



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Jeff Provenzano

SUBJECT: See Below

DATE: April 21, 2025

Approved

Date:

5/5/25

COUNCIL DISTRICT: Citywide

**SUBJECT: Master Service Agreement with Environmental Science Associates
for Environmental Consulting Services for Various City Projects**

RECOMMENDATION

Approve a Master Service Agreement with Environmental Science Associates from the date of execution through June 30, 2028, in an amount not to exceed \$1,000,000 for environmental review and permitting services for the Environmental Services Department and San José-Santa Clara Regional Wastewater Facility projects and programs.

SUMMARY AND OUTCOME

Approval of a master service agreement with Environmental Science Associates would enable staff to have this firm on retainer for three years and provide environmental review and permitting services for various City projects and programs managed by the Environmental Services Department (ESD), including the Capital Improvement Program at the San José-Santa Clara Regional Wastewater Facility (RWF).

BACKGROUND

ESD is responsible for ensuring compliance with environmental regulations on many City projects at RWF. In 2019, the City selected Environmental Science Associates through a Request for Proposal (RFP) process for environmental review services. This agreement will terminate on June 30, 2025.

The San José City Council adopted the San José-Santa Clara Regional Wastewater Facility (Wastewater Facility) Plant Master Plan (PMP) and certified the associated Environment Impact Report (EIR) in November 2013. The PMP recommended over \$2 billion in construction projects be completed over the next 30 years with approximately \$544 million to occur in the next five years to rehabilitate aging infrastructure at the Wastewater Facility. The PMP EIR provided environmental review for many of the recommended RWF capital projects at a program level of detail. Before these projects can be approved for construction, further environmental review may be required to address the more detailed site-specific issues and changes of a particular project. Some of these projects will also be subject to state and federal environmental permitting requirements that require biological, cultural, or archeological certified specialist to provide comprehensive analysis and reporting.

The selected consultant(s) shall provide services and support on current and future environmental review and permitting activities for ESD so that programs and projects comply with the California Environmental Quality Act (CEQA) and other environmental permitting requirements as needed. Consultant services may also be required for other ESD sites or projects.

ANALYSIS

On February 12, 2025, the City issued a RFP seeking interested firms to submit proposals for environmental review and permitting services in support of various projects and programs managed by the ESD. Three proposals were received by the March 12, 2025 submittal deadline. Staff reviewed the written proposals and ranked all three firms.

Evaluation of the proposals were based on each firm's expertise, experience and approach that consisted of:

- Qualifications/expertise of lead staff
- Experience or projects and programs of similar size, scope, and complexity
- Approach to managing technical and budget challenges
- Approach to managing project staff and resources adequately
- Approach to providing quality assurance/quality control for all deliverables
- City's Local and Small Business Preference

The final rankings are summarized below:

<u>Consultant Firm</u>	<u>Total Score</u>	<u>Rank</u>
Environmental Science Associates	93	1
EMC Planning Group, Inc.	68	2
Ultrasystems Environmental	59	3

Environmental Science Associates qualified for the Local Business Preference.

Environmental Science Associates demonstrated a high level of technical expertise and experience in providing a broad range of environmental consultant services including but not limited to project/program environmental review, clearance, and permitting; environmental documentation, studies, and reports; site monitoring and reporting; regulatory research and environmental compliance evaluation; construction document review and worker training; and other environmental consultation services.

Staff recommends approval of a master agreement with Environmental Science Associates based on their expertise and various projects and program needs within ESD to provide support to the Wastewater Facility Operations and Watershed Protection Divisions on Facility capital improvement projects. It is anticipated that several capital improvement projects will require environmental review and permitting support within the upcoming years. These projects include, but are not limited to, Additional Digesters Facility Upgrade, Additional Filter Improvements, Aeration Basin Modifications – Phase 1, Primary Rehabilitation, and Process Pump Station Improvements.

This master service agreement would provide much needed technical expertise and support on an as-needed basis and provide staff the ability to choose the firm that would best complement staff expertise. Staff reserves the discretion to issue individual service orders based on the consultant firm's expertise, cost, and availability. Staff will negotiate costs with the consultant firm on project proposals to ensure project costs and consultant resources are efficiently managed.

Policy Alternatives

Alternative #1: Direct City staff to provide the required services with in-house resources.

Pros: Increased work options for City staff.

Cons: Majority of the anticipated work is environmental analysis for the RWF CIP projects pursuant to CEQA. CEQA analysis requires additional resources independent of ESD staffing. Some of the anticipated work may require analysis and/or reporting by registered engineers and/or certified biologists in various technical specialties. In addition, these projects require technical skills across the broad range of expertise anticipated for these projects.

Reason for not recommending: The City would need to hire several new staff members with the knowledge and expertise in a variety of environmental areas. Portions of the anticipated work would still need to be performed by third-party licensed engineers, geologists, or other specialists to meet regulatory requirements.

Alternative #2: Perform a separate RFP process for each project.

Pros: The RFP selection process would focus on the specific needs of each project instead of the broader scope of work specified in the recent RFP.

Cons: The RFQ selection process typically takes six months or more to complete and involves a large amount of staff time to develop project-specific RFPs, solicit responses, interview consultants, negotiate contracts, and obtain City Council approval. Larger projects require more timely response due to upcoming regulatory and/or construction deadlines. By having consultants attached to specific projects, there will be less capacity to respond to unforeseen projects that require immediate response.

Reason for not recommending: This approach will limit the City's flexibility and limited response time for handling unforeseen environmental projects, possibly leading to missing regulatory deadlines and possibly subject the City to violations and/or fines.

EVALUATION AND FOLLOW-UP

No additional follow up action with the Council is expected at this time.

COST SUMMARY/IMPLICATIONS

Projects that will use these agreements are funded through the San José-Santa Clara Treatment Plant Capital Fund and the San José-Santa Clara Treatment Plant Operating Fund. No additional funding is necessary to approve these master agreements. Funds have already been appropriated or will be appropriated for the various City projects upon issuance of each service order.

1. TOTAL COST AGREEMENT
Environmental Science Associates \$1,000,000
TOTAL AGREEMENT AMOUNT \$1,000,000
2. COST ELEMENTS OF AGREEMENT/CONTRACT AS RECOMMENDED AS PART OF THE MEMORANDUM: The consultant's services are reimbursed on an hourly rate schedule in the master agreement for the involved consultant personnel.
3. SOURCE OF FUNDING: San José-Santa Clara Treatment Plant Capital Fund and the San José-Santa Clara Treatment Plant Operating Fund.

BUDGET REFERENCE

Services performed by the consultants under these agreements will be authorized by service orders. An appropriation is not required for execution of these master consultant agreement but is required for each service order authorized under these agreements. Future funding is subject to the annual appropriation of funds and, if needed, will be included in the development of future year budgets during the annual budget process.

COORDINATION

The memorandum has been coordinated with the City Attorney's Office, City Manager's Budget Office, and the Planning, Building and Code Enforcement Department. The item is scheduled to be heard at the May 15, 2025, Treatment Plant Advisory Committee meeting.

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the May 20, 2025 City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

This item is scheduled to be heard at the May 15, 2025 Treatment Plant Advisory Committee meeting. A supplemental memorandum with the committee's recommendation will be included in an amended City Council meeting agenda.

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CEQA

Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) Resulting in no physical changes to the environment.

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

Jeff Provenzano, P.E.
Director, Environmental Services

For questions, please contact Jennifer Voccola Brown, Division Manager, Environmental Services Department, at jennifer.brown@sanjoseca.gov or (408) 975-2594.