



Midpeninsula Regional  
Open Space District

R-19-101  
Meeting 19-19  
July 24, 2019

## AGENDA ITEM 5

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Contract Award to Ecological Concerns, Inc., for vegetation management services under the Revitalizing Stream, Upland, and Wetland Habitats grant program funded by the Santa Clara Valley Water District

### GENERAL MANAGER'S RECOMMENDATIONS *den*

1. Award a contract with Ecological Concerns, Inc., of Santa Cruz, California to provide vegetation management services in Santa Clara County for a base contract amount of \$107,990 for Fiscal Year 2019-20.
2. Authorize the General Manager to extend the contract for three additional consecutive years, if the program is successful, for a total not-to-exceed amount of \$431,960 over the four-year term (amount fully reimbursable through a Valley Water grant).
3. Authorize an additional allowance of \$25,000 per fiscal year for materials, supplies, and associated labor costs (up to a total of \$100,000 for four years), to be expended as needed at the District's sole discretion, for a total not-to-exceed contract price of \$531,960. The total contract price (all four years of work) is reimbursable through a Memorandum of Understanding and grant from the Santa Clara Valley Water District.

### SUMMARY

This contract will allow the Midpeninsula Regional Open Space District's (District) to implement a portion of the five year Memorandum of Understanding (MOU) with Santa Clara Valley Water District (Valley Water), funding the removal of non-native, invasive plants and revegetate habitat with native species as needed at multiple District open space preserves (OSP) in Santa Clara County. The project will restore degraded habitat located between revegetated sites to create a contiguous habitat corridor for wildlife. The invasive species management work under the recommended contract consists of manual, mechanical, biological, and chemical treatments that are consistent with the District's Integrated Pest Management (IPM) Program.

The cost for these services is \$107,990 per fiscal year, for a total contract amount of \$431,960. In addition, an allowance of \$25,000 per fiscal year (\$100,000 total over four years) for materials and supplies would increase the total not to exceed contract amount to \$531,960.

The entire contract amount is reimbursable under a grant received from Valley Water for revitalizing stream, upland, and wetland habitats. The adopted Fiscal Year (FY) 2019-20 budget includes sufficient funds for this contract.

## DISCUSSION

### *Background*

The District manages invasive plants on OSPs “to protect and restore the natural environment,” with the goal of safeguarding the diversity and integrity of the natural resources and ecological processes. District field staff, contractors, non-government organizations (e.g. San Jose Conservation Corps and the Student Conservation Corps), and volunteers all assist in management of vegetation on OSPs. The District uses contractors most frequently for large infestations and for invasive species that have very specific treatment timing. District staff oversee the work of contractors, which includes monitoring by District-approved biologists when contractors are working near sensitive areas such as ponds with rare aquatic species. The District uses IPM practices when managing invasive plants and weeds, and contractors are required to follow thirty-six (36) best management practices to protect the environment and human health.

Valley Water provides funding for this program through its Measure B, the Safe, Clean Water and Natural Flood Protection Program. Valley Water established this 15-year program to provide a long-term safe and reliable water supply within Santa Clara County. In June of 2017, the Board of Directors (Board) authorized the General Manger to enter into a five year MOU with Valley Water under the D2: Revitalize Stream, Upland and Wetland Habitat Program (R-17-79). This program is one of five priority programs under Measure B. Funding under this program is directed towards removing non-native, invasive plants, revegetating habitat with native species, and educating the public about the impacts of invasive species and benefits of native species. The full contract amount of \$531,960 is eligible for reimbursement.

### *Contractor Selection*

The District issued an RFB on May 20, 2019 and advertised in local newspapers and on the District website. Staff notified sixteen (16) firms known to have experience providing vegetation management in natural area environments. Two (2) firms attended the mandatory pre-bid tour on June 4, 2019. Staff issued addendums on June 7 and June 19 of 2019 clarifying questions on the RFB during and after the pre-bid tour.

Bids were due on June 24, 2019. The results are as follows:

<b>Bidder</b>		<b>Location</b>	<b>Annual Base Bid</b>	<b>Percent of Cost Estimate of \$125,000</b>
1	Ecological Concerns, Inc.	Santa Cruz, CA	\$107,990	86%
2	Triangle Properties	Sacramento, CA	\$128,975	103%

District staff deemed Ecological Concerns, Inc. the lowest responsible and responsive bidder for the project. The duration of the contract will be for a one-year term for at the base bid of \$107,990 with an option for both parties to extend the contract annually up to a total of four years, for a total not-to-exceed amount of \$431,960. In addition, District staff recommend a \$25,000 per fiscal year allowance (\$100,000 total over four years) for materials, supplies, and associated labor costs, bringing the total contract amount to \$531,960. This allowance will facilitate the District’s ability to quickly respond to and mitigate potential ecological concerns, such as by authorizing the installation of erosion control or revegetation where large areas of

invasive plants are removed. It will also allow the District to fully utilize the grant funds for the purposes intended by Valley Water.

