

REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO				CERTIFICATE NUMBER (FOR COMPTROLLER'S USE ONLY) 3000003698	
TO: CITY COUNCIL		FROM (ORIGINATING DEPARTMENT): ECP/Arch Eng and Parks		DATE: 10/15/2010	
SUBJECT: Consultant Agreement for Mission Bay Dredging Rose Creek Project					
PRIMARY CONTACT (NAME, PHONE): Darren Greenhalgh, 619.533.6600			SECONDARY CONTACT (NAME, PHONE): Ali Darvishi, 619.533.5328		
COMPLETE FOR ACCOUNTING PURPOSES					
FUND	200386				
DEPT / FUNCTIONAL AREA	OTHR-00000000-CL				
ORG / COST CENTER	1714141311				
OBJECT / GENERAL LEDGER ACCT	512034				
JOB / WBS OR INTERNAL ORDER	B-10163.02.02				
C.I.P./CAPITAL PROJECT No.	A-GF.00004				
AMOUNT	\$215,000.00	0.00	0.00	0.00	0.00
FUND					
DEPT / FUNCTIONAL AREA					
ORG / COST CENTER					
OBJECT / GENERAL LEDGER ACCT					
JOB / WBS OR INTERNAL ORDER					
C.I.P./CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00
COST SUMMARY (IF APPLICABLE):					
CONSULTANT CONTRACT		\$215,000			
ADMINISTRATION		\$ 35,000			
TOTAL THIS PHASE		\$250,000			
ROUTING AND APPROVALS					
CONTRIBUTORS/REVIEWERS:		APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	
Environmental Analysis	Liaison Office	ORIG DEPT.	Heinrichs, Tony	10/22/2010	
Park and Recreation		CFO			
Financial Management		DEPUTY CHIEF	Jarrell, David	11/3/2010	
Comptroller		COO			
Equal Opportunity Contracting		CITY ATTORNEY	Slegers, Nathan	11/18/2010	
		COUNCIL PRESIDENTS OFFICE			

PREPARATION OF:	<input checked="" type="checkbox"/> RESOLUTIONS	<input type="checkbox"/> ORDINANCE(S)	<input type="checkbox"/> AGREEMENT(S)	<input type="checkbox"/> DEED(S)
<p>1. Authorizing the Mayor or his designee to execute a sole source Agreement between the City of San Diego and Merkel and Associates, Inc. in the amount of \$215,000 for professional services required for the Mission Bay Dredging Rose Creek project; and</p> <p>2. Authorizing the Chief Financial Officer to expend \$215,000 from CIP AGF00004, Mission Bay Improvements, Fund 200386, Mission Bay Reserve, for Mission Bay Dredging Rose Creek project (B-10163) for the purpose of executing the agreement.</p>				
STAFF RECOMMENDATIONS:				
Adopt Resolutions				
SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION)				
COUNCIL DISTRICT(S):	2 (FAULCONER)			
COMMUNITY AREA(S):	MISSION BAY PARK			
ENVIRONMENTAL IMPACT:	This project is exempt from CEQA pursuant to State CEQA Guidelines Section 15262(Planning and Feasibility Studies).			
CITY CLERK INSTRUCTIONS:				

**COUNCIL ACTION
EXECUTIVE SUMMARY SHEET
CITY OF SAN DIEGO**

DATE: 10/15/2010

ORIGINATING DEPARTMENT: ECP/Arch Eng and Parks

SUBJECT: Consultant Agreement for Mission Bay Dredging Rose Creek Project

COUNCIL DISTRICT(S): 2 (FAULCONER)

CONTACT/PHONE NUMBER: Darren Greenhalgh/619.533.6600

REQUESTED ACTION:

Approve the resolutions authorizing the Mayor or his designee to enter into a sole source consultant agreement with Merkel & Associates, Inc. and appropriate and expend funds in the amount not to exceed \$215,000 from AGF00004, Mission Bay Improvements, Fund 200386 for CIP B-10163, Mission Bay Dredging Rose Creek, Fund No. 200386, Mission Bay Reserve Fund, for execution of the agreement.

STAFF RECOMMENDATION:

Adopt Resolutions

EXECUTIVE SUMMARY OF ITEM BACKGROUND:

Mission Bay Park (MBP) is presently suffering from expanding sediment loads at key locations that have been identified as concerns for the continued safe recreational boating use in the Bay. The largest of these areas is within the Mission Bay Entrance Channel, a segment of the Bay under federal control. The City has been successful in getting the Army Corps of Engineers to embark on dredging of this channel, and the work is presently in planning phases. The other navigational improvements needs are found at sites within the Bay and are the City's responsibility for completion of dredging.

To this end, the maintenance dredging to remove key navigational hazards is a priority for the City. The identified dredging needs are found in areas where sediment loading in the Bay has been highest, including the mouth of Rose Creek and at smaller shoals. These areas have been shallowed over time and now support eelgrass, a resource of special concern. In addition, the mouth of Rose Creek is designated in the MBP Master Plan for future use as a marsh restoration site.

Assistance from a specialty consultant with unique knowledge of the multiple project components, as well as the Bay as a whole, will be required to complete a dredging design plan, address eelgrass impacts and mitigation, and obtain required state and federal permits in a timely manner. Additionally, mitigation issues will need to be resolved outside of the immediate project area and in conformance with broader natural resource planning objectives in the Bay.

