To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Phillip L. Harrington, Director, Department of Public Works

Subject: Contract No. 9069D Amendment: AMEC Foster Wheeler plc for On-Call Environmental Consulting Services

RECOMMENDATION
Adopt a Resolution authorizing the City Manager to amend Contract No. 9069D with AMEC Foster Wheeler plc for on-call environmental consulting services, increasing the current contract by $150,000 for a total contract amount not to exceed $450,000 and extending the contract through December 31, 2020.

FISCAL IMPACTS OF RECOMMENDATION
This proposed contract amendment will provide funding for the remainder of Fiscal Year (FY) 2018 and through December 31, 2020. Expenditures exceeded $70,000 in FY 2016 due to additional assigned tasks needed to comply with newly imposed regulatory requirements. Ongoing annual costs for on-call environmental services are estimated at approximately $150,000 through the end of the proposed amendment. Funding for the remainder of FY18 is included in the FY 2018 Adopted Plan Budget. Funding for the second and third years of the amendment will be included in the FY 2019 / FY 2020 proposed biennial budget. All funding for the amendment will come out of the Zero Waste Fund (820).

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Original contract amount</td>
<td>$ 25,000</td>
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<tr>
<td>FY 2013 amended amount</td>
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<td>FY 2020</td>
<td>$ 65,000</td>
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<tr>
<td><strong>Total contract amount</strong></td>
<td><strong>$ 450,000</strong></td>
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This contract amendment has been assigned CMS No.QDA87.
CURRENT SITUATION AND ITS EFFECTS
AMEC Foster Wheeler plc (AMEC) is well-qualified to provide the City general on-call environmental services and the assistance needed to manage the quality of storm water that flows to the San Francisco Bay. Moreover, this contract amendment provides additional storm water management and environmental consulting services needed to comply with the requirements of the City’s Solid Waste Management Center, and the Transfer Station’s Industrial Storm Water Permit. That permit covers the City’s entire Second Street and Gilman parcel that is also occupied by the Ecology Center and Community Conservation Centers, Inc. AMEC performs sampling and observations, and provides guidance and planning (including best management practices) to ensure the City remains in compliance with this permit.

BACKGROUND
The Department of Public Works requires routine on-call environmental services for sampling and testing of soils, groundwater, and surface water. In April 2012, the City issued a Request for Proposals for On-Call Environmental Consulting Services for sampling services, storm water sampling and analysis, and other environmental consulting services (Specification No. 12-10673). AMEC and Northgate Environmental were both selected through that competitive bid process, and both currently have active contracts with the City.

AMEC’s original contract for the period July 1, 2012 to July 1, 2015 was approved by the City Manager for a not-to-exceed amount of $25,000. Following that initial approval, Council approved several contract amendments increasing the total not to exceed (NTE) to $300,000.

Subsequent to the April 2016 amendment, the City settled a lawsuit with San Francisco Baykeeper1 that resulted in the imposition of a Consent Decree with significant expenses associated with storm water management for the Second Street/Gilman parcels. Additional storm water management requirements have been negotiated with Baykeeper subsequent to the November 2016 amendment resulting in increased consulting costs.

ENVIRONMENTAL SUSTAINABILITY
AMEC assists the City with storm water management at the Second Street/Gilman parcel that houses the City’s Transfer Station, the Ecology Center and Community Conservation Centers, Inc. The services AMEC provides improves storm water quality, and helps minimize effects of storm water runoff at these locations that could otherwise negatively impact the water quality of area watersheds and the San Francisco Bay.

1 A nonprofit committed to promoting new strategies and policies to protect the water quality of the San Francisco Bay. https://baykeeper.org/
RATIONALE FOR RECOMMENDATION
The recommended amendment will enable the City to better comply with existing storm water regulations and the Industrial Storm Water Permit. AMEC has consistently provided high quality, cost-effective, and timely professional services to the City.

ALTERNATIVE ACTIONS CONSIDERED
None.

CONTACT PERSON
Phillip L. Harrington, Director, Department of Public Works (510) 981-6661
Joy Brown, Environmental Compliance Specialist, Public Works (510) 981-6629

Attachment:
1: Resolution
RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 9069C AMENDMENT: AMEC FOSTER WHEELER PLC FOR ON-CALL ENVIRONMENTAL CONSULTING SERVICES

WHEREAS, AMEC Environmental & Infrastructure, Inc. was selected through the City’s competitive bid process, and in July 2012 the City Manager executed a contract with the corporation to provide on-call environmental consulting services in an amount not to exceed $25,000 for a three-year term; and

WHEREAS, in March 2013 the City Council approved an amendment (Resolution No. 66,038-N.S.) increasing the contract by $40,000 for a new total not to exceed $65,000; and

WHEREAS, in April 2014 the City Council approved an amendment (Resolution No. 66,551-N.S.) increasing the contract by $75,000 for a new total not to exceed $140,000; and

WHEREAS, in April 2016 the City Council approved an amendment (Resolution No. 67,447-N.S.) increasing the contract by $60,000 for a new total not to exceed $200,000; and

WHEREAS, in November 2016 the City Council approved an amendment (Resolution No. 67,758-N.S.) increasing the contract by $100,000 for a new total not to exceed $300,000; and

WHEREAS, technical assistance is needed to assist with compliance requirements of the City’s Solid Waste Management Center and Transfer Station’s new Industrial Storm Water Permit, and for additional storm water management and environmental consulting services and to perform groundwater, soil, and surface water sampling; and

WHEREAS, funding for this amendment is included in the FY 2018 Adopted Plan Budget in the Zero Waste Fund (820); and

WHEREAS funding will be included in the Zero Waste Fund 820 in each year in the FY 2019 / FY 2020 proposed biennial budget; and this contract amendment has been entered into the City’s contract management system as CMS No. QDA87.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute and amendment to Contract No. 9069D with AMEC Foster Wheeler plc increasing the contract by $150,000 for a total contract amount not to exceed $450,000 and extend the contract through December 31, 2020. A record
signature copy of said agreement and any amendments will be on file in the Office of the City Clerk.