

CONSULTANT AGREEMENT JUSTIFICATION

PROJECT SUMMARY

The Watershed Stewardship Planning Division has entered into an Memorandum of Agreement (MOA) with the Santa Clara County Parks Department (SCC Parks) to evaluate the feasibility for removal of Ogier Pond Quarry Complex from the main stem of Coyote Creek. The Santa Clara Valley Water District's (District's) Safe Clean Water and Natural Flood Protection (SCW) special parcel tax, Priority D, project D4 Fish Habitat and Passage Improvement Project (project), is funding the feasibility study utilizing a stepwise, integrated planning approach. The approximately 368 acre site is owned in fee by Santa Clara County Parks (SCC Parks). Due to lack of funding to evaluate the feasibility of creek restoration, SCC Parks is agreeable to the evaluation of the site for use as a water supply/flood attenuation facility as long as SCC Parks' primary objective for recreational use is maintained (if the site is deemed feasible for pond separation and creek restoration). With that premise in mind, Watershed SCW staff has begun to investigate the feasibility of a "joint use facility" for recreation, groundwater percolation, and/or flood attenuation benefits which could be attained from separation of the ponds and realignment of the creek channel. T

WHAT TYPE OF SERVICE IS TO BE PROVIDED?

The consultant will develop a water budget and percolation study to advance work for the Ogier Ponds Feasibility Study. This project will meet the District's Safe Clean Water, Priority D, key performance indicator for planning and design for a creek/lake separation. Specific tasks are installation of monitoring wells, CPT soundings and geophysical surveys.

WAS THE USE OF CONSULTANT SERVICES PLANNED AND WHY?

Yes the use of a consultant firms was planned from the beginning of project conception. Safe Clean Water did not plan to do two creek/lake separations in the first five years of Measure B (5 year Implementation Plan (2014-2018)). However, an opportunity arose when the land owner of a creek/lake complex, SCC Parks, approached the District with a request for partnership on studying the feasibility of separation. Therefore, consultant staff was the alternative chosen to move the project forward.

DESCRIBE THE SELECTION PROCESS USED

On June 9, 2016 staff published a Request for Proposals (RFP) on the District's Contract Administration System (CAS) for engineering and hydrogeologic services and distributed to firms self-registered list of HE-10 Hydrologic Engineering with 140 firms and the WQ-20.A Hydrogeologic/Groundwater Modeling and Supply Investigations list with 100 firms. During the four-week advertisement period, staff issued two addendums to clarify details in the RFP and to respond to clarification questions received from interested consultants. No oral interviews or pre-proposal meeting was held for this RFP. Five proposals were received by the proposal submittal deadline of July 7, 2016.

A Consultant Review Board (CRB) consisting of 5 subject matter experts from the District's Watershed and Water Supply Divisions, and one external subject matter expert from the SCC Parks evaluated and ranked the five firms that submitted a proposal. The copulated rankings were then tabulated with TODD Groundwater having ranked as the most qualified to perform the work outlined in the RFP.

IS THE CONSULTANT A SMALL OR LOCAL BUSINESS?

Todd Groundwater is registered as Small Business Enterprise by the California Department of General Services, but they are not Local Business

WHAT AGREEMENTS HAS THE CONSULTANT BEEN AWARDED IN THE PAST 2 YEARS?

Recycled Water and Purification Program

DESCRIBE CONSULTANT'S PAST PERFORMANCE

The Project Manager for the groundwater portion of the Recycled Water and Purification Program provided this summary of the consultants performance. "Todd GW has delivered projects of good or very good quality that in most instances have been ahead of schedule and occasionally under budget. They have been effective at managing and communicating project status, and have been efficient at acquiring and assimilating a considerable volume of hydrogeologic data and developing a coherent conceptual model of subbasin hydrogeology." The references received for the firm from external members was of similar nature in that the products were high quality and they are effective project managers.

WHAT IS THE TERM OF THE AGREEMENT AND HOW WERE COSTS DETERMINED?

The contract length is anticipated to be 11 months and set to expire October 17, 2017. Costs were evaluated and negotiated based on the evaluation of similar work that has been conducted for both capital and planning efforts. The cost evaluation was specific to two projects, Upper Llagas Creek, Lake Silveria Monitoring, and the Recycled Water and Purification Program.

WHAT AMENDMENTS TO THE AGREEMENT MAY BE NEEDED, IF ANY?

Is it likely or unlikely that this agreement will need to be amended (i.e. scope of service(s) as the tasks outlined for this consultant agreement are straight forward.

ADDITIONAL INFORMATION

Ogier Ponds is cited in the FAHCE agreement. The initialed FACHE Settlement Agreement requires the District to make reasonable best efforts to remove or remediate the passage barriers owned by the SCC Parks. The District will fund not more than 50 percent of the costs to remediate this barrier and will undertake reasonable best efforts with the FAHCE parties and the SCC Parks to secure additional funds necessary to perform the remediation (2003).