



Office of the City Manager

CONSENT CALENDAR
July 29, 2025

To: Honorable Mayor and Members of the City Council
 From: Paul Buddenhagen, City Manager
 Submitted by: Terrance Davis, Director, Department of Public Works
 Subject: Contract No. 32300096 Amendment: SCS Engineers for Landfill Post-Closure Maintenance and Monitoring Services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32300096 with SCS Engineers for maintenance, monitoring, and compliance services related to the closed landfill at Cesar Chavez Park, increasing the contract amount by \$1,834,000 for a total not to exceed amount of \$4,078,022.

FISCAL IMPACTS OF RECOMMENDATION

Funding for this amendment in the amount of \$1,834,000 is available in the FY 2026 adopted budget in the Zero Waste Fund (601).

CURRENT SITUATION AND ITS EFFECTS

The City relies on the resources and expertise of qualified consultants to maintain the landfill gas collection and flare system at Cesar Chavez Park, and to monitor surface and subsurface conditions at the closed landfill in compliance with regulatory agencies.

The current contract with SCS Engineers (“SCS”) for landfill post-closure maintenance, monitoring, and compliance services was authorized by Council on September 20, 2022, by Resolution No. 70,532-N.S. An amendment to the current contract was authorized by Council on May 14, 2024 by Resolution No. 71,330-N.S. This contract and second amendment cover services for the period of January 1, 2023 to June 30, 2026 in an amount not to exceed \$2,244,022.

From January 1, 2023 to May 30, 2025, payment for services has been authorized to SCS for approximately 94% of the total approved contract amount. The expedited contract spending was triggered by a series of Notices of Violations (“NOVs”) issued by the Bay Area Air Quality Management District (BAAQMD) Board to the City, preparations for a variance request to BAAQMD for these violations, and a subsequent hearing with the BAAQMD Hearing Board. Following the hearing, BAAQMD denied the City’s variance request and issued an Abatement Order. The order mandates compliance actions and conditions beyond routine monitoring and maintenance activities that City staff can accomplish.

In addition to the Abatement Order, the San Francisco Bay Regional Water Quality Control Board (RWQCB) issued various requirements for the City for radiological testing at the closed landfill and reports summarizing the testing results and a requirement to address elevated leachate levels in the subsurface gas collection system. The radiological testing requirements are based on a January 18, 2024 letter from the RWQCB indicating that industrial waste materials from the Stauffer Chemical Company (later known as Zeneca) Richmond Plant may have been disposed at the former landfill between 1960 and 1971. The requirement to address elevated leachate levels is a result of an October 3, 2024 letter from RWQCB indicating that leachate must be collected and removed from the gas wells in order to allow proper function of the gas collection and flare system.

These additional contracted work items have also helped City staff to identify necessary long-term system upgrades and environmental improvements to enhance the efficiency and longevity of the gas collection system.

These actions and improvements are estimated to require \$1,834,000 in additional funding over the next year.

In order to be compliant with the ongoing regulatory requirements and the City's permit to operate the closed landfill, staff proposes amending the contract for SCS to increase expenditure authority. If this contract is not amended, the City cannot remain compliant with mandatory regulations. This could result in additional NOVs and potential financial penalties.

The services provided by the SCS contract support the Strategic Plan goal of providing state-of-the-art, well-maintained infrastructure, amenities, and facilities.

BACKGROUND

Cesar Chavez Park (previously known as North Waterfront Park) is located at the Berkeley Marina on the site of the former ninety-acre Berkeley Landfill. The Park has been open to the public for recreational use since 1991. BAAQMD issued the City an operations permit to monitor and maintain the landfill gas collection system, groundwater wells, leachate wells, and other surface and subsurface conditions in accordance with state regulations. Landfill post-closure compliance services are required for a forty to fifty-year period before the site can be permanently closed.

Beginning on November 22, 2021, the BAAQMD issued a series of NOVs related to non-compliant operation of the landfill gas collection system. On February 6, 2024, BAAQMD voted to issue an Abatement Order which requires the City to take a series of compliance actions to bring the closed landfill to full compliance. Actions include locating missing gas collection wells, testing, repairs of the gas collection system; and the development and implementation of a process to identify any gas seeping offsite.

Contract No. 32300096 Amendment:
SCS Engineers for Landfill Post-Closure
Maintenance and Monitoring Services

CONSENT CALENDAR

July 29, 2025

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Hiring SCS to continue providing landfill post-closure engineering services will help ensure that greenhouse gases that emanating from the closed landfill are captured and incinerated before entering the atmosphere.

RATIONALE FOR RECOMMENDATION

The services requested are required to comply with the landfill post-closure operations permit and the Abatement Order. Continuing with the same contractor ensures ongoing compