



Agenda Item No. 1

To: Building and Operation Committee/Committee of the Whole
Meeting of September 27, 2007

From: Ewa Z. Bauer, Deputy District Engineer
Denis J. Mulligan, District Engineer
Celia G. Kupersmith, General Manager

Subject: **AUTHORIZE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH ANCHOR ENVIRONMENTAL CA, L.P., RELATIVE TO RFP NO. 2008-FT-3, CONSULTANT TO PROVIDE BERTH AND CHANNEL MAINTENANCE DREDGING DESIGN AND PERMITTING SUPPORT SERVICES FOR THE LARKSPUR FERRY TERMINAL**

Recommendation

The Building and Operating Committee recommends that the Board of Directors authorize execution of a Professional Services Agreement with Anchor Environmental CA, L.P., in an amount not to exceed \$470,000, to provide assistance in obtaining permits, design and prepare bid documents, and provide technical support during the Larkspur Ferry Terminal Berth and Channel Maintenance Dredging, relative to RFP No. 2008-FT-3, and establish a contingency for this Agreement in the amount of \$47,000, with the understanding that separate Notices to Proceed will be issued for the Berth Dredging and Channel Dredging projects, that requisite funds are available in the Fiscal Year 07/08 Ferry Division Capital Budget for the Berth Dredging design and construction, and that funds are included in the 10 Year Capital Improvement Program for the next cycle of Channel Dredging design and construction.

This matter will be presented to the Board of Directors at its September 28, 2007, meeting for appropriate action.

Summary

The four lay-up berths, navigational channel, and turning basin at the Larkspur Ferry Terminal require dredging approximately every three years to remove built-up sedimentation for maintaining safe operating depths and widths. The berths were last dredged in November 2004, and the channel and turning basin were last dredged in November 2006. For more cost-effective management, staff has consolidated the permitting and design services for the next two cycles of maintenance dredging into a single professional services agreement. The professional services will be phased, with the berth portion being performed beginning in FY 07/08 and the channel

portion commencing in FY 08/09. The District will issue separate Notices to Proceed to the consultant for each phase of the agreement.

On July 27, 2007, the District issued a Request for Proposal to design consultants specializing in dredging to provide support services for obtaining regulatory agency dredging permits, performing hydrographic surveys, designing and preparing plans and technical specifications, and providing technical support during construction for the next cycle of berth maintenance dredging scheduled for 2008, and the next cycle of channel maintenance dredging scheduled for 2010. By the due date of August 21, 2007, the Office of the District Secretary received proposals from four consulting firms specializing in dredging design services.

A selection committee, consisting of Engineering and Ferry Division staff, as well as the District's DBE Program Office reviewed the proposals. The District's legal counsel reviewed the proposals and has advised that they all met, and were responsive to, the solicitation requirements. The District's selection committee interviewed all four teams. The selection committee evaluated and ranked the consultants based on the submitted proposals and oral interview presentations. The selection criteria included: 1) consultant team qualifications and experience, 2) project understanding and approach, and 3) consultant capabilities, which include their records of successfully performing similar work for both private and public agencies in the Bay Area. The final ranking of the consultants is as follows:

| <u>RANK</u> | <u>COMPANY</u> |
|-------------|-----------------------------------|
| 1 | Anchor Environmental CA, L.P. |
| 2 | Moffatt & Nichol |
| 3 | Gahagan & Bryant Associates, Inc. |
| 4 | TranSystems Corporations |

The selection committee agreed that the top-ranked consultant is best qualified to perform these services. The District Engineer concurs with this finding.

No specific Disadvantaged Business Enterprise (DBE) goal was established for this agreement. However, consultants were urged to obtain DBE participation and were required to document their activities in the solicitation and selection of subconsultants to ensure that this process was carried out in a nondiscriminatory manner. The DBE Program Office has determined that Anchor Environmental CA, L.P., has complied with the DBE requirements applicable to this agreement. At this time, no DBE participation is anticipated during the performance of this project.

As stated in the Request for Proposal, District staff reviewed the cost proposal from the highest ranked firm, Anchor Environmental CA, L.P., and has negotiated the scope of work and cost in an amount not to exceed \$470,000 for the services. Staff has determined that this price is reasonable and recommends award of a Professional Services Agreement relative to RFP No. 2008-FT-3, *Consultant to Provide Berth and Channel Maintenance Dredging Design and Permitting Support Services for the Larkspur Ferry Terminal*, to Anchor Environmental CA, L.P. The consultant will be compensated based upon actual time expended and expenses incurred, plus a fixed fee not to exceed the authorized amount.

