



NEWPORT BEACH

City Council Staff Report

July 9, 2024
Agenda Item No. 6

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Approve a Professional Services Agreement with Chambers Group, Inc. to Monitor and Maintain San Diego Creek Trash Interceptor Project Landscaping, Contract No. 7127

ABSTRACT:

The City of Newport Beach has received proposals for the San Diego Creek Trash Interceptor Vegetation Monitoring and Maintenance and requests City Council approval of a professional services agreement with Chambers Group, Inc. The consultant will monitor and maintain the native vegetation, installed as part of the San Diego Creek Trash Interceptor project, ensuring the project meets the set restoration targets required by the California Coastal Commission.

RECOMMENDATIONS:

- a) Find the requirement for environmental review under the California Environmental Quality Act ("CEQA") is satisfied by the September 25, 2018 Council adoption of Resolution No. 2018-67, *A Resolution of the City Council of the City of Newport Beach, California, Adopting Mitigated Negative Declaration No. ND2018-002 (SCH No. 2018081013) for the Newport Bay Water Wheel Project (PA2018-153)*, a.k.a. San Diego Creek Trash Interceptor Project, including the Mitigation Monitoring and Reporting Plan prepared for San Diego Creek Trash Interceptor Project, pursuant to the California Environmental Quality Act State CEQA Guidelines and City Council Policy K-3; and
- b) Approve a five-year professional services agreement with Chambers Group, Inc. for a total not-to-exceed fee of \$419,015.07, and authorize the Mayor and City Clerk to execute the contract.

DISCUSSION:

On July 11, 2023, the City Council approved the construction contract for the San Diego Creek Trash Interceptor. (See Attachment B for the locations of landscaped areas within the project site.) The permitted project includes restoring 0.75 acres of hydroseeded native areas on the north bank, along with installing 64 small native trees on the south bank.

Though not required by the California Coastal Commission, one-gallon native plants are also included in the north bank landscaping at the request of the Irvine Company. The California Coastal Commission set restoration targets of 75% native cover with less than 5% invasive plant cover within five years after installation of the permit-required restoration landscaping. The five-year monitoring and maintenance period commenced on June 7, 2024, and will be completed on June 6, 2029, if the restoration targets are met.

On December 21, 2023, the City issued a Request for Qualifications (RFQ) to consultants interested in monitoring and maintaining areas of the newly restored, native plant habitat install as part on the Trash Interceptor project. Three consultants submitted qualifications: Chambers Group, Inc. (Chambers), SWCA Environmental Consultants (SWCA), and Tidal Influence. Each consultant provided resumes and examples of maintenance of coastal restoration projects, or, as examples of professional maintenance of coastal restoration projects are rare, examples of native plant restoration projects located close to the coast. Based on the submitted resumes and representative restoration projects, all three consultants were deemed qualified to manage and monitor coastal restoration projects or similar near-coastal restoration projects.

Chambers, SWCA, and Tidal Influence were subsequently invited to propose on the monitoring and maintaining of the newly landscaped areas along San Diego Creek for a five-year period that would likely start in September 2024. All three consultants submitted proposals. A panel consisting of three City staff members, which did not include the City's project manager, reviewed and rated the proposals. The average rating results were as follows; Chambers 97, Tidal Influence 84, and SWCA 80. The City's project manager thought the innovative approach proposed by Tidal Influence may have been underrated. Therefore, the project manager requested that staff from Chambers and Tidal Influence be invited for interviews by City staff.

The interviews were held on May 1, 2024, in front of a panel of three City staff members. Knowing that it would be difficult to select between Chambers and Tidal Influence, as both are experienced consultants with good performance track records on City projects, a list of very challenging, but practical questions, was generated that each consultant team responded to during their 30-minute interviews.

After the interviews, the City panelists judged the responses provided by each consultant for clarity and completeness. Based on this "side-by-side" comparison, all three panelists agreed that Chambers' responses were qualitatively superior. Note that the City's project manager, as an informational resource, was present during the interviews, but not did participate in the interviews or in the subsequent discussions among staff. The three panelists made its decision that Chambers was the preferred selection.

Staff then reviewed Chambers fee proposal and found the fee reasonable and consistent with maintenance costs for other restoration projects. Therefore, staff recommends approval of a five-year professional services agreement with Chambers Group, Inc. for a total not-to-exceed fee of \$419,015.07 (Attachment A).

FISCAL IMPACT:

The adopted budget for Fiscal Year 2024-25 includes sufficient funding for this work. It will be expensed to the Environmental Liability Account (No. 16701-980000), which is to be used exclusively for projects that involve trash collection and improving recycling efforts of commercial trash collection. The budgeted amount of \$419,015.07 is expected to cover all project costs for a period of 4.75 years from September 15, 2024, through June 15, 2029. The 5-year, permit-required maintenance term ends on June 6, 2029.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find the requirement for environmental review under the California Environmental Quality Act (CEQA) is satisfied by the September 25, 2018 Council adoption of Resolution No. 2018-67, a Resolution of the City Council of the City of Newport Beach, California, Adopting Mitigated Negative Declaration No. ND2018-002 (SCH No. 2018081013) for the Newport Bay Water Wheel Project (PA2018-153), a.k.a. San Diego Creek Trash Interceptor Project, including the Mitigation Monitoring and Reporting Plan prepared for San Diego Creek Trash Interceptor Project, pursuant to the California Environmental Quality Act, State CEQA Guidelines and City Council Policy K-3.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENTS:

Attachment A – Professional Services Agreement

Attachment B – Location Map