

**FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF SOUTH
SAN FRANCISCO AND CSS ENVIRONMENTAL SERVICES, INC.**

THIS FIRST AMENDMENT TO THE CONSULTING SERVICES AGREEMENT is made at South San Francisco, California, as of June 30, 2021, by and between THE CITY OF SOUTH SAN FRANCISCO (“City”), a municipal corporation, and CSS Environmental Services, Inc. (“Contractor”), (sometimes referred together as the “Parties”) who agree as follows:

RECITALS

A. On March 14, 2018, City and Contractor entered that certain Consulting Services Agreement (“Agreement”) whereby Contractor agreed to provide environmental monitoring services. A true and correct copy of the Agreement and its exhibits is attached as Exhibit A.

B. City and Contractor now desire to amend the Agreement.

NOW, THEREFORE, for and in consideration of the promises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and Contractor hereby agree as follows:

1. All terms which are defined in the Agreement shall have the same meaning when used in this Amendment, unless specifically provided herein to the contrary.
2. Section 1: Services. The Scope of Services is hereby amended to include additional Regulatory requirements as described in the Contractor’s Proposal dated May 7, 2020, attached hereto as Exhibits A and B to this Amendment.
3. Section 1.1: Term of Service. The June 30, 2021 end date for the term of services identified in Section 1 of the Agreement is hereby replaced with June 30, 2024.
4. Section 2: Compensation. Section 2 of the Agreement shall be amended to include the following paragraph:

Payment of the Scope of Services included with this Amendment shall be based on The Amended Scope of Services and/or on time and materials per the rate schedule included with the Agreement attached hereto as Exhibits A and B.



All other terms, conditions and provisions in the Agreement remain in full force and effect. If there is a conflict between the terms of this Amendment and the Agreement, the terms of the Agreement will control unless specifically modified by this Amendment.


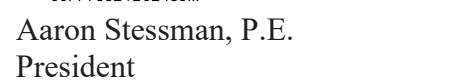
[SIGNATURES ON THE FOLLOWING PAGE]

Dated: **August 29, 2022 | 11:42:58 AM PDT**

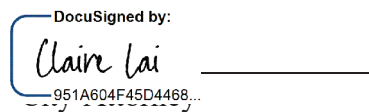
CITY OF SOUTH SAN FRANCISCO

CSS ENVIRONMENTAL SERVICES, INC.

By:  
6852134787CA4DB...
Mike Futrell
City Manager

By:  
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Aaron Stessman, P.E.
President

Approved as to Form:

By: 
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City Clerk Attest:

 
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Legislation Text

File #: 22-616

Version: 1

Agenda Date: 7/27/2022

Item #: 5.

Report regarding a resolution approving an amendment to a consulting services agreement with CSS Environmental Services, Inc. of Novato, California for the Environmental Monitoring of the former Oyster Point Landfill in an amount not to exceed \$300,000, authorizing a total budget of \$360,000, and authorizing the City Manager to execute the agreement. *(Dave Bockhaus, Deputy Director of Public Works)*

RECOMMENDATION

It is recommended that the City Council adopt a resolution approving an amendment to the consulting services agreement with CSS Environmental Services, Inc. of Novato, California for the Environmental Monitoring of the former Oyster Point Landfill in an amount not to exceed \$300,000, authorizing a total budget of \$360,000, and authorizing the City Manager to execute the agreement.

BACKGROUND/DISCUSSION

The Oyster Point Landfill is a City-owned, closed unlined Class III landfill located along the San Francisco Bay in the City of South San Francisco (for map, see Attachment 1). The landfill area has been developed for use as open space, biotech development, bay trail, public marina, boat launch area, and a future hotel complex. The San Mateo Harbor District operates the public marina on the landfill and is responsible for the general maintenance of the marina facilities.

The landfill is regulated by the Regional Water Quality Control Board (RWQCB) under Order No. 00-046, herein referred as "Order", issued on June 21, 2000. The Order imposes closure and post-closure requirements on the City as part of ongoing development. Technical environmental monitoring reports that are submitted to the RWQCB are a requirement of the Order. City staff relies on environmental consultants with appropriate expertise to perform the required monitoring and reporting.

In 2018, the City entered into an agreement with CSS Environmental Services, Inc. for the required monitoring and reporting. The current agreement expired on June 30, 2021, but it does include provisions to extend and amend the contract if desired by the City. Based upon CSS Environmental Services' familiarity with the site, expertise, and previous performance, staff recommends amending the agreement for a term not to exceed three years and to increase the budget authority to provide for the additional services. The contract extension will be back dated to be effective as of June 30, 2021 so that the agreement is kept continuous with additional funding.

