



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 02/05/2019

ITEM NO: 5

DATE: JANUARY 28, 2019
TO: MAYOR AND TOWN COUNCIL
FROM: LAUREL PREVETTI, TOWN MANAGER
SUBJECT: AUTHORIZE THE TOWN MANAGER TO EXECUTE A FOURTH AMENDMENT TO THE CONTRACTING AGREEMENT WITH TRINITY SOURCE GROUP TO PROVIDE ADDITIONAL COMPENSATION FOR GROUNDWATER WELL ABANDONMENT IN AN AMOUNT OF \$11,959, FOR A TOTAL AGREEMENT AMOUNT NOT TO EXCEED \$124,326

RECOMMENDATION:

Staff recommends that the Town Council authorize the Town Manager to execute a Fourth Amendment to the Contracting Agreement (Attachment 1) with Trinity Source Group to provide additional compensation for groundwater well abandonment in an amount of \$11,959, for a total agreement amount not to exceed \$124,326.

BACKGROUND:

During the late 1980's, the Town's corporation yard experienced soil contamination from an underground oil tank leak. The tank was removed, and the cleanup documentation was never fully completed with the State of California at the time and the case was ultimately transferred to the County of Santa Clara (County). The County requires testing of monitoring wells installed on-site to ensure there is no presence of contamination in the surrounding soil.

In June of 2015, the Town received a directive letter from the County requiring the preparation of a work plan to address the contamination, activate or construct the necessary monitoring

PREPARED BY: JIM HARBIN
Facilities and Environmental Programs Manager

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Finance Director, and Parks and Public Works Director

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BACKGROUND (continued):

wells, and conduct one set of groundwater monitoring tests. Staff solicited Environmental Engineering firms to bid competitively for the work plan development and complete the work required. Trinity Source Group was the lowest bidder and an agreement in the amount of \$12,500 was executed in June 2015.

In December of 2015, a First Amendment to the agreement was executed in an additional amount of \$32,302, to provide the additional groundwater monitoring services required by the County. This work was conducted in June of 2016 and a report was submitted to the County in August of 2016. In the report, Trinity Source Group recommended proceeding with an additional soil vapor sampling test approximately six months after the first test, as described in the County approved work plan, to further assess soil vapor conditions at the site.

During testing in 2017, it was discovered that one of the wells was full of silt and was likely compromised. Trinity suggested soil borings near the former underground fuel storage tanks to collect shallow soil samples. The County Department of Environmental Health concurred with the proposed scope of work. A Third Amendment to the agreement was executed in February of 2018 for \$49,937 to perform the additional work needed and to submit the findings to the County for closure of the case.

DISCUSSION:

In November of 2018, the Town received confirmation from the County that contaminate levels were below the San Francisco Bay Regional Water Quality Control Board environmental screening levels, which allows the monitoring wells to be abandoned and the case to be brought to closure.

The requested Fourth Amendment will provide the work necessary to destroy seven groundwater monitoring wells, two soil gas vapor probes, and all additional related work and certification to close the case with Santa Clara Department of Environmental Health. This work will cost \$31,959 but due to a reduction of scope at the end of the monitoring phase of the project (Third Amendment to Agreement), \$20,000 remains budgeted, resulting in the net funding request to be \$11,959.

This Fourth Amendment to the Agreement will bring the cumulative amount of the contract to \$124,326, which exceeds Town Manager authority and requires authorization from Town Council.

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CONCLUSION:

Staff recommends that the Town Council authorize the Town Manager to execute a Fourth Amendment to the Contracting Agreement (Attachment 1) with Trinity Source Group to provide additional compensation for groundwater well abandonment in an amount of \$11,959, for a total agreement amount not to exceed \$124,326.

FISCAL IMPACT:

Staff will request a midyear budget adjustment of \$11,959 for the additional funds required in FY 2018/19.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachment:

1. Fourth Amendment to Agreement