

REQUEST FOR APPROVAL

To: Mark de Bie
Deputy Director, Waste Permitting, Compliance and Mitigation Division

From: Wes Mindermann
Branch Chief, Engineering Support Branch

Reviewed By: Ron Darbee, Legal Office
Wendy Roberson, Contracts Unit
Aaron Holt, Budget and Economic Forecasting Section

Request Date: June 9, 2014

Decision Subject: **Environmental Services Contract for the Closed, Illegal and Abandoned Site Investigation Program (FYs 2014/15, 2015/16 and 2016/17)**

Action By: June 13, 2014

Request Summary: Department of Resources Recycling and Recovery (CalRecycle) staff solicited Statements of Qualifications (SOQs) for contract number DRR14001 for engineering services for the Closed, Illegal and Abandoned (CIA) Site Investigation Program (Program). The contract will begin on July 1, 2014, with a 36 month term and would be for a total not to exceed amount of \$400,000 funded over three fiscal years (FYs) beginning in FY 2014/15. Staff have completed the evaluations of companies that submitted SOQs in response to the contract solicitation and have concluded subsequent fee negotiations. This requested action is to approve award of engineering services contract number DRR14001 to Ninyo & Moore.

Recommendation: Staff recommend that contract number DRR14001 be awarded to Ninyo & Moore.

Deputy Director Action: On the basis of the information and analysis in this Request for Approval and the findings set out herein, I hereby approve the award of contract number DRR14001 to Ninyo & Moore for an amount not to exceed \$400,000.



Mark de Bie, Deputy Director
Waste Permitting, Compliance and Mitigation Division

Dated: 6/9/14

Background: The purpose of the Program is to assist Local Enforcement Agencies (LEAs) with the inspection and investigation of CIA sites pursuant to Title 14, California Code of Regulations (14 CCR) Sections 18083 and 18303. Additionally, Public Resources Code (PRC) Section 45013 requires CalRecycle to make available guidance and assistance to LEAs regarding inspection, investigation, enforcement, and remediation of CIA sites to ensure that public health and safety and the environment are protected. Closed, illegal and abandoned site investigation and related services to assist LEAs are provided by Program staff with the assistance of an engineering services contract for intrusive and non-intrusive investigation work. The information obtained from this investigative work provides support for enforcement actions and can also be the basis for evaluating remedial alternatives.

The contract Scope of Work is included as Attachment 1. The previous contract for the engineering services (DRR11055) was also with Ninyo & Moore and expired on May 23, 2014. CalRecycle issued a Request for Qualifications (RFQ) in early April 2014. Two companies submitted SOQs and after the selection committee reviewed the submitted SOQs and conducted interviews with the two firms, the committee selected Ninyo & Moore as the highest ranked firm for the contract. Program staff have completed successful contract fee negotiations and recommend that the contract be awarded to Ninyo & Moore. The contract term would begin on July 1, 2014, continue for approximately 36 months, and would be for an amount not to exceed \$400,000.

Fiscal Impacts: Proposed contract funding allocations by funding source and fiscal year are presented below.

Fund Source	Amount Available	Amount to Fund Item	Amount Remaining	Line Item
Integrated Waste Management Account (FY 2014/15)	\$200,000	\$200,000	\$0	Consulting and Professional Services
Integrated Waste Management Account (FY 2015/16)	\$100,000	\$100,000	\$0	Consulting and Professional Services
Integrated Waste Management Account (FY 2016/17)	\$100,000	\$100,000	\$0	Consulting and Professional Services

III. TASKS IDENTIFIED

All work under this contract will be performed through work orders issued by CalRecycle to the contractor. The contractor will initially receive a planning work order that includes a proposed scope of work (SOW) and other pertinent information specific to the site being investigated. Work will be carried out in accordance with an approved work plan written by CalRecycle/Contractor staff.

CalRecycle staff will coordinate with the contractor and negotiate any changes to the work plan which shall be documented through a change order and signed by both parties. Staff may thereafter issue a work order to investigate the site based on the agreed upon work plan and any other project documents.

Site Investigations

Assistance in performing site investigations shall include, but are not limited to the following elements:

1. Perform aerial photogrammetry & topographic map survey
2. Perform Historical Aerial Photograph Research
3. Preparation of topographic maps in AutoCAD
4. Performance of non-intrusive geophysical survey
5. Design and installation of gas monitoring networks
6. Design and installation of continuous gas monitoring systems
7. Provide heavy equipment and 40-hour HAZWOPER-trained equipment operators for the following activities:
 - Excavation/backfilling (trenching)
 - Grading (slopes, erosion control)
 - Boring (drill rig and/or direct push)
8. Provide CalRecycle staff with field support for soil sampling, boring and trenching activities
9. Provide a registered geologist or certified engineering geologist for soil identification and logging of trenches, direct push sample locations, and boreholes from drilling.

IV. CONTRACTS/TASKS TIME FRAME

The contract will be effective through July 2017, unless extended. Deadlines for each authorized task are to be specified in each work order.

Attachment 1: Scope of Work (SOW)
Environmental Investigation Services Contract

I. INTRODUCTION/OBJECTIVES

Pursuant to Title 14, California Code of Regulations (14 CCR) Sections 18083 and 18303, Local Enforcement Agencies are required to investigate and inspect closed, illegal, and abandoned disposal sites (CIA sites). Additionally, Public Resources Code (PRC) Section 45013 requires the Department of Resources Recycling and Recovery to investigate CIA sites. The purpose of the Closed, Illegal and Abandoned Disposal Site program is to assist the LEAs in the investigation and inspection of CIA sites.

In order to investigate sites to determine if state minimum standards for disposal sites are being met and to scope and estimate remedial measures necessary to obtain compliance with state minimum standards, intrusive and non-intrusive investigation work is required. This includes defining the horizontal and vertical extent of the disposal site using geophysical methods and trenching and/or drilling/direct push equipment. Intrusive investigations also provide data on waste characteristics and thickness of cover. Data from intrusive investigations can be used to determine the feasibility of clean-closure and/or reconfiguring and capping waste. Installation of gas monitoring networks and continuous gas monitoring systems at CIA sites in developed areas provides the necessary monitoring data to determine if gas migration is occurring and if gas control is necessary. Surveying services and preparation of topographic maps are necessary to assist in sampling activities and preparing remedial designs for covers, drainage improvements, gas monitoring networks and security.

The information obtained from these investigations provides the basis for estimating cost for remedial requirements and determining eligibility for Solid Waste Cleanup funds. The data obtained from these investigations can also be used to support enforcement actions at solid waste facilities.

II. WORK TO BE PERFORMED

All work under this contract shall be performed in accordance with the approved work plans developed by CalRecycle and the instructions accompanying or included in work orders/change orders issued under the contract.

The contractor shall assist CalRecycle staff with intrusive and non-intrusive site investigations and provide equipment, personnel, and services as needed. Some of the service needs will be initial site reconnaissance such as surveying and staking the site, locating underground utilities, flying aeriels, and creating topographic maps. During the site investigation, field support may be needed. Subcontracting for the use of heavy equipment (excavation, backfilling, boring, grading) and operators (40-hour OSHA trained) will be essential. The contractor must have a registered geologist or certified engineering geologist on staff. Assistance in writing the site investigation report may or may not be requested. If requested, a waste volume estimate and remedial cost estimate must be provided.