

OHLONE COMMUNITY COLLEGE DISTRICT  
MEMORANDUM

TO: Board of Trustees  
FROM: Douglas Treadway  
DATE: March 9, 2005  
SUBJECT: Approval of Contract Amendment for Treadwell and Rollo related to Hazardous Materials at the Ohlone College Newark Center for Health Sciences and Technology

A draft work plan for the pesticide mitigation at the Ohlone College Newark Center for Health Sciences and Technology site has been prepared and is under review by the Department of Toxic Substance Control (DTSC) and the United States Environmental Protection Agency (USEPA).

Treadwell and Rollo's existing contract for Hazardous Materials Investigation covered their service up to and through this activity. Additional services are required to continue the planning and the agency approval process for the pesticide mitigation.

The attached proposal in the amount of \$77,300.00 will provide the services required up to the start of construction at the site. Of the \$77,300.00, approximately \$26,000 is related to the USEPA Grant requirements. Not included, are the services that will be required during the construction and project closeout phases. These services will be included in an amendment that will be presented to the Board of Trustees for approval at a future date.

With this amendment, the contract total will be \$224,045.50.

RECOMMENDATION:

The President/Superintendent recommends that the Board of Trustees approve Amendment #4 for Treadwell and Rollo for Hazardous Materials Services for an amount not to exceed \$77,300.00.

Attachments: Amendment #4  
Treadwell and Rollo Proposal dated 3/1/05

# Ohlone Community College District

## CONTRACT AMENDMENT #4

Contract #166-1202-001

Date of original contract: February 12, 2003

Date of Amendment: March 9, 2005

This is an Amendment to the Agreement dated February 12, 2003, between **Treadwell and Rollo, Inc.** and **Ohlone Community College District**, formerly *Fremont-Newark Community College* for Hazardous Materials Investigation Services as detailed in Contract number 166-1202-001.

The parties agree to the following additions to the Agreement:

1. **Increase of Scope of Work** to assist the District with regulatory agency negotiations, implementing the Removal Action Workplan (RAW), conducting supplemental sampling and compliance with regulatory agency requirements for Hazardous Materials Investigation for the Ohlone College Newark Center for Health Sciences and as detailed in the Treadwell and Rollo, Inc. proposal dated March 1, 2005 and attached hereto.
2. **Fees for this amendment**, as detailed in the Treadwell and Rollo, Inc. proposal dated March 1, 2005 shall not exceed \$77,300.00. This amendment changes the contract total to \$224,045.50 which consists of the original contract-\$92,705.50, amendment #1-\$41,640.00, amendment #2-\$5,900.00, amendment #3-\$6,500 and amendment #4-\$77,300.00.

In all other respects, the terms of the original agreements remain in full effect. However, if there is a conflict between this Amendment and the original agreements, the terms of this Amendment will prevail.

### **Treadwell and Rollo, Inc.**

555 Montgomery Street, Ste 1300

San Francisco, CA 94111

### **Ohlone Community College District**

43600 Mission Blvd.

Fremont, CA 94539

By: \_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Marian Castaneda

Director of Purchasing, Contract  
Administration and Auxiliary Services

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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# Treadwell&Rollo

1 March 2005  
3630.02

Mr. Simon V. Barros, Jr.  
Director of Facilities  
Ohlone Community College District  
43600 Mission Boulevard, Building 10  
Freemont, California 94539-0390

Subject: Scope of Services and Fee Estimate  
Quality Assurance Project Plan, Soil Sampling and  
Regulatory Agency Negotiation  
Ohlone College Newark Center  
Newark, California

Dear Mr. Barros:

Treadwell & Rollo, Inc. is pleased to present this scope of services and fee estimate to assist the Ohlone Community College District (District) with regulatory agency negotiations, implementing the Removal Action Workplan (RAW), conducting supplemental sampling, and compliance with regulatory agency requirements at the Ohlone College Newark Center (Site). Our proposal is based on the following:

- Compliance with United States Environmental Protection Agency (USEPA) requirements for the \$200,000 Brownfields Grant;
- Discussions with the California Department of Toxic Substances Control (DTSC) regarding the site conditions and potential mitigation measures.
- Compliance with the 2 February 2005 Draft RAW for the Site, and
- Discussions with Donald R. Eichelberger and the project team;

This document also presents an estimate of costs for future tasks necessary to complete the Removal Action.

