


**CITY COUNCIL ACTION REQUEST**

<b>Department(s):</b> Environmental Services	<b>CEQA:</b> Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action.	<b>Coordination:</b> City Attorney's Office and City Manager's Budget Office	<b>Dept. Approval:</b> /s/ Kerrie Romanow
<b>Council District(s):</b> Citywide			<b>CMO Approval:</b>  10/4/23

**SUBJECT: AMENDMENT TO THE MASTER CONSULTANT AGREEMENT WITH CORNERSTONE EARTH GROUP FOR ENVIRONMENTAL SUPPORT SERVICES**

**RECOMMENDATION:**

Approve the First Amendment to the Master Consultant Agreement with Cornerstone Earth Group, Inc. for environmental consulting services, increasing the amount of compensation by \$500,000, from \$1,000,000 for a total agreement not to exceed \$1,500,000.

**BASIS FOR RECOMMENDATION:**

On June 29, 2021, after a competitive procurement, City Council awarded Cornerstone Earth Group, Inc. (Cornerstone) the Master Agreement for Consultant Services for services totaling \$1,000,000.00. The Environmental Services Department has issued 28 service orders to date, totaling \$893,761, for various projects, including groundwater monitoring and contamination investigations at the former Story Road landfill; vapor intrusion mitigation system design and contamination investigations at the San José Fire Training Center and new Fire Station 8 and Fire Station 32; environmental support during the installation of a new underground electrical line at Los Lagos Golf Course; site investigations for certain parcels planned for use for the future Five Wounds Trail project; and a variety of projects at the San José-Santa Clara Regional Wastewater Facility, such as pre-project contamination investigations of Capital Improvement Program projects, including Facility Wide Water Systems, Yard Piping Phase 2, Main Guard Shack Replacement, and the Burrowing Owls area.

With this amendment, Cornerstone will continue its work at Story Road landfill, future Five Wounds Trail, the Fire Training Center and Fire Stations 8 and 32, and the San José-Santa Clara Regional Wastewater Facility. Cornerstone's technical expertise provided to these projects, as well as numerous other environmental-related projects, is commensurate with the expertise necessary to continue providing environmental support services in response to regulatory mandates and deadlines. Increasing the compensation on this master agreement allows Cornerstone to continue to provide environmental consulting services for several critical projects in FY 2023-2024 and FY 2024-2025, including Story Road landfill monitoring, designing, and constructing a new and improved groundwater extraction system that is not vulnerable to vandalism; San José-Santa Clara Regional Wastewater Facility Capital Improvement Program pre-project contamination investigations; vapor intrusion mitigation system implementation, and monitoring, additional investigations as needed at the Fire Training Centers and Fire Stations 8 and 32; and entering into a regulatory cleanup agreement for the future Five Wounds Trail and conducting additional soil investigation work and/or preparing a cleanup action plan, if necessary, and any other documentation as required.

In addition, Environmental Services provides environmental support to various City departments and utilizes this contract for those services. There is a strong likelihood that new projects will occur through FY 2024-2025 that will require the support of Cornerstone, particularly given the ongoing interest and strong likelihood of pursuing a potential Equitable Community Revitalization Grant to accelerate the investigation and cleanup activities for the planned Five Wounds Trail project. The grant is a reimbursement grant offered by the California state Department of Toxic Substances Control to redevelop brownfield sites that are in disadvantaged neighborhoods to enhance livability and benefit the associated communities.

Increasing the master agreement's maximum total compensation from \$1,000,000 to \$1,500,000 allows the City to continue to meet the regulatory requirements and ensure public safety in the most cost effective and timely manner.

Commission Recommendation/Input: This item is scheduled to be heard at the October 12, 2023 Treatment Plant Advisory Committee meeting. A supplemental memorandum with the committee's recommendation will be included on the amended October 24, 2023 City Council meeting agenda.

**COST AND FUNDING SOURCE:**

Services performed by Cornerstone under this agreement will be authorized by service orders. An appropriation is not required for execution of the master consultant amendment, but is required for each service order authorized under this agreement. The sources of funding are:

512 – San José-Santa Clara Treatment Plant Capital Fund. (Regional Wastewater Facility projects) \$100,000  
001 – General Fund (Story Road landfill and future Five Wounds Trail) \$250,000  
498 – Measure T Funds (San José Fire Training Center, Fire Stations 32 and 8) \$150,000

Service orders funded through the San José-Santa Clara Treatment Plant Capital Fund (Fund 512) will have no impact on the San José-Santa Clara Treatment Plant Operating Fund (Fund 513) or the General Fund.

**FOR QUESTIONS CONTACT:** Jennifer Brown, Environmental Sustainability Manager, at (408) 975-2594.