amount, if necessary.

EXECUTIVE SUMMARY

Staff utilizes as-needed professional environmental services from HBG through task orders under an approved master agreement. The execution of TO #2 with HBG is

necessary to ensure mitigation performance success standards are met for all project mitigation planting included in CIP 327-657 for the levee project as required by regulatory agencies. Funding is available for post-construction monitoring services in the project budget for CIP 327-657.

BACKGROUND

CIP 327-657 was authorized by several environmental regulatory agencies including the San Francisco Bay Conservation and Development Commission, Army Corps of Engineers, San Francisco Bay Regional Water Quality Control Board, and the California Department of Fish and Wildlife. As a condition of the project compliance by the environmental regulatory agencies authorizing CIP 327-657, the City is required to conduct post-construction biological mitigation performance, maintenance monitoring and reporting in order to ensure survivorship of the project's mitigation planting of permitted vegetation (native hydroseeded areas and shrubs) that was required to offset construction impacts. In addition, the mitigation planting also provides adequate shelter and protection for various endangered species that live within the slough area. The mitigation monitoring and reporting is required for three years following completion of construction.

On October 17, 2022, the City Council/EMID Board adopted City Resolution No. 2022-123 and EMID Resolution No. 3686 awarding a master agreement for professional on-call environmental services to HBG. Professional services as part of this agreement include preparation of permit applications and supporting documentation to obtain authorizations from regulatory agencies, prepare surveys and impact analyses for CEQA and NEPA review, perform on-site monitoring during construction, perform biological surveys and analysis, prepare mitigation plans to satisfy regulatory agency approval, prepare technical reports for regulatory agencies, and other services as identified.

On January 22, 2024, the City Manager executed Task Order No. One (TO #1) (HBG-2024-01), in the amount of \$45,000 to perform mitigation monitoring and reporting for quarter one and two of the 2024 calendar year for CIP 327-657.

ANALYSIS

Although construction of the Levee has been completed and the Notice of Completion filed, work associated with satisfying regulatory agency requirements remains for the three years following construction completion. TO #2 will allow HBG to provide the required monitoring and reporting for the remaining 2024 calendar year and an additional two years to remain compliant with regulatory agency conditions. HBG provided biological monitoring and support for CIP 327-657 as a sub-consultant to the Levee Project's Design Team. Given their familiarity with the project scope and related permits, and having performed mitigation monitoring and reporting successfully for the first half of the 2024 calendar year, staff is recommending that the City Council approve

TO #2 with HBG. The firm's President, Terry Huffman will continue to act as staff's point of contact for the project.

The TO #2 schedule would cover the second half of the 2024 calendar year and two additional years. The scope of work for TO #2 includes tasks such as:

- Maintenance monitoring and documentation
- Water quality monitoring and documentation
- Channel cross section surveys
- Vegetation performance monitoring and documentation
- Hydrology performance monitoring and documentation
- Recommendations for maintenance action
- Agency coordination and field review meetings/inspections
- Annual Report preparation and submittal

It is important that the plantings on the bay side of the levee have an opportunity to re-establish as they are vital to providing adequate shelter and protection for various endangered species that live within the slough area. HBG will identify locations where replanting is required. In addition, HBG will identify locations where invasive species should be removed. The City, through either a separate contract or in-house staff will implement HBG's recommendations. The TO #2 scope is further detailed in Attachment 2 of this report. The final reporting and close-out are expected in January 2027.

CEQA

An Environmental Impact Report was prepared and certified for the Levee Protection Planning and Improvements Project (State Clearinghouse No. 2016012012). The mitigation monitoring was contemplated as part of the EIR and therefore no substantial changes to the project or its circumstances nor has any new information become available that needs to be considered pursuant to CEQA Guidelines section 15162.

FISCAL IMPACT

The proposed fees in the amount of \$111,300 have been negotiated and determined reasonable based on the scope of services. Additionally, a project contingency in the amount of \$12,000 is recommended to pay for additional services to mitigate unforeseen tasks or for additional services that may be required. The proposed resolution would authorize the City Manager to execute task order amendments, as needed, up to the contingency amount. Funding is available for post construction monitoring services in the project budget for CIP 327-657.

CITY COUNCIL VISION, MISSION, AND VALUE/PRIORITY AREA

Facilities and Infrastructure

ATTACHMENTS:

Attachment 1 – Resolution

Attachment 2 – Task Order No. HBG-2024-02