## PROJECT UNDERSTANDING AND BACKGROUND

The proposed campus will be constructed at an approximately 81-acre site near the intersection of Mowry Avenue and Cherry Street in Newark, California. The project site is south of the George M. Silliman Recreation Complex, southwest of an existing Hewlett Packard facility, west of Mowry Avenue, and east of an existing railroad line.

Treadwell & Rollo, Inc. Environmental & Geotechnical Consultants  
555 Montgomery Street, Suite 1300, San Francisco, CA 94111  
Telephone (415) 955-9040 Facsimile (415) 955-9041

Mr. Simon V. Barros, Jr.  
Director of Facilities  
Ohlone Community College District  
1 March 2005  
Page 2

The development plan for the Site includes constructing a community college campus on 31 acres on the northern portion of the Site, called the Initial Phase Development (IPD) area. The IPD includes two buildings and associated utilities, landscaping and parking facilities. The entire Site is currently used for agriculture, and the non IPD portion of the Site is proposed to remain agricultural after the new OCNC is completed.

A Site-wide Phase I Environmental Site Assessment (ESA) and Phase II Soil and Groundwater Assessment conducted in 2003 identified the presence of pesticides in shallow soil. Subsequently, the District entered into a Voluntary Cleanup Program (VCP) with the DTSC, to oversee the evaluation and mitigation of potential risks at the Site associated with impacted soil and/or groundwater.

The DTSC evaluated the existing Site characterization, identified pesticides in shallow soil as the contaminant of concern that required Site mitigation, and requested the preparation of a RAW. The 2 February 2005 Draft RAW for the site identified toxaphene as the primary contaminant of concern at the Site, presented mitigation alternatives to address potential risks associated with the toxaphene, and recommended a removal action.

The District also applied for a USEPA Brownfields Cleanup Grant for the Site. The Site was awarded a \$200,000 grant that is being administered by USEPA Region 9. Consequently, both the DTSC and the USEPA are overseeing the project.

## **SCOPE OF SERVICES**

The scope of services includes assisting the District with regulatory agency negotiations, conducting supplemental sampling, preparation of regulatory agency mandated documents associated with the proposed removal action at the Ohlone College Newark Center (Site), and attending meetings.

### **Task 1 - Assisting the District with Regulatory Agency Negotiations**

We will meet and correspond with the regulatory agencies to discuss the RAW implementation and plan preparation.

### **Task 2 – Compliance with Regulatory Agency Requirements**

This task includes preparing the following:

- Preparation of the USEPA-required draft and final Brownfields Workplan and the draft and final Quality Assurance Project Plan (QAPP).

Mr. Simon V. Barros, Jr.  
Director of Facilities  
Ohlone Community College District  
1 March 2005  
Page 3

- Preparation of a screening-level risk evaluation at the request of the DTSC for inclusion in the draft and Final RAW.

### **Task 3 – Supplemental Sampling and Reporting**

This task includes implementing the supplemental sampling described in the RAW. The object of the supplemental sampling includes:

- Gathering information to more accurately estimate remediation costs prior to beginning the Removal Action.
- Gathering information to allow the project team to prepare a clear bid specification package that identifies the proposed excavation area, the mitigation soil volume, and soil placement area;
- Gathering data to demonstrate that post-removal action confirmation sampling will not be required. This will avoid delays and cost increases associated with supplemental excavation and confirmation sample laboratory analyses, and potential additional excavation.

