



Santa Clara Valley Water District

File No.: 20-0466

Agenda Date: 6/23/2020

Item No.: 3.3.

BOARD AGENDA MEMORANDUM

SUBJECT:

Approve Amendment No. 1 to Agreement A4277A with AECOM Technical Services, Inc., for the Second Phase of the Large Woody Debris and Gravel Augmentation Study, Project No. 26042002, CAS File No. 4915, to Increase Not-to-exceed Fee by \$400,000, Resulting in a Total not-to-exceed Fee of \$720,000, Extend the Term to January 10, 2024, and Add Michael Love and Associates, Inc. to the List of Authorized Subconsultants (Gilroy, Mountain View) (Districts 1, 7).

RECOMMENDATION:

Approve Amendment No. 1 to Agreement A4277A with AECOM Technical Services, Inc., for the Second Phase of the Gravel Augmentation and Large Woody Debris Placement Study to increase the not-to-exceed fee by \$400,000, resulting in a total not-to-exceed fee of \$720,000; extend the Agreement term to January 10, 2024; and add Michael Love and Associates, Inc. to the list of authorized subconsultants.

SUMMARY:

Santa Clara Valley Water District (Valley Water) staff recommends Board approval of an Amendment to the previously approved Agreement for professional services to conduct the second phase of the Large Woody Debris and Gravel Augmentation Study (LWDGAS). This amendment is needed for the consultant AECOM to:

- 1) Provide design and construction support under guidance from the Watershed O&M Division staff to allow the construction of gravel augmentation and LWD placement projects along Uvas Creek next year; and
- 2) Provide design and construction support for necessary repairs for the Evelyn Bridge Fish Passage Project to address current fish habitat and passage issues.

This additional design and construction support is needed as current staffing levels within the Watershed O&M Division are inadequate to perform the needed work in a timely manner as initially planned. The amendment would also extend the current contract expiration date of January 10, 2021 to January 10, 2024. The amendment would also add the firm Michael Love and Associates, Inc (MLA) to the list of authorized subconsultants, since MLA has extensive technical expertise in design and construction support for fish habitat improvement projects. The total not-to-exceed (NTE) fee limit of the contract would increase from \$320,000 to \$720,000. The increased amount of \$400,000

would be under Task 5 (Supplemental Services).

Project Background and Previous Board Actions

The Safe, Clean Water and Natural Flood Protection Program (Program) has five primary priorities (A, B, C, D and E). Priority D, Restore Wildlife Habitat and Provide Open Space, consists of eight projects. One the eight projects is D4: Fish Habitat and Passage Improvement Project, which is focused on restoring and maintaining healthy steelhead trout (*Oncorhynchus mykiss*) populations in Santa Clara County.

One of Project D4's KPIs is to conduct a study of all major steelhead streams in the County in order to identify priority locations for installation of LWD and gravel augmentation. Such installation/augmentation is intended to increase in-stream complexity and improve steelhead habitat. It also helps support the District's Stream Maintenance Program II LWD and gravel augmentation mitigation obligations for steelhead 2014-2023.

The first phase study was completed and the study summary report titled "Study of Santa Clara County Steelhead Streams to Identify Priority Locations for Gravel Augmentation and Large Woody Debris Placement." was posted on SCW Project D4 website here:

<https://www.valleywater.org/project-updates/creek-river-projects/fish-habitat-passage-improvement>

On June 25, 2019, the Board authorized and executed a consultant agreement with AECOM Technical Services, Inc., to provide professional services to conduct the second phase of the LWDGAS.

Consultant Work Performed to Date

To date, AECOM has been performing services for Tasks 1 through 3, shown in Table 1 below, and is set to complete all required work under Agreement A4277A within budget; however, a 6 month extension on the completion of the study under Tasks 1 through 4 is requested by the consultant to allow for additional preparation and field time required for the assessment of high priority sites due to delays under the current shelter in place order. AECOM is preparing a draft list of high priority sites for field assessment and detailed flood risk and fish habitat assessment. The results of these assessments will be summarized in the draft second phase report for Valley Water review.