It is proposed to use the services of Merkel & Associates, Inc. (M&A) on a sole source basis for completion of this work. M&A is uniquely qualified in all of the necessary aspects of the design, environmental, and regulatory requirements for the project and has been involved with the issues for many years as a consultant to the City on MBP environmental and management issues. M&A has recently completed bay-wide eelgrass investigations and bathymetric analyses to assess changes in sedimentation over time and to assist the City's Lifeguard Services and Park

and Recreation Departments to identify and prioritize navigational hazards. M&A is one of only a handful of consultants with eelgrass management expertise in the state and is the most knowledgeable consultant on Mission Bay eelgrass issues. M&A is intimately familiar with the City's eelgrass restoration activities and can best facilitate use of previously accumulated eelgrass bank credits towards meeting the present mitigation needs.

FISCAL CONSIDERATIONS:

Funds in the amount of \$250,000 are currently available in the project.

EQUAL OPPORTUNITY CONTRACTING INFORMATION (IF APPLICABLE):

This agreement is subject to the City's Equal Opportunity Contracting (San Diego Ordinance No. 18173, Section 22.2701 through 22.2708) and Non-Discrimination in Contracting Ordinance (San Diego Municipal Code Sections 22.3501 through 22.3517).

PREVIOUS COUNCIL and/or COMMITTEE ACTION (describe any changes made to the item from what was presented at committee):

This request will be taken to the Natural Resources & Culture Committee on December 1, 2010.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

This project was discussed at the Mission Bay Park committee on January 12, 2010 as an information item.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Mission Bay Park Committee, Park and Recreation Department and Mission Bay Park Visitors.

Heinrichs, Tony

Originating Department

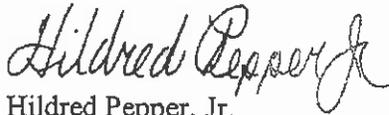
Jarrell, David

Deputy Chief/Chief Operating Officer

CITY OF SAN DIEGO
M E M O R A N D U M

DATE: March 8, 2010
TO: Patti Boekamp, Director
FROM: Hildred Pepper, Jr., Purchasing Agent
SUBJECT: Sole Source Request for Sole Source request for Mission Bay
Maintenance Dredging and Interim Navigational Safety Improvements

Your Sole Source Request for the above subject with Merkel & Associates, Inc. was approved and is valid through 12/31/2014. In order for a Purchase Order to be issued, your department has to submit a purchase requisition. In the internal header notes of the requisition, please reference Sole Source Case Number 2161. For questions, please contact Downs Prior at x55298.



Hildred Pepper, Jr.
Purchasing Agent

HP/yk

Approved Hildred Pepper, Jr.
3/5/10

CITY OF SAN DIEGO
M E M O R A N D U M

DATE: 3/4/2010
TO: Hildred Pepper, Jr.
FROM: Downs Prior 
SUBJECT: Sole Source Request — Merkel & Associates, Inc. for Sole Source request for Mission Bay Maintenance Dredging and Interim Navigational Safety Improvements

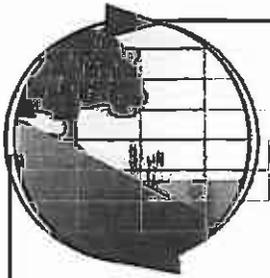
Negotiated Total: \$500,000.00
Dept. Est. Total: \$500,000.00
Vendor: Merkel & Associates, Inc.
Expiration Date: 12/31/2014
Recommendation: **Approved**

Mission Bay Park is currently incurring an expansion of sediment loads at key locations thus causing increasing dangers for safe recreational boating. The largest area, the entrance channel, is under Fernald control and is being addressed by the Army Corps of Engineers. The remaining areas are within the bay and therefore the City's responsibility.

The most serious of these locations is the mouth of Rose Creek. The shallowing has caused an influx/increase of eelgrass growth which will seriously effect the planned future use of this area as a marsh restoration site, and the broader natural resource planning of the Bay as a whole.

Merkel & Associates has extensive technical expertise in the biological, environmental, and regulatory requirements needed to address the City's urgent objectives. They are one of an extremely limited group of consultants certified by the State of California for dealing with eelgrass issues, and the most knowledgeable of any regarding Mission Bay. Given Merkel's unique combination of technical expertise on eelgrass, recently completed bay wide eelgrass investigations and bathymetric analyses for Mission Bay, established credibility with the permitting agencies, and ability to meet the City's urgent schedule, I hereby recommend the approval of this sole source.

Please refer to Sole Source #2161 for this project.



Merkel & Associates, Inc.

5434 Ruffin Road, San Diego, CA 92123

Tel: 858/560-5465 • Fax: 858/560-7779

e-mail: associates@merkelinc.com

CERTIFICATE OF SECRETARY

To Whom It May Concern:

I am the duly qualified and acting Secretary of Merkel & Associates, Inc., a California Corporation.

As secretary, I certify that the individuals authorized to negotiate, represent, and contractually bind Merkel & Associates, Inc. are Barbara L. Merkel (President) and Keith W. Merkel (Secretary).

Keith W. Merkel

May 27, 2010

Date



The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

CC 3000003698
 ORIGINATING BUSINESS AREA 1714

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____ Fund: _____

Purpose: _____

Date: _____ By: Rob Ruscitto
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
									\$0.00
TOTAL AMOUNT									\$0.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the herelo attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$215,000.00

Vendor: Merkel and Associates, Inc.

Purpose: Authorize expenditure of funds for professional services to provide for the assessment needed to determine the level of impairment to navigation and/or boating safety required for the Mission Bay Dredging Rose Creek. CIP B-10163

Date: October 26, 2010 By: Rob Ruscitto *RR*
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
01	200386	B10163		OTHR-0000000-CL	512034	1714		B-10163.02.02	\$215,000.00
TOTAL AMOUNT									\$215,000.00

FUND OVERRIDE
 CC 3000003698