

San Francisquito Creek Joint Powers Authority

January 22, 2009 Board Meeting

Agenda Item 7

Informational Items

a) Engaging a Consultant to Collect Preliminary Data Downstream of Highway 101

In an effort to reduce costs and expedite data collection on an Implementation Project between US 101 and San Francisco Bay, JPA staff met with staff members of the San Francisco Estuary Institute (SFEI) on November 6, 2008. The meeting was arranged to discuss the possibility of utilizing SFEI's extensive experience with developing historical ecology reports for land-use decision making within the Bay Area. Our goal is to get a cost-effective "jump" on data collection on the historical and existing ecological settings within the creek/tidal interface area likely to be effected by an Implementation Project in that reach.

SFEI, a non-profit research institute based in Oakland, can provide detailed analysis of existing aerial photography, LIDAR, existing studies, and other data to ascertain historical environmental conditions at a lesser cost than hiring a consultant to do the investigations. These investigations are necessary to inform the alternative selection and design of a project that considers ecological opportunities to recommend a "self-mitigating" design – one that incorporates flood damage reduction and ecological restoration within project's design in order to avoid costly and time-consuming mitigation conditions that could be imposed by regulatory agencies when seeking permits for project implementation in an environmentally-sensitive area.

SFEI is the only non-profit in the Bay Area that offers these types of services and possesses the staff, resources and knowledge to perform the proposed tasks. Their past products have been of such quality that the US Army Corps of Engineers San Francisco District recommends utilizing their services for project planning, and private industry leaders such as Phil Williams and Associates have sub-contracted SFEI to perform this type of work on other projects in the region. Products developed by SFEI, along with the Hydraulic Model currently being built and calibrated by the Corps, will directly inform the consultant hired to recommend direction on project alternatives in the downstream reach.

The JPA Executive Director has been advised by JPA legal counsel that because SFEI is the only non-profit in the area that can provide these services at a reduced cost that it is not necessary to engage in a bidding process prior to entering contract for the work. No formal Board action is needed for this item; the JPA Executive Director can enter in contracts directly when expenditures for services do not exceed \$10,000, and contract negotiations with SFEI have already taken place. The item is being presented to the JPA Board as an Information Item to insure that Board members are in agreement with entering in to contract with SFEI prior to its execution by the Executive Director.

Later this year, a subsequent contract may be issued, after the completion of the historical ecology data collection and presentation, through which SFEI would prepare a detailed report that assists the JPA Board and staff with building public support for the recommended Implementation Project alternative and design.