Staff also recommends that a 10% contingency in the amount of \$47,000 be established for this agreement for any additional or changed scope that may develop while work proceeds.

Fiscal Impact

The Larkspur Ferry Terminal Berth Dredging project is included in the FY 07/08 Ferry Division Capital Budget at a total cost of \$1,500,000 and is funded with \$1,200,000 federal funds and \$300,000 District funds. The next cycle of Channel Dredging is included in the District's 10 Year Capital Improvement Program beginning in FY 08/09 at a total estimated cost of \$11,740,000 and will be funded with \$9,392,000 federal funds and \$2,348,000 District funds.

Background

Upon execution of a Professional Services Agreement, the consultant will be issued a Notice to Proceed to commence work with the first phase of the agreement, design and permit support services for berth maintenance dredging. The District's Request for Proposal described the following scope of services for berth maintenance dredging:

- Perform a condition hydrographic survey of Berths 1, 2, 3 and 4
- Prepare a request for Tier 1 Evaluation with Confirmatory Chemistry Testing for submittal to the Dredge Materials Management Office (DMMO)
- Prepare a sediment sampling and analysis plan if required by the DMMO, perform sediment sampling, and prepare a report for submittal to the DMMO
- Prepare a Disposal Alternatives Analysis in support of the disposal permit request for submittal to the DMMO
- Assist District in obtaining other permits for the work, including consultations with regulatory agencies regarding work windows for the green sturgeon, clapper rail, and any other listed species of concern
- Prepare design plans and technical specifications for construction bids
- Assist District in the bid solicitation process and in bid review
- Perform a pre-dredge survey of the proposed dredging area for submittal to the U.S. Army Corps of Engineers (USACE)
- Provide technical support during construction.
- Perform a post-dredge survey of the dredged area for submittal to the USACE.

Design plans and technical specifications for the actual dredging work will proceed simultaneously with the permitting process. Staff anticipates that the volume of sediments to be dredged will not exceed 35,000 cubic yards, and that the sediments will be disposed of in the San Francisco Bay. The District will be required to pay a separate volume-based disposal permit fee to the Regional Monitoring Program per the Regional Water Quality Control Board. Staff anticipates completing the permitting, design work, and advertising to award the berth dredging project in June of 2008.

On or about the completion (fall 2008) of the berth dredging, and depending on the availability of funding, the District will issue a second Notice to Proceed to the consultant to initiate design

and permit support work for the channel maintenance dredging phase of the agreement. The District's Request for Proposal described the following scope of services for the channel maintenance dredging:

- Perform a site condition hydrographic survey of the navigational channel and turning basin
- Prepare an application package for a multi-year dredging permit from the USACE
- Prepare a Sediment Sampling and Analysis Plan for approval by the DMMO
- Prepare a Disposal Alternatives Analysis in support of disposal permit request, for submittal to the DMMO
- Perform the sediment sampling, and prepare a Sediment Characterization Report for approval by the DMMO
- Assist the District in obtaining a disposal permit(s) and all other permits required for the work
- Prepare design plans, technical specifications, and a cost estimate for construction
- Assist District in bid solicitation and bid review
- Perform a pre-dredge survey of the project area for submittal to the USACE
- Provide technical support during construction
- Perform a post-dredge survey of the project area for submittal to the USACE

Based on prior dredging episodes, staff anticipates that the volume of sediments to be dredged from the channel and turning basin will not exceed 500,000 cubic yards. Under the 2001 Long Term Management Strategy (LTMS) for Placement of Dredged Material in the San Francisco Bay Region Management Plan, the USACE has instituted a phased reduction in the volume of sediments disposed in the San Francisco Bay, and requires dredgers to seek other disposal options, including the more costly ocean disposal and upland/beneficial reuse disposal sites. Consultant will assist the District in obtaining the most cost-effective mix of disposal options for the channel sediments. The District will be required to pay separate disposal permit fees to the regulatory agencies based on the final disposal location(s) and associated volume of sediments. Staff anticipates completing the permitting, design work and advertising to award the channel dredging project in April of 2010, to allow dredging to begin at the earliest permissible date of June 1, 2010.