



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 05/15/07
AGENDA ITEM 1
WORK SESSION ITEM _____

TO: Redevelopment Agency Board
FROM: Director of Public Works
SUBJECT: Authorization to Amend the TRC Professional Services Agreement in Connection with the Cannery Area Project

RECOMMENDATION:

It is recommended that the Board adopt the attached resolution authorizing the Executive Director to execute an amendment to the TRC Professional Services Agreement to complete the environmental services in connection with the Cannery Area Project.

DISCUSSION:

In December 2004, the Agency approved a \$110,000 agreement with TRC (formerly Lowney Associates) for an environmental assessment of the site for the proposed Burbank School and Cannery Park Expansion projects. The original scope of work was based on an understanding of the site clearance and environmental processes required at the time to secure approval as a joint-use site between the Hayward Unified School District and the Hayward Recreation and Parks District.

Following preparation of the Preliminary Environmental Assessment (PEA) report in the summer of 2005, the Agency, in November 2005, authorized an amendment to the TRC professional services agreement for an additional \$396,380 bringing the total to \$506,380. The PEA indicated that the scope of environmental assessment and remediation was more extensive, requiring substantially more site-specific information, including soil sampling and analysis. The scope of the November 2005 TRC agreement amendment included oversight responsibility for a significantly expanded remediation project.

A Removal Action Workplan (RAW) to remediate the site was prepared and approved by the Department of Toxic Substances Control (DTSC). Remediation of the site began last summer and was effectively completed in late fall 2006. Formal approval of the joint site for purposes of commencing school construction was provided by the DTSC in March.

During the site remediation process, additional remediation objectives were confirmed by the DTSC. Also, certain issues within the site that were unclear during the preliminary environmental assessment were resolved with respect to what needed to be accomplished. This resulted in more soil analyses and removal activities, (e.g., underground storage tank removal), additional costs, and a much expanded Completion Report for DTSC consideration. Finally, one component of the approved RAW will require additional monitoring activities and quarterly reports, as well as a final report, all of which will be conducted and prepared by the TRC.

As is evident from the sequence of work described above, some of the requested increase is to cover work already performed (approximately \$60,000). Normally staff would want to process a contract change prior to the work being done. However, also during this period, the change in ownership from Lowney Associates to TRC, as well as significant key personnel-turnover in the firm delayed getting invoices as well as proposals for the additional services required to complete the remediation and to produce the Completion Report. Nonetheless, the work continued and the project was kept on schedule. Staff has reviewed the subsequent proposals and finds them adequate.

In order to complete the project, staff is recommending an additional contract amendment of \$100,000. Of this amount, approximately \$20,000 is earmarked for the ongoing work described on the previous page. Additionally, in light of the changes experienced to date, about \$20,000 is for any new unanticipated requirements. If the funds are not expended, they remain in the fund balance.

FUNDING:

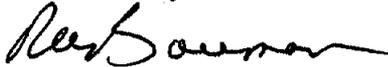
There is sufficient funding in the appropriations for both the new Burbank School and Cannery Area Park Expansion projects to support this contract amendment.

Prepared by:



Morad Fakhrai, Deputy Director of Public Works

Recommended by:



Robert A. Bauman, Director of Public Works

Approved by:



Jesús Armas, City Manager

**DUE TO THE LENGTH OR COLOR OF
THE REFERENCED EXHIBITS, THEY
HAVE BEEN ATTACHED AS SEPARATE
LINKS.**

DRAFT

REDEVELOPMENT AGENCY OF THE CITY OF HAYWARD

RESOLUTION NO. RA 07-

Introduced by Agency Member _____

me
5/10/07

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN AMENDMENT TO THE TRC PROFESSIONAL SERVICES AGREEMENT IN CONNECTION WITH THE CANNERY AREA PROJECT

BE IT RESOLVED by the Redevelopment Agency of the City of Hayward that the Executive Director is hereby authorized and directed to negotiate and execute an amendment to the TRC Professional Services Agreement to complete the environmental services for the proposed Burbank School and Cannery Park Expansion project, in an amount not to exceed \$100,000, for a total contract amount of \$606,380, in a form to be approved by the City Attorney.

HAYWARD, CALIFORNIA _____, 2007

ADOPTED BY THE FOLLOWING VOTE:

AYES: AGENCY MEMBERS:
CHAIR:

NOES: AGENCY MEMBERS:

ABSTAIN: AGENCY MEMBERS:

ABSENT: AGENCY MEMBERS:

ATTEST: _____
Secretary of the Redevelopment Agency
of the City of Hayward

APPROVED AS TO FORM:

General Counsel