

OHLONE COMMUNITY COLLEGE DISTRICT
MEMORANDUM

TO: Board of Trustees
FROM: Douglas Treadway
DATE: June 8, 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

As the construction phase proceeds, Treadwell and Rollo, Inc. is proposing to assist the District with regulatory agency negotiations, conducting supplemental sampling and preparation of regulatory agency mandated documents associated with the proposed removal action of the contaminated soil.

The scope of this agreement will consist of 1) Mobilization for Removal Action, Health & Safety Plan Preparation and Field Oversight, 2) Air Monitoring During Removal Action, 3) Draft and Final Removal Action Completion Report, 4) Post-Cleanup Operations and Maintenance Plan, and 5) Consultation, Agency Negotiations and Project Management for the Ohlone College Newark Center for Health Sciences.

Treadwell and Rollo, Inc. has proposed a fee, not to exceed \$76,975.00 for their services. With this amendment, the contract total will be \$301,020.50.

RECOMMENDATION:

The President/Superintendent recommends that the Board of Trustees approve Amendment #5 for Treadwell and Rollo for Hazardous Materials Services for an amount not to exceed \$76,975.00.

Attachments: Treadwell and Rollo, Inc. Contract #166-1202-001, Amendment #5

Ohlone Community College District

CONTRACT AMENDMENT #5

Contract #166-1202-001

Date of original contract: February 12, 2003

Date of Amendment: June 8, 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 1) Mobilization for Removal Action, Health & Safety Plan Preparation and Field Oversight, 2) Air Monitoring During Removal Action, 3) Draft and Final Removal Action Completion Report, 4) Post-Cleanup Operations and Maintenance Plan and 5) Consultation, Agency Negotiations and Project Management for the Ohlone College Newark Center for Health Sciences and as detailed in the Treadwell and Rollo, Inc. proposal dated June 1, 2005 and attached hereto.
2. **Fees for this amendment**, as detailed in the Treadwell and Rollo, Inc. proposal dated June 1, 2005 shall not exceed \$76,975.00. This amendment changes the contract total to \$301,020.50 which consists of the original contract-\$92,705.50, amendment #1-\$41,640.00, amendment #2-\$5,900.00, amendment #3-\$6,500, amendment #4-\$77,300.00 and amendment #5-76,975.00.

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

Treadwell&Rollo

1 June 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
Removal Action Workplan Implementation
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 (OCNC) (District) with implementing the Draft Removal Action Workplan (RAW) for the Ohlone College Newark Center (Site). The scope of services in this proposal are based upon the tasks presented in the 4 May 2005 document titled *Draft Removal Action Workplan (RAW), Ohlone College Newark Center, Newark, California*.

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.

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.

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

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The DTSC evaluated the existing Site characterization, which identified pesticides in shallow soil as the contaminant of concern that required Site mitigation, and requested the preparation of a RAW. The 4 May 2005 Draft RAW for the site presented a sampling plan for the recommended 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 - Mobilization for Removal Action, Health & Safety Plan Preparation and Field Oversight

This task includes:

- Preparing a Health & Safety Plan (HASP) for Treadwell employees in accordance with the California Code of Regulations (CCR), Title 8, Section 1592 and the Code of Federal Regulations (CFR), Title 29, Section 1910.120, as described in Task 6.4.1 of the RAW.
- Having Sandis Humber Jones conduct a baseline elevation survey of the proposed soil removal area, spot check elevations during the excavation work, and conduct a post-excavation elevation survey to confirm if soil has been removed to the planned depth.
- Observation of the proposed soil removal described in section 6.2.2 of the RAW. Our fee estimate includes mobilization and contractor coordination, and up to eight days of field work during the excavation.
- Running rush laboratory analyses on soil samples to be collected during the Supplemental Sampling and Reporting task from Task 3 of our 1 March proposal to Ohlone. The previous authorization included 5-day laboratory analyses of samples, and we currently understand that a 3-day turnaround may be required to meet project schedules.

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Task 2 – Air Monitoring During Removal Action

This task includes conducting the perimeter air monitoring program described in Section 6.4.2 of the RAW. Treadwell & Rollo will hire a California-certified industrial hygienist to conduct the air monitoring program.

Task 3 – Draft and Final Removal Action Completion Report

Immediately following completion of the soil removal action, a data transmittal with elevation data will be prepared and transmitted to the DTSC for their preliminary concurrence that the work has been completed. Data validation will be performed according to the 13 April 2005 Quality Assurance Project Plan. A Draft Removal Action Completion Report will subsequently be prepared and submitted to the DTSC and USEPA for review and comment. Comments from the agencies will be integrated into the final completion report.

Task 4 – Post-Cleanup Operations & Maintenance Plan

This task includes preparing the draft and final Operations & Maintenance (O & M) Plan described in Section 6.3 of the RAW. The O & M will include evaluating the non-IPD portions of the Site for potential fugitive dust emissions, and identify administrative or engineering controls to mitigate the emissions and to limit direct public access to the pesticide-containing soil. It is anticipated that air sampling for dust concentrations will be performed once during plowing of the field to help determine baseline dust concentrations.

Task 5 – Consultation, Agency Negotiations and Project Management

This task includes the time required to manage the project and to correspond and meet with the district representatives, the project team, and regulatory agencies.

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:

<u>Task</u>	<u>Estimated Fee</u>
Task 1 – Mobilization for Removal Action, Health & Safety Plan Preparation and Field Oversight	
Task 1.1 Surveying	\$14,600
Task 1.2 Rush Lab Analyses	4,125

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Task 1.3 H & S Plan, Removal Observation and Coordination	14,700
Task 2 – Air Monitoring During Removal Action	12,500
Task 3 – Draft and Final Removal Action Completion Report	
Task 3.1 Draft Removal Action Completion Report	8,100
Task 3.2 Subcontract Data Validation	3,250
Task 3.2 Final Removal Action Completion Report	4,400
Task 4 – Post-Cleanup Operations & Maintenance Plan	
Task 4.1 Draft and Final O & M Plan	7,500
Task 4.2 Air Sampling	2,200
Task 5 – Consultation, Meetings and Project Management	5,600
TOTAL	\$76,975

The estimated fees presented above will be provided on a time and expense basis that will not be exceeded without your prior authorization. The work will be performed in accordance with our existing contract with you referenced in purchase order number B0001410.

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

3630010.DGD

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