



# County of San Mateo

## Inter-Departmental Correspondence

**Department:** PARKS

**File #:** 22-034

Board Meeting Date: 1/11/2022

**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** Nicholas J. Calderon, Parks Director

**Subject:** Fifth Amendment to the Agreement with Anchor QEA, LLC. for marina engineering services necessary to complete the Coyote Point Marina Dredging Project

### **RECOMMENDATION:**

Adopt a resolution authorizing:

- A) The President of the Board of Supervisors to execute a Fifth Amendment to the Agreement with Anchor QEA, LLC. for marina engineering services necessary to complete the Coyote Point Marina Dredging Project, to increase the contract amount by \$59,557 to a new not-to-exceed total of \$258,755; and
- B) The Parks Director, or the Parks Director's designee, to execute further amendments to the Agreement with Anchor QEA, LLC. to modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or to modify the Agreement's terms and/or services, so long as the modified term(s) and/or services is/are within the current or revised fiscal provisions.

### **BACKGROUND:**

The Coyote Point Marina ("Marina") is a boat berthing facility that is located at the Coyote Point Recreation Area and operated by the San Mateo County Parks Department ("Department") for the benefit of the public. The Marina has a Harbormaster's Office, Yacht Club, fuel dock, three-lane boat ramp, pump-out facility, restroom, and designated recreation area for public use as well as 545 berths. The natural harbor that encompasses the Marina has been used by small craft since the late 1940s.

Due to continued sedimentation of the Marina's navigable waters, the Department has had to dredge the marina four times in the last 20 years. Siltation in the approach and entrance channels is occurring at a rate of approximately 6-inches per year, and as a result, the depth of these areas is no longer adequate for many boats to use. To ensure Marina tenants, the Department, and recreationalists can safely use the facilities, the Department proposes to conduct another dredge.

In September 2020, the Department released a Request for Proposals (“RFP”) to procure a qualified consultant to manage the Coyote Point Marina Dredging Project (“Project”). Three proposals were submitted and evaluated by the Department in coordination with the San Mateo County Harbor District and Westpoint Harbor LLC. On or about January 8, 2021, the Department awarded a contract to Anchor QEA, LLC. (“Agreement”) for marina engineering services necessary to complete the Project. The Agreement was for the term of January 8, 2021 to January 7, 2023, and an amount not to exceed \$156,698.

Subsequently, the Department and Anchor QEA, LLC. (“Anchor”) have amended the Agreement four times. On February 12, 2021, the Department and Anchor (“Parties”) entered into the First Amendment to the Agreement to expand the scope of services to include permitting and performance designs for the replacement of a failed channel marker (“pile”), and to increase the Agreement’s not-to-exceed amount accordingly to \$165,696. On May 6, 2021, the Parties entered into the Second Amendment to the Agreement to update the fee schedule with additional positions not originally included in the Agreement; this resulted in no change to the fiscal provisions. On May 31, 2021, the Parties entered into the Third Amendment to the Agreement (i) to further expand the Agreement’s scope of work to include the creation of a new survey plan map, (ii) to develop estimated dredge material volumes, and (iii) to update the Project’s rough-order-of-magnitude cost estimate. The expanded scope of work also required an increase to the Agreement’s not-to-exceed amount by \$13,502 for a new total of \$179,198. On November 16, 2021, the Parties entered into the Fourth Amendment to the Agreement to include additional meetings and coordination as a result of a September 8, 2021 meeting with regulatory agencies in which the Department was directed to conduct additional field and lab work as a condition of the agencies’ approval of the Project, to further expanded the scope of work, and to increase the Agreement’s not-to-exceed amount by \$20,000 for a new total of \$199,198.

### **DISCUSSION:**

At a September 8, 2021 meeting, the Dredged Material Management Office (“DMMO”)-a joint interagency regulatory program of the San Francisco Bay Conservation and Development Commission (BCDC), San Francisco Bay Regional Water Quality Control Board (RWQCB), State Lands Commission (SLC), the San Francisco District U.S. Army Corps of Engineers (USACE), and the U.S. Environmental Protection Agency (EPA)-reviewed and commented on the Project’s dredge episode and materials sampling plan which the Department had submitted in accordance with regulatory requirements.

DMMO directed the Department to conduct additional field and lab work as a condition of the agencies’ approval of the Project. For this reason, the Department desires to again amend the Agreement with Anchor. The Department recommends a Fifth Amendment to the Agreement with Anchor to expand the scope of work to meet DMMO requirements, to allow for the design and replacement of a broken pile, and to convene additional meetings and coordination efforts. Delivery of these additional services requires an increase to the contract amount of \$59,557, for a new total not-to-exceed contract amount of \$258,755. All other terms and provisions of the Agreement as amended, including the Term, remain unchanged.

County Counsel has reviewed and approved the amendment and resolution as to form.

### **FISCAL IMPACT:**

Sufficient appropriations are included in the Coyote Point Marina’s FY 2021-22 Adopted Budget and will be included in future budgets for this purpose.

There is no Net County Cost associated with approving this recommendation as the Coyote Point Marina is an enterprise fund.