



Office of the City Manager

CONSENT CALENDAR
July 8, 2025

To: Honorable Mayor and Members of the City Council
From: Paul Buddenhagen, City Manager
Submitted by: Terrance Davis, Director, Public Works
Subject: Contract No. 32810081 Amendment: FirstCarbon Solutions, Inc. for California Environmental Quality Act Compliance for the Solid Waste & Recycling Transfer Station Replacement Project

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to amend the existing contract with FirstCarbon Solutions, Inc. for the Solid Waste & Recycling Transfer Station Replacement Project compliance with the California Environmental Quality Act. The Contract will be increased from \$650,000 to \$725,000.

SUMMARY

The City has contracted with FirstCarbon Solutions, Inc. (FCS), to conduct all required studies and solicit all regulatory and community input to comply with California Environmental Quality Act's (CEQA) requirements for the proposed Solid Waste & Recycling Transfer Station (SW&RTS) Replacement Project. The FCS's CEQA compliance work will include the two concepts developed by the SW&RTS Feasibility Study, Zero Waste Collaborative, Contract No. 10986. These concepts were reviewed at the Council's November 5, 2019, Work Session.

As part of the CEQA checklist review process, the City's Planning & Development Department (Planning) is the Lead Environmental Agency to receive, review and approve CEQA's resulting Environmental Impact Report (EIR). FCS will use the additional funds from this amendment to update site maps to reflect the State of California's electric vehicle (EV) infrastructure mandates. The updated maps will include the proposed locations for EV charging infrastructure. Additionally, the funding will support the completion of Phase I and II cultural resource and soil testing at the Transfer Station, in response to CEQA-related comments received. This additional funding will allow the project to move forward to complete the Environmental Impact Report (EIR). The existing contract has a not to exceed amount of \$650,000, and requires an increase of a new not to exceed amount of \$725,000 to fund the work necessary to complete this Application.

FISCAL IMPACTS OF RECOMMENDATION

The necessary funding necessary for this amendment is available in the FY2026 adopted budget in the Zero Waste Fund (Fund 601).

CURRENT SITUATION AND ITS EFFECTS

The replacement of the existing waste and recycling facilities is necessary for the City cannot meet its Zero Waste and 2009 Climate Action Plan goals. These facilities are beyond their projected and useful service life and do not meet environmental permitting requirements and safe operational standards, including seismic standards. The Public Works Department, as the Transfer Station Replacement Project's applicant, is required to file a Land Use Application with the Planning Department, which is the Lead Environmental Agency. To meet these City requirements, and CEQA, Public Works retained FCS to complete the Environmental Impact Study (EIR).

The Solid Waste & Recycling Transfer Station Replacement Project is in alignment with the Strategic Plan and will advance the City's goals to be a customer-focused organization with facilities that provide excellent, timely, easily accessible services and information to the community as well as provide state-of-the-art and well-maintained infrastructure, amenities, and facilities, and be a global leader in addressing climate change, advancing environmental justice, and protecting the environment.

BACKGROUND

The current Transfer Station was built in 1983 and various recycling facilities added in the 1980s and 90s. These facilities handle all of the City's and its contracted vendors' curbside collected and self-haul refuse, dual stream recycling, and green/food waste materials on a 7.45-acre site. The current facilities are poorly integrated, and operations cannot be coordinated to provide the facilities' customers ease of use, easy access or drop-off of refuse, recyclable and organic waste materials. These facilities do not meet current seismic requirements; have not been upgraded or improved since their construction; have exceeded their useful and serviceable life; and are unable support the City's Zero Waste Goal. The stated goals of the SW&RTS Feasibility Study included the following:

- Solicit extensive community members' and stakeholders' ideas, direction.
 - Seven meetings were conducted throughout the City and resulted in forty plus (40+) hours of active public and stakeholder involvement,
- Put these community driven ideas on paper and solicit additional community members input and direction, and
- Produce a community driven and supported replacement facility.

This community member and stakeholder envisioned facility will allow the City to divert additional materials that are currently being landfilled for additional reuse or recycling.

At the November 5, 2019, Council Work Session, feedback was provided on the two concepts developed with this extensive general public input for the Solid Waste & Recycling Transfer Station (SW&RTS) Replacement Project, including:

