Meeting Date: 10/28/08

AGENDA REPORT

City of Santa Clara, California

Agenda Item # 7B-4

Santa Clara All-America City 2001

Date: October 22, 2008

To: City Manager for Council Action
Executive Director for Redevelopment Agency Action
Contract Administrator for Sports and Open Space Authority for Information

From: Director of Public Works / City Engineer

Subject: Amendment No. 1 to the Agreement for Professional Services with H.T. Harvey & Associates regarding Wetland Mitigation at Ulistac Natural Area

EXECUTIVE SUMMARY:

On January 21, 2004, the City Manager approved the Agreement for Professional Services with H.T. Harvey & Associates (Consultant). The Agreement requires the Consultant to provide the following services regarding Wetland Mitigation at Ulistac Natural Area project: Site Reconnaissance and Staking of Existing Wetlands; Grading Design Recommendations; Review of Plans and Specifications; Preconstruction Surveys; Construction Monitoring; Meetings; Plan Mark-Up and Report; and Project Monitoring.

The existing Agreement is for an amount not to exceed $49,740 including an estimated $15,000 for a five year monitoring after the completion of the project. During the construction of the wetland basin, it was determined that additional soil assessment analysis of the horticultural suitability of in-situ soils in the planting area, review of horticultural soils data on the import soils, and additional construction site inspections were necessary to complete the work. In order to keep the project on schedule, funds allocated for Project Monitoring were used to pay for the above-mentioned out-of–scope soil assessment services. The request for additional funds was deferred until after the results of the annual monitoring performed by Consultant during the Project Monitoring phase were assessed. Due to the inclusion of these out-of–scope soil assessment services, the funds allocated for Basic Services are nearly exhausted, however, there is a need to replenish funds for the mandated monitoring. Therefore, staff is requesting an additional $10,000 to replace the funds that were used to pay for out-of–scope soil assessment services, and to fund any potential additional services that may be needed through the monitoring phase of the Project. This Amendment No. 1 increases the "not to exceed" total of the contract amount of $49,740 to $59,740. A copy of this Amendment has been placed in the Council offices for review.

The construction of the Wetland Mitigation at Ulistac Natural Area project has been completed and is currently in the third year of the five-year monitoring phase.

ADVANTAGES AND DISADVANTAGES OF ISSUE:

Approval of Amendment No. 1 to the Agreement for Professional Services with H.T. Harvey & Associates will allow the Consultant to continue with the Project Monitoring in accordance with the California Regional Water Quality Control Board.

ECONOMIC/FISCAL IMPACT:

Amendment No. 1 to the Agreement will add $10,000 to the contract bringing the contract not to exceed total to $59,740. Appropriations are available in the Redevelopment Agency Capital Improvement Project Budget as follows: Wetland Mitigation at Ulistac Natural Area (939-4443-80XX0-9057). Since the funding source for the Project is the Redevelopment Agency Fund, there is no impact to the General Fund.

RECOMMENDATION:

That the Council:
1. Approve Amendment No. 1 to the Agreement with H.T. Harvey & Associates for the Wetland Mitigation at Ulistac Natural Area project in the amount not to exceed $10,000; and

2. Authorize the City Manager to execute and make minor non-substantive modifications, if necessary.

That the Agency:
1. Approve funding for Amendment No. 1 to the Agreement with H.T. Harvey & Associates for the Wetland Mitigation at Ulistac Natural Area project in the amount not to exceed $10,000.

That the Authority:
1. Note and file the Amendment No. 1 to the Agreement with H.T. Harvey & Associates for the Wetland Mitigation at Ulistac Natural Area project in the amount not to exceed $10,000.

Rajeev Batra
Rajeev Batra
Director of Public Works / City Engineer

APPROVED:

Carol McCarthy
for Jennifer Sparacino
City Manager
Executive Director for Redevelopment Agency
Contract Administrator for Sports and Open Space Authority

Certified as to Availability of Funds:
939-4443-80XX0-9057 $ 10,000.00

Michelle R. Egleson
FOR Mary Ann Parrot
Director of Finance
Redevelopment Agency Treasurer
Director of Finance (SOSA)

MAJORITY VOTE OF COUN