

STAFF REPORT

For the meeting of

To: Board of Directors
From: Steve McGrath, Interim Executive Director
Subject: Mooring Field Design Development

STAFF RECOMMENDATION:

After Board discussion and public comment, staff recommends this Board accept and approve the GHD proposal.

Motion: Accept and approve the Proposal and Cost Proposal from GHD, authorize Interim Executive Director to execute a contract in an amount not to exceed \$125,100 with GHD and additionally authorize the Interim Executive Director to execute Change orders in a total amount not to exceed ten percent of the maximum contract amount.

SUMMARY:

In August 2021, this Agency entered into a Settlement Agreement (SA) with the Bay Conservation and Development Commission (BCDC). The Agreement detailed a five year plan for the implementation of the provisions of the Richardson Bay Special Area Plan (1984) with specific regard to anchor-outs and houseboats.

Section 6 of the Agreement states in part:

Temporary Use of Moorings. By December 15, 2022, RBRA will install in its anchoring zone (outside of its Eelgrass Protection Zone) approximately 15 to 20 moorings such as those described in RBRA's Ecologically-based Mooring Feasibility Assessment and Planning Study.

At the meeting of December 10, this Board directed staff to conduct an expedited process for the selection of a consultant to design, engineer, conduct environmental analysis, pursue entitlements, develop construction documents and manage the bidding and construction process.

Staff developed an abbreviated Request for Proposals (RFP), which included as attachments a Scope of Work, the Settlement Agreement, the Merkel Mooring Study of 2019 and the Agency's standard Professional Services Agreement.

The Scope requested that the Technical Proposal and the Cost Proposal be submitted separately, allowing for a review of submittals based on understanding and experience, and firms passing that review would then be reviewed on the basis of the Cost Proposal.

Two firms (Anchor QEA and GHD) submitted proposals by the January 31 deadline.

Both proposals were initially reviewed by staff for compliance with the requirements of the RFP:

- a. Include a statement of understanding of the RBRA's needs by highlighting the dominant issues. Any recommendations regarding improvements to more effectively meet the RBRA's stated objectives should be emphasized to demonstrate a clear understanding of the project requirements;
- b. Include a statement highlighting the qualifications of your firm to complete the tasks outlined in 4 a-d below;
- c. Include a proposed schedule for completion of each of the tasks listed in 4 a-d, below;
- d. Confirm acceptance of, or indicate exceptions to, the Professional Services Sample Agreement;
- e. Indicate whether there are any conflicts of interest that would limit the Consultant's ability to provide the requested services;
- f. Identify any and all sub-consultants to be used on the project.

The tasks to be completed are:

- a. Mooring Plan: Determine vessel sizes, number and type of moorings; mooring specifications, location, spacing and GPS based plan. The Mooring Field must be outside of the Eelgrass Protection Zone, and inside the Anchorage Area (See attached Chart);
- b. Environmental: National Environmental Protection Act (NEPA) and California Environmental Quality Act (CEQA) review and analysis as necessary;
- c. Entitlements: Obtain other entitlements or approvals as necessary. No additional approval is required from BCDC, per the SA, unless there is a desire on the part of RBRA to continue the use of the moorings beyond October 15, 2026; no such decision will be made until mid 2025 at the earliest;
- d. Construction: Develop construction documents and bid package; issue an Invitation to Bid for the provision and installation of moorings; provide construction oversight;

Both firms met the compliance requirements of the RFP. Subsequent to the initial staff review, staff met with the ad-hoc Mooring Committee (Vice Chair Block and Director

Wickham). The Committee agreed that both firms are competent and capable of meeting RBRA's goals.

Both firms bring in outside expertise (GHD brings ex ACOE, Brad Damitz; Anchor brings in ex NOAA and current RBRA consultant Rebecca Schwartz Lesberg).

Both firms provided a detailed schedule that meets the BCDC deadline. Unanticipated events may of course derail the best planned project.

In summary, both firms are qualified to perform the work described.

FISCAL IMPACT: Based on the qualifications of both firms and the quality of the proposals which indicated that both firms were qualified to do the work, the Committee then looked at the cost proposals. Both firms provided cost estimates that included Not to Exceed (NTE) amounts.

Both firms excluded any geotechnical costs; this will be an added cost, unless RBRA is able to access recent and adjacent studies.

Anchor QEA assumed that the project would be Categorically Exempt under CEQA; GHD assumed that an Initial Study and either Negative Declaration or Mitigated Negative Declaration would be required.

In summary, the cost proposals are as follows:

| Mooring Field costs comparisons | | | | | |
|---------------------------------|--------------|------------------|--|------------------|-------------------|
| | | Anchor | | GHD | |
| Phase 1 | Des/dev | \$ 22,386 | | \$ 35,180 | |
| Phase 2 | CEQA | \$ 15,992 | Assumes exempt; if not, \$47,600 | \$ 28,200 | Assumes ND or MND |
| Phase 3 | Entitlements | \$ 39,816 | Discusses in water work window ie done by Nov 30 | \$ 15,375 | |
| Phase 4 | Con docs, CM | \$ 72,906 | No geotech; RBRA pays plan check | \$ 46,365 | No geotech |
| | | <u>\$151,100</u> | | <u>\$125,120</u> | |

Based on the above, staff recommends that this Board approve a contract with GHD for the described work.

Attachments:

GHD Proposal and Cost Proposal

Anchor QEA Proposal and Cost Proposal