The proposed supplemental sampling locations include sampling below the 8 existing locations in the proposed excavation area and sampling at 20 new locations. The scope of the work, including sampling methodology, sampling locations and analytical plan are presented in the draft RAW. For cost estimating purposes we made the conservative assumption that all samples proposed to be placed on hold pending other analytical results will be analyzed.

Following the supplemental sampling, a draft Supplemental Sampling Report will be prepared and submitted to the DTSC for review and comment. That draft report will include a summary of the sampling results, and proposed revisions to the RAW (if needed). DTSC and USEPA comments, if any, will be integrated into the report, and a final report will be prepared.

### **Task 4 – Consultation, Meetings, and Project Management**

This task includes the time required to correspond and meet with the District Representatives and the Project Team and to manage the Project.



Mr. Simon V. Barros, Jr.  
 Director of Facilities  
 Ohlone Community College District  
 1 March 2005  
 Page 4

**FEE**

We will perform the described scope of services on a time-and-expense basis in accordance with the terms and conditions in our existing contract with the Ohlone College Newark Project for Hazardous Materials Investigation services. The estimated fee for our services is:

<b>Task</b>	<b>Estimated Fee</b>
<b>Task 1 – DTSC Negotiations and Project Scoping .....</b>	<b>\$ 3,800</b>
<b>Task 2 – Compliance with Regulatory Agency Requirements</b>	
Task 2.1 Draft and Final Brownfields Workplan .....	9,200
Task 2.2 Draft and Final QAPP	
Task 2.2.1 Draft QAPP .....	12,850
Task 2.2.2 QAPP Revision and Final .....	3,950
Task 2.3 Screening Level Risk Evaluation .....	8,800
<b>Task 3 – Supplemental Sampling and Reporting</b>	
Task 3.1 Soil Sampling	
Task 3.1.1 Field Investigation.....	8,900
Task 231.2 Laboratory Analyses .....	13,750
Task 3.2 Draft and Final Reporting and RAW Revision .....	11,800
<b>Task 4 –Consultation, Meetings and Project Management.....</b>	<b>4,250</b>
<b>TOTAL.....</b>	<b>\$ 77,300</b>

Our fees are based on a likely scope of work that has been presented in the draft RAW, but not yet negotiated as final with the DTSC. As such, while the final scope of work may change, we will not exceed the fees presented above unless the scope of our services is changed, and not without your prior authorization. At your request, below we present an estimate of costs for future tasks necessary to complete the proposed Removal Action.

**POTENTIAL COSTS TO COMPLETE THE RAW**

Below are estimates costs for future tasks necessary to complete the proposed Removal Action. These estimates are presented to assist you with budgetary estimating, and we are not requesting authorization for these items at this time. After the RAW has been finalized and a remediation contractor selected, the scope and final estimated costs for these items can be determined.


# Treadwell&Rollo


Mr. Simon V. Barros, Jr.  
Director of Facilities  
Ohlone Community College District  
1 March 2005  
Page 5

Item	Potential Cost
Mobilization for the Removal Action, Health & Safety Plan Preparation and Field Oversight This task will vary depending on the time the contractor takes to perform the work. We are estimating that five field days will be required .....	\$13,000 to \$17,000
Air Monitoring During Removal Action.....	\$6,000 to \$9,000
Draft and Final Removal Action Completion Report .....	\$12,000 to \$15,000
Post-Cleanup Operations & Maintenance Plan, Air Monitoring .....	\$5,000 to \$12,000
Consultation, Agency Negotiation and Project Management .....	\$5,000 to \$8,000

We look forward to working with you further on the OCNC project. If you have any questions, please contact us.

Sincerely yours,  
TREADWELL & ROLLO, INC.

  
David Dixon, RG  
Senior Project Manager

  
Philip G. Smith, CPGS, REA II  
Principal Geologist

36300206.DGD

cc: Mr. Donald R. Eichelberger, Bond Measure A Manager