### FISCAL IMPACT

There are sufficient funds in the adopted FY2019-20 Budget to cover the cost of the recommendation. The Valley Water grant will cover the entire cost of the Ecological Concerns contract. Grant funds will be applied to cover Fund 10 operating expenses at multiple District OSPs within Santa Clara County and the *Bear Creek Redwoods Preserve Plan Invasive Weed Treatment and Restoration* project (MAA21-007). The table below identifies how the grant funds will be utilized between Funds 10 and 30, followed by project and portfolio funding tables. There are sufficient funds in the MAA21-007 project budget to cover the Measure AA-eligible expenditures.

<b>Ecological Concerns Contract</b> <i>(100% funded by Valley Water grant)</i>	<b>FY</b> <b>2019-20</b>	<b>FY</b> <b>2020-21</b>	<b>FY</b> <b>2021-22</b>	<b>FY</b> <b>2022-23</b>	<b>TOTAL</b>
Fund 10 (Multiple preserves*)	\$32,990	\$82,990	\$107,990	\$132,990	\$356,960
Fund 30 (MAA21-007)	\$100,000	\$50,000	\$25,000	\$0	\$175,000
<b>Total:</b>	<b>\$132,990</b>	<b>\$132,990</b>	<b>\$132,990</b>	<b>\$132,990</b>	<b>\$531,960</b>

\*Multiple preserves may include: Sierra Azul, Fremont Older, El Sereno, Rancho San Antonio, Bear Creek Redwoods, and Picchetti Ranch.

<b>Bear Creek Redwoods Preserve Plan Invasive Weed Treatment and Restoration</b> <b>MAA21-007</b>	<b>Prior Year</b> <b>Actuals</b>	<b>FY2019-20</b> <b>Adopted</b>	<b>Estimated</b> <b>Future Years</b>	<b>TOTAL</b>
District Funded:	\$419,880	\$76,807	\$45,000	<b>\$541,687</b>
Grants Awarded:	\$307,042	\$100,000	\$75,000	<b>\$482,042</b>
<b>MAA21-007 Budget:</b>	<b>\$726,922</b>	<b>\$176,807</b>	<b>\$120,000</b>	<b>\$1,023,729</b>
Spent-to-Date (as of 07/09/2019):	(\$726,922)	\$0	\$0	<b>(\$726,922)</b>
Encumbrances:	\$0	\$0	\$0	<b>\$0</b>
Ecological Concerns Contract:	\$0	(\$100,000)	(\$75,000)	<b>(\$175,000)</b>
<b>Budget Remaining (Proposed):</b>	<b>\$0</b>	<b>\$76,807</b>	<b>\$45,000</b>	<b>\$121,807</b>

The following table outlines the Measure AA Portfolio 21 allocation, costs-to-date, and the fiscal impact related to the *Bear Creek Redwoods Preserve Plan Invasive Weed Treatment and Restoration* project (MAA21-007).

<b>MAA21 Portfolio Allocation:</b>	<b>\$17,478,000</b>
Grants awarded to date:	\$3,924,500
Life-to-Date Spent (as of 07/09/19):	(\$7,646,979)
FY2019-20 Encumbrances:	(\$3,382,512)
Ecological Concerns Contract:	(\$175,000)
<b>Portfolio Balance Remaining (Proposed):</b>	<b>\$10,198,009</b>

**BOARD COMMITTEE REVIEW**

The Board approved the MOU between the District and Valley Water on June 28, 2017 (R-17-79). A Board Committee has not reviewed this item.

**PUBLIC NOTICE**

Public notice was provided as required by the Brown Act. Public notice was sent to interested parties and tenants by postal or electronic mail.

**CEQA COMPLIANCE**

The Environmental Impact Report (EIR) prepared for the District's IPM Program, which the Board approved on December 10, 2014 (R-14-148), analyzed the vegetation management activities in the recommended contract. On February 27, 2019, the Board approved an addendum to the Final EIR for the IPM Program (R-19-11). The associated mitigation measures and BMPs from the environmental review documents are incorporated into the project and the contract documents.

**NEXT STEPS**

Upon approval by the Board, the General Manager will enter into a one-year contract with Ecological Concerns, Inc., of Santa Cruz, CA. If the program is successful in the first year, the District will extend the contract annually for a contract duration of up to four years.

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