- Fall Listening Sessions
 - November 7th, 2018 1:30 p.m. - 3:30 p.m.
 - Berkeley Central Library, 3rd Floor Community Room, 2090 Kittredge Street
 - November 28th, 2018 6 p.m. - 9 p.m.
 - South Berkeley Senior Center, 2939 Ellis Street
- January Charrette- All sessions held at: James Kenney Community Center, 1720 8th Street
 - January 16th, 2019 6:00 p.m. – 8:00 p.m.
 - Session 1: Ideas to paper
 - January 17th, 2019 6:00 p.m. – 8:00 p.m.
 - Session 2: Analyze first night's outcomes
 - January 18th, 2019 10:00 a.m. – 12:00 p.m.
 - Session 3: Recap
- Spring Workshops
 - March 14th, 2019 6:00 p.m. – 8:00 p.m.
 - James Kenney Community Center, 1720 8th Street
 - March 15th, 2019 2:00 p.m. – 4:00 p.m.
 - North Branch Public Library, 1170 The Alameda
 - May 22nd, 2019 5:00 p.m. - 7:00 p.m.
 - Berkeley Public Library - West Branch, 1125 University Avenue

The two concepts proposed for the site are:

- Concept A: Material Recovery Facility (MRF) & Transfer Station (TS) would be combined as one large building which would allow flexibility in both MRF & TS tipping floor footprint and usage.
- Concept B: Material Recovery Facility & Transfer Station in two separate buildings that would replicate existing MRF & TS tipping floor footprint and usage.

After all comments have been addressed in the EIR, the City's Planning Department will take an item to Council to adopt the EIR. Following the adoption of the EIR, the City will move towards project financing options, full design, and construction.

For the City to meet previous City and State legislated mandates, and waste reduction efforts, the City will need to replace aging facilities. To maximize these program services and infrastructure flexibility, these facilities need to be integrated and function seamlessly together. The original project scope included both concepts through the EIR.

Through a review process, the scope was narrowed to the most feasible project to construct, Concept A.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The City's Zero Waste infrastructure is critical to aid in the reduction of material landfilled materials and promote recycling. This SW&RTS Replacement Project will support the City's efforts to continuously reduce waste volumes, increase diversion of waste from landfills, and move the City toward its Zero Waste Goal with sustainable and environmental compliant structures.

RATIONALE FOR RECOMMENDATION

FCS was awarded the Contract for CEQA Compliance for the SW&RTS Replacement Project and their CEQA efforts commenced July 1, 2021. The additional funding is needed to update site maps to reflect the State of California's electric vehicle (EV) infrastructure mandates, including the proposed locations for EV charging infrastructure. Additionally, the funding will support the completion of Phase I and II cultural resource and soil testing at the Transfer Station, in response to CEQA-related comments. This additional funding will allow the project to move forward to completion of the Environmental Impact Report (EIR).

ALTERNATIVE ACTIONS CONSIDERED

The alternative would be to issue a new RFP to update site maps to reflect the State of California's electric vehicle (EV) infrastructure mandates, including the proposed locations for EV charging infrastructure, and the completion of Phase I and II cultural resource and soil testing at the Transfer Station, in response to CEQA-related comments. This would delay the completion of the project and create the necessity of coordination by staff with two distinct consultants with deliverables on the same scope of work. Amending the existing contract not to exceed amount is the most expeditious, financially responsible and efficient route to complete the project.

CONTACT PERSON

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RESOLUTION NO. ##,###-N.S.

CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE FOR THE SOLID WASTE & RECYCLING TRANSFER STATION REPLACEMENT PROJECT CONTRACT AMENDMENT

WHEREAS, July 24, 2018, City Council authorized retaining a third-party consultant to conduct a Solid Waste & Recycling Transfer Station Feasibility Study with robust and extensive community and business members' input; and

WHEREAS, November 5, 2019 City Council Work Session, the Council reviewed the two preliminary concepts to provide feedback and direction on the replacement of the Solid Waste & Recycling Transfer Station; and

WHEREAS, February 11, 2020, City Council authorized a Resolution to release a Request for Proposal for California Environmental Quality Act compliance for the Solid Waste & Recycling Transfer Station and subsequently, FirstCarbon Solutions, Inc. was selected as the most responsive and responsible bidder; and

WHEREAS, October 13, 2020, City Council authorized Contract No. 32100081 with FirstCarbon Solutions, Inc. for the CEQA compliance for the Solid Waste & Recycling Replacement Project, Resolution No. 69,584 – N. S.; and

WHEREAS, November 30, 2021, City Council authorized the amendment of Contract No. 32100081 by Resolution No.70,131-N.S. for a new not-to-exceed amount of \$650,000; and;

WHEREAS, Without the replacement of the existing facilities, the City cannot meet its Zero Waste or 2009 Climate Action Plan goals. The existing facilities are beyond their projected and useful life; do not meet today's environmental permitting requirements and safe operational standards; and

WHEREAS, Funding for this Contract Amendment is necessary to continue moving forward with facility plans and will be appropriated in the FY 2026 adopted budget in Zero Waste Fund 601;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley authorizing the City Manager to amend Contract No. 32810081 with First Carbon Solutions, Inc. for California Environmental Quality Act (CEQA) compliance for the Solid Waste & Recycling Transfer Station (SW&RTS) Replacement Project increasing the Contract from \$650,000 to \$725,000.

