



Office of the City Manager

CONSENT CALENDAR
July 13, 2010

To: Honorable Mayor and Members of the City Council
From: *PK* Phil Kamlarz, City Manager
Submitted by: Claudette R. Ford, Director, Public Works
Subject: Contract No. 7429 Amendment: W. R. Forde Associates for Aquatic Park Cleaning Project

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 7429 with W.R. Forde Associates for Aquatic Park Cleaning for disposal of spoils and site stabilization to complete the Aquatic Park Cleaning Project, increasing the contract by \$250,000 for a total not to exceed \$415,125 for all services.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available in FY 2011 in budget code 610-5218-432-6550-08EN06 in the amount of \$250,000 (funds in FY 2010 will be carried over to FY 2011). The current amount in Contract No. 7429 is \$135,125 with one pending change order in the amount of \$30,000 on Project 08CB02, Fire Warehouse Project. The CMS number is NTZHZ.

CURRENT SITUATION AND ITS EFFECTS

In the October 13, 2009 Information Report to Council, staff indicated that additional testing would be performed to identify possible off-site disposal options for the material. The spoils were sampled and tested in April 2010. The testing verified that the material was below regulatory contamination levels and would be accepted at any of the three local landfills (Altamont, Vasco Road, and Keller Canyon) for disposal. All three landfills were contacted for disposal costs and several hauling options were explored including use of City staff. The use of W. R. Forde to load, haul to landfill and restore the spoils site is the lowest cost option.

BACKGROUND

In the October 13, 2009 report, staff also gave an update on the sequence testing (Tiers 1 through 3) to determine whether the spoils could be reused in the fill areas designated in the Aquatic Park Improvement Plan (APIP). Based on the results of Tier 1 testing, staff determined that they would not perform Tier 2 and Tier 3 testing procedures because the test showed at least four constituents were above the maximum acceptable San Francisco Bay ambient levels for those constituents. Although the Tier 1 test results are not 100% conclusive that the material is unsuitable for reuse at the

Park, it is unlikely that the RWQCB will find that the material is suitable because the four constituents are above the San Francisco Bay ambient levels.

RATIONALE FOR RECOMMENDATION

The lowest cost option is to use W.R. Forde to load, haul and dump the material, and grade and spread mulch or wood chips (mulch and/or wood chips provided by the City to stabilize the site. W.R. Forde is available and qualified to complete the work before the onset of the next rainfall season.

ALTERNATIVE ACTIONS CONSIDERED

Staff explored the use of City's long haul trucks and trailers and front end loader from the Transfer Station to perform the scope of work. It was determined that the long haul trailers are not suitable to haul this type of material based on the trailer's license and their load capacity.

CONTACT PERSON

Jeffrey Egeberg, Manager of Engineering, Public Works, 981-6400

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 7429 AMENDMENT: W. R. FORDE FOR AQUATIC PARK
CLEANING PROJECT

WHEREAS, the City entered into a contract with W.R. Forde Associates to provide cleaning services at Aquatic Park on September 7, 2007; and

WHEREAS, the contract with W.R. Forde was amended on April 20, 2009; and

WHEREAS, the material generated by the cleaning operations was tested and determined to be below regulatory contamination levels but higher than wetland reuse standards and not suitable for fill use in Aquatic Park Improvement Plan; and

WHEREAS, having W.R. Forde load, haul, dispose of the material at landfill, and stabilize the site is the lowest cost option; and

WHEREAS, funds for the amendment are available in the FY 2011 in budget code 610-5218-4532-65-50, Project 08EN06; CMS No. NTZHZ.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 7429 with W.R. Forde Associates for disposal of spoils and site stabilization to complete the Aquatic Park Cleaning Project, increasing the contract by \$250,000 for a total contract not to exceed \$415,125 for all services.