The three year contract term extension from January 10, 2021 to January 10, 2024 is to allow sufficient time for AECOM and its subconsultants to complete the Tasks 1 through 4 and to provide design and construction support under Task 5 for the entire implementation cycle for the gravel augmentation and LWD placement projects along Uvas Creek and the needed repairs of the Evelyn Bridge Fish Passage Project.

Amendment No. 1 to Agreement No. A4277A

The requested amendment would increase the total not-to-exceed (NTE) fee for the Agreement by \$400,000 for Task 5 (Supplemental Services) to perform design and construction support for:

- 1) Implementation of gravel augmentation and LWD projects along Uvas Creek. This would be the third and the fourth (of five) gravel augmentation and LWD implementation projects after Stevens Creek (2015) and Los Gatos Creek (2019); and
- 2) Repair of the previously constructed Evelyn Fish Passage Project.

The long-term budget forecast for SCW assumed that technical staff within the Watershed O&M Division would perform the necessary design and construction support; however, current staffing availability is inadequate to perform the necessary work in a timely manner. The intent of this consultant agreement is for AECOM to conduct the second phase study, which includes conceptual designs for the likely implementation locations. In order to meet KPI 5 of D4 which requires implementation of five gravel augmentation/LWD placement projects in a timely manner, utilizing the supplemental services for AECOM and its subconsultants to provide design and construction support is necessary considering current staffing availability of the O&M Division.

The term extension from January 10, 2021 to January 10, 2024 will allow AECOM and its Subconsultants, including Michael Love and Associates, Inc., to perform the needed design and construction support service. Table 1 summarizes the status and requested budget amendment per task. Table 2 summarizes the task schedule per task.

Table 1. Original Agreement, Amendment No.1 and Total Task Costs

Task	Description	Original Total Fixed NTE Fees	Estimated Percentage of Services Performed	Amendment No. 1 NTE Additional Fees	Total NTE Fees
1	Project Management	\$22,393	50%	-	\$22,393
2	Phase II Study Development	\$93,574	70%	-	\$93,574
3	Field Assessment, Flood Risk Assessment, and Site Selection Services	\$130,934	1%	-	\$130,934
4	Final Phase II Conceptual Design and Study Report	\$72,000	0%	-	\$72,000
5	Supplemental Services	\$1,099	0%	\$400,000	\$401,099
	TOTAL NOT-TO-EXCEED FEES	\$320,000		\$400,000	\$720,000

Table 2. Project Schedule

Task	Description	Original Duration from Notice Proceed (months)	Revised Duration from Notice to Proceed (months)
1	Project Management	Duration of Project	Duration of Project
2	Phase II Study Development	6	12
3	Field Assessment, Flood Risk Assessment, and Site Selection Services	12	18
4	Final Phase II Conceptual Design and Study Report	18	24
5	Supplemental Services	Duration of Project	Duration of Project

FINANCIAL IMPACT:

The current not-to-exceed amount of Agreement A4277A is \$320,000. If authorized by the Board, the not-to-exceed amount of this agreement will be increased by \$400,000 from \$320,000 to \$720,000. There are adequate funds in the Instream Habitat Complexity Project (62181006) budget to pay for the increased costs.

CEQA:

The second phase study itself does not constitute a project for purposes of compliance with CEQA. Upcoming installation of LWD and gravel augmentation at Uvas Creek and repair of Evelyn Bridge Fish Passage Project will be conducted under Valley Water's Stream Maintenance Program. If other Valley Water projects implement the study's recommendations, then the associated construction work will require coverage under each respective project's CEQA analysis.

ATTACHMENTS:

Attachment 1: Agreement
Attachment 2: Amendment No. 1

UNCLASSIFIED MANAGER:

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