



# Santa Clara Valley Water District

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**File No.:** 20-1082

**Agenda Date:** 1/12/2021  
**Item No.:** 3.6.

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## BOARD AGENDA MEMORANDUM

### **SUBJECT:**

Approve Amendment No. 1 to Agreement No. A4158A, with Northgate Environmental Management, Inc. for On-Call Environmental Site Assessment, Remedial Design, and Storm Water Management and Engineering Services, CAS File Number 4825, Increasing the Fee by \$200,000, for a Total Not-To-Exceed Fee of \$700,000 and Extending the Term of the Agreement by Six Months.

### **RECOMMENDATION:**

Approve Amendment No. 1 to Agreement No. A4158A with Northgate Environmental Management, Inc. for On-Call Environmental Site Assessment, Remedial Design, and Storm Water Management and Engineering Services, to increase the not-to-exceed fee by \$200,000, resulting in a total not-to-exceed fee of \$700,000, and to extend the term of the Agreement by six (6) months.

### **SUMMARY:**

Amendment No. 1 to the Agreement No. A4158A with Northgate Environmental Management, Inc. (Consultant) will increase the not-to-exceed fee by \$200,000 and will extend the term of the Agreement by six (6) months for the Consultant to continue to perform on-call services for Phase I and Phase II Hazardous Substance Liability Assessments (HSLA) and related services, and storm water management and engineering services, as needed.

### ***Project Background and Previous Board Actions***

On July 6, 2018, the Board approved a consultant agreement (Agreement) with Northgate Environmental Management, Inc. to perform on-call Environmental Site Assessment, Remedial Design, and Storm Water Management and Engineering Services, as needed.

Prior to acquiring property or a property interest, HSLA are conducted to determine the environmental condition of the property and the associated risks. The necessity for, and nature and extent of remedial actions to address the conditions, are also ascertained. These steps are necessary so Valley Water will be fully informed of the environmental conditions of any property interest acquired as to the conditions and possible remedial measures which must be taken to address a hazardous condition relating to its public works projects. The HSLA are conducted in accordance with federal government regulations and industry guidelines.

Valley Water retains consultants to perform HSLA services for the following reasons:

- A. HSLA workload is highly fluctuating and unpredictable. Consultant services are used as the primary resource for completing HSLA while maintaining the minimum in-house staff to manage the work.
- B. Consultants have the specialized equipment, professional staff, and certified operators to complete HSLA services.
- C. A consultant provides a third-party independent, professional assessment of the property interest being considered for acquisition. This avoids any perception of a conflict of interest during real estate transactions between Valley Water and the property owner.

HSLAs are completed in two stages (Phase I HSLA and Phase II HSLA). When a Phase I HSLA identifies the potential presence of environmental contaminants on the property, a Phase II HSLA is required. Phase II HSLA include site investigations (e.g. soil borings and groundwater sampling) to confirm the presence and type of environmental contaminants on the property. When there is known soil and/or groundwater subsurface contamination, remedial design may be required to address the conditions. Remedial design engineering services are also included in the Consultant's scope of services.

Storm water management services described in this Agreement include identification and implementation of applicable requirements of the State of California's Storm Water Construction General Permit and the Municipal Regional Permit for Valley Water projects.

***Amendment No. 1***

The recommended Amendment No. 1 to the Consultant Agreement with Northgate Environmental Management, Inc. continues the current scope being performed by this firm which includes Phase I and Phase II HSLA and related services, and storm water management and engineering services. It also extends the term of the Agreement by six months.

Staff will begin preparing a Request for Proposals for a new consultant agreement, planned to be in effect before the proposed Amendment No. 1 with Northgate Environmental Management expires, so that there will be no gap in the availability of these critical on-call services.

A number of task orders have been executed over the past six months for this Agreement, including a significant amount related to the Anderson Dam and the FERC Order Compliance Project. Additional services are anticipated prior to execution of a new on-call agreement. Consequently, the additional Agreement not-to exceed compensation amount increase and Agreement extension of time included in Amendment No. 1 is recommended to ensure capital projects are not delayed while these necessary services are performed.

**FINANCIAL IMPACT:**

The not-to-exceed fee for this Amendment No. 1 to the Agreement would be increased by \$200,000, from \$500,000 to a new total of \$700,000. Funds are available in the FY2020-21 Budget for the task orders issued pursuant to the Agreement for each of a number of respective operations and capital

projects.

**CEQA:**

The recommended action does not constitute a project under CEQA because it does not have the potential for resulting in direct or reasonably foreseeable indirect physical change in the environment. CEQA requirements for the work performed on particular properties will be addressed on a project-by-project basis.

**ATTACHMENTS:**

Attachment 1: Amendment No. 1

**UNCLASSIFIED MANAGER:**

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