The draft amendment, and updated Scope of Services and budget documentation are included as attachments to the accompanying resolution.

FUNDING

The estimated cost for CSS monitoring and reporting is \$300,000 for the term of the agreement (\$100,000 annually). Staff proposes to include a ten-percent contingency of \$30,000 and ten-percent administrative oversight of \$30,000 for a total not to exceed amount of \$360,000.

Contingency funds will be used for any unforeseen conditions, or any future additional monitoring required by the Regional Water Quality Control Board.

This consulting services agreement is funded through the Solid Waste Fund. There are sufficient funds to pay for these monitoring costs.

CONCLUSION

Staff recommends the City Council adopt a resolution authorizing the City Manager to execute a a first amendment to the consulting services agreement with CSS based on their performance, experience, and familiarity of the site and monitoring requirements.

Attachments:

1. Vicinity Map
2. Original Consulting Services Agreement with CSS Environmental, Inc.
3. Amended Scope of Services
4. CSS proposal for additional services



City of South San Francisco

P.O. Box 711 (City Hall,
400 Grand Avenue)
South San Francisco, CA

City Council

Resolution: RES 125-2022

File Number: 22-617

Enactment Number: RES 125-2022

RESOLUTION APPROVING AN AMENDMENT TO CONSULTING SERVICES AGREEMENT WITH CSS ENVIRONMENTAL SERVICES, INC. OF NOVATO, CALIFORNIA FOR THE ENVIRONMENTAL MONITORING OF THE FORMER OYSTER POINT LANDFILL IN AN AMOUNT NOT TO EXCEED \$300,000, AUTHORIZING A TOTAL BUDGET OF \$360,000, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT.

WHEREAS, the Oyster Point Landfill is a City-owned, closed unlined Class III landfill located along the San Francisco Bay in the City of South San Francisco; and

WHEREAS, the landfill is regulated by the Regional Water Quality Control Board (RWQCB) under Order No. 00-046, herein referred as "Order" issued on June 21, 2000; and

WHEREAS, the Order imposes closure and post-closure requirements on the City as part of future development; and

WHEREAS, the Annual Monitoring Report, the Semi-Annual Monitoring Reports, the Quarterly Monitoring Reports, and the Monthly Monitoring Reports (as required) are part of the compliance requirements of the Order; and

WHEREAS, these reports include quarterly groundwater monitoring reports; groundwater level monitoring reports; site storm water inspections and monitoring reports; annual and semi-annual landfill monitoring reports; annual storm water monitoring reports; and monthly and quarterly landfill perimeter monitoring reports; and

WHEREAS, CSS Environmental, Inc. has performed these inspections and reporting as part of a consulting services agreement since March of 2018 under contract; and

WHEREAS, the City desires to amend the 2018 agreement to extend the term and compensation of the current agreement; and

WHEREAS, the current agreement with CSS Environmental, Inc. provides the City with an option to extend the contract term; and

WHEREAS, sufficient funding exist in the current operating budget for CSS Environmental Inc. to perform these services.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of South San Francisco that the City Council hereby approves an amendment to the consulting services agreement, attached herewith as Exhibit A, with CSS Environmental Services, Inc. of Novato, California in an amount not to exceed \$300,000, with a total budget of \$360,000, conditioned on the CSS Environmental Services, Inc.'s timely execution of the consulting services agreement and submission of all required documents, including but not limited to, certificates of insurance and endorsements, in accordance with the Project documents.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the amendment in substantially the same form as Exhibit A and any other related documents on behalf of the City upon timely submission by CSS Environmental Services, Inc.'s signed contract and all other documents, subject to approval as to form by the City Attorney.

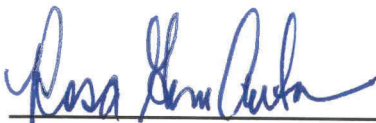
BE IT FURTHER RESOLVED that the City Manager is hereby authorized to take any other required actions consistent with the intent of this resolution, that do not materially increase the City's obligations.

* * * * *

At a meeting of the City Council on 7/27/2022, a motion was made by Vice Mayor Nicolas, seconded by Councilmember Addiego, that this Resolution be approved. The motion passed.

Yes: 5 Mayor Nagales, Vice Mayor Nicolas, Councilmember Coleman, Councilmember Flores, and Councilmember Addiego

Attest by



Rosa Govea Acosta, City Clerk



CSS ENVIRONMENTAL SERVICES, INC.
Managing Cost, Scope and Schedule
100 Galli Drive, Suite 1
Novato, CA 94949
(415) 883-6203
Fax (415) 883-6204

May 7, 2020

Mr. Maurice Kaufman
City of South San Francisco Engineering Division
c/o West Coast Code Consultants, Inc.
1144 65TH Street
Oakland, CA 94608

**SUBJECT: Proposal for Environmental Activities Related to
New Former Oyster Point Landfill Water Line Monitoring Stations
South San Francisco, CA
CSS Proposal 050420**

Dear Mr. Kaufman:

Thank you for the opportunity discuss the City of South San Francisco's (the City's) anticipated need to monitor and maintain monitoring stations along the relocated Cal Water supply line supporting the redevelopment of the Former Oyster Point Landfill. We welcome the opportunity to provide you with this proposal to support the City in this effort. CSS Environmental Services, Inc. (CSS) is uniquely qualified to provide you with the services described herein as we have been providing the City with compliance monitoring services at the former Oyster Point Landfill since 2008. The monitoring is required by the present RWQCB Order No. 00-046 which specifies Waste Discharge Requirements (WDRs) for the City as discharger and owner of the Oyster Point Landfill property and has been in place since June of 2000. CSS completes groundwater monitoring, storm water inspections and monitoring, and landfill gas monitoring activities for the City and provides associated reporting and project management of these activities. In addition, CSS has experience performing compliance monitoring at several other closed landfills regulated by the RWQCB and local county agencies, including:

- **Former Smith Ranch Road disposal site.** CSS performed monitoring and reporting activities at the current Captain's Cove condominium site for the homeowner's association. At our recommendation, the Marin County Environmental Health Department (MCEHD) and the California Integrated Waste Management Board (now Cal Recycle) closed the site after years of declining concentrations of landfill gas in 2007.
- **Former Horst Hanf Landfill.** CSS is providing on-going environmental compliance monitoring at this closed landfill and current Bayview Business Park regulated by Cal Recycle and the MCEHD.
- **Former San Quentin Solid Waste Disposal Site.** CSS provides environmental compliance monitoring at this closed solid waste disposal site and current Home



CSS ENVIRONMENTAL SERVICES, INC.

Depot and Target retail stores. This site is located in San Rafael and is regulated by Vic Pal of the RWQCB. Mr. Pal also regulates the Former Oyster Point Landfill for the RWQCB.

PROPOSED SCOPE OF WORK

In support of the City's requirements found in their pending Utility Agreement with Cal Water, CSS sees the following scope of work tasks and estimated annual budget based on time and material charges according to our existing Oyster Point fee schedule.

1 Meetings

CSS anticipates attending two meetings with the City, the Developer, Cal Water and/or the RWQCB as needed each year. **\$1,450 per year**

2 Preparation and Submittal of Quarterly Reports

The Agreement requires the City to submit quarterly reports to Cal Water including semi-annual monitoring reports (already contracted with CSS by the City), quarterly readings of groundwater elevations in existing monitoring wells (presently performed quarterly and reported semi-annually by CSS for the City), the latest ground elevation surveys and ISO settlement maps, sampling results from any water station. As semi-annual reports are currently prepared two additional quarterly reports are required per year.

\$4,800 per year

3 Survey of Selected Fire Hydrants

The City is required to survey selected fire hydrants, capturing any settlement at 30 days, 1 year, 3 years and 5 years after water line tie-in.

\$1,350 per event

4 Develop ISO Settlement Map

The City is required develop a ISO Settlement Map after water line tie-in and every 5 years thereafter. CSS assumes that ground elevations will be surveyed across the landfill to determine settlement and that the City can provide us with the baseline map.

\$4,500 per event

5 Sampling and Analysis of Water Stations/Water System Wells

Under some circumstances samples from the water system monitoring stations and water system wells must be collected and analyzed.

\$1,600 per event

Our total estimated annual budget for providing the City of South San Francisco with support water line monitoring at the Former Oyster Point Landfill, as described above, assumes one of each of Task 1 through 4, and two events of Task 5 will need to be completed each year. This brings the annual estimated cost to: **\$15,300**



CSS ENVIRONMENTAL SERVICES, INC.

If you desire, I am available to meet at your convenience to discuss the project in more detail. If you have any questions, please do not hesitate to call our office at (415) 883-6203, or contact me on my mobile at (415) 948-4385.

Sincerely,

CSS ENVIRONMENTAL SERVICES, INC.

A handwritten signature in black ink, appearing to read 'A. Stessman', with a stylized flourish at the end.

Aaron N. Stessman, PE C054644
President