

**REPORT TO MAYOR AND COUNCIL
SITTING AS THE LOCAL REUSE AUTHORITY****TO THE HONORABLE MAYOR AND COUNCIL
SITTING AS THE LOCAL REUSE AUTHORITY:**

DATE: September 1, 2015

SUBJECT: APPROVAL OF AN AMENDMENT TO THE MASTER AGREEMENT FOR PROFESSIONAL SERVICES ASSOCIATED WITH PREPARATION OF CONCEPTUAL FLOOD MANAGEMENT PLANS AND CREEK RESTORATION PLANS IN SUPPORT OF SITE WIDE PERMITS FOR SENSITIVE HABITAT AND SPECIES ON THE CONCORD NAVAL WEAPONS STATION WITH ENVIRONMENTAL SCIENCE ASSOCIATES (ESA) NOT TO EXCEED \$148,000. TOTAL FUNDING SINCE 2008 IS \$399,300.

Report in Brief

Staff is recommending that the Local Reuse Authority (LRA) approve an amendment to the Master Agreement for Professional Services with Environmental Science Associates (ESA) to continue conceptual flood management planning and restoration planning for Mt. Diablo Creek to support site wide permits for sensitive habitat conservation and restoration on the Concord Naval Weapons Station (CNWS). The agreement will also provide hydrologic and hydraulic engineering support for mitigation of jurisdictional wetlands at various locations within the Base. The funding will be provided through a loan to the LRA from the General Fund that was approved and appropriated as part of the FY 2015/2016 budget on June 23, 2015. The performance period will be from July 1, 2015 to June 30, 2016. Total funding for ESA since 2008, including this amendment, is \$399,300 with funding sources from OEA and state grants. The loan supporting this amendment will come from the General Fund and will be repaid, with interest, from land sales upon transfer of the former Concord Naval Weapons Station.

Background

A key component of developing a disposition strategy for submittal to the Navy is to have a clear definition of the quantity and quality of restoration mitigation needed to support negotiations with regulatory agencies. Development of a conceptual-level integrated flood management plan for the Concord Community Reuse Project is an essential building block. The goal of this effort is to develop a plan that provides beneficial habitat and aesthetic enhancements while meeting the flood management and infrastructure requirements of the Reuse Project. This scope assumes that the conceptual plan will include a combination of channel improvements, wetland enhancement and flood detention approaches, and includes hydrologic, hydraulic and conceptual design development services for both the Mt. Diablo Creek and Holbrook Channel drainage areas.

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OF CONCEPTUAL FLOOD MANAGEMENT PLANS AND CREEK
RESTORATION PLANS IN SUPPORT OF SITE WIDE PERMITS
FOR SENSITIVE HABITAT AND SPECIES ON THE CONCORD
NAVAL WEAPONS STATION WITH ENVIRONMENTAL SCIENCE
ASSOCIATES (ESA) NOT TO EXCEED \$148,000.**

July 28, 2015

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Discussion

ESA (formerly Phillip Williams and Associates) has been providing hydrologic and hydraulic engineering support to the Reuse Project team since 2008.

ESA will provide technical analysis, field data collection, consultation, and coordination services in support of environmental permitting for the Concord Naval Weapons Station Reuse Project. Examples of services may include hydrologic evaluation of wetland mitigation alternatives, hydrologic and hydraulic analysis and documentation to support permit applications, consultation on hydrology, stormwater and flooding issues, meetings and site visits with City staff, the consultant team and/or state and Federal regulatory agency staff, and field data collection such as cross section surveying, stream flow gauging, groundwater monitoring, wetland assessment.

Fiscal Impact

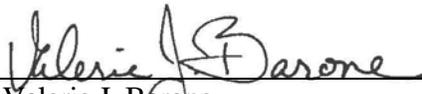
Funding will be provided through a loan to the LRA from the General Fund that was approved and appropriated as part of the adoption of the FY 2015/2016 budget on June 23, 2015. The loan will be repaid, with interest, from land sales upon transfer of the former Concord Naval Weapons Station. The amendment covers a performance period of July 1, 2015 to June 30, 2016.

Public Contact

Agenda has been posted in accordance with legal requirements.

Recommendation for Action

Staff recommends the City Council, sitting as the Local Reuse Authority, authorize the LRA Executive Director to execute the Master Agreement for Professional Services with ESA for a total amount of \$148,000.



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Executive Director, Local Reuse Authority
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**SECOND AMENDMENT TO
MASTER AGREEMENT FOR PROFESSIONAL SERVICES**

This Second Amendment to Agreement is entered into on July 1, 2015 (“EFFECTIVE DATE”) by and between the CITY OF CONCORD, a municipal corporation, (“CITY”) and ENVIRONMENTAL SCIENCE ASSOCIATES (ESA) (“CONSULTANT”) and is the second amendment to a Master Agreement dated November 18, 2014, referenced as the City’s document No. 5355

WHEREAS, the CITY and CONSULTANT entered into an agreement dated November 18, 2014 for services with preparation of conceptual flood management plans and creek restoration plans in support of site wide permits for sensitive habitat and species on the Concord Naval Weapons Station, in the amount of \$20,000; and

WHEREAS, the Agreement was amended on February 25, 2015 and was approved by Council as 5355-A, for an additional \$31,000 and extending the term to June 30, 2015; and

WHEREAS, the parties hereto desire to amend the agreement to extend the term of the contract and provide for additional compensation; and

NOW, THEREFORE, in consideration of the promises and conditions set forth herein, the parties mutually agree as follows:

Section 1. Section 5, COMPENSATION, is amended to read as follows:

SECTION 5 - COMPENSATION

5. COMPENSATION

With this amendment to the original agreement of November 18, 2014, the CONSULTANT shall be compensated in the additional amount of **\$148,000**, for a total amount of the General Fund loan not to exceed **\$199,000** for basic services rendered, as more particularly described in Exhibit A of the original agreement, in accordance with the terms and conditions included therein.

CONSULTANT may submit monthly statements for services rendered. It is intended that payments to CONSULTANT will be made by CITY within thirty (30) days of receipt of invoice.

SECTION 6 - TERM

6. TERM

The term of this Agreement, as amended, shall be from July 1, 2015 to June 30, 2016 unless earlier terminated in accordance with the terms of the Agreement.

Except as expressly amended herein all terms and conditions of the Agreement dated November 18, 2014 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment to Agreement the day and year written above.

CONSULTANT

Dated

By: _____
Robert T. Battalio
Vice President

CITY OF CONCORD

Dated

By: _____
Michael W. Wright
Executive Director
Local Reuse Authority

APPROVED AS TO FORM:

ATTEST:

City Attorney

City Clerk

This signature page is part of this second amendment to the Master Agreement for Professional Services entered into on July 1, 2015 by and between the City of Concord, a municipal corporation, (hereinafter "City") and Environmental Science Associates (ESA) (the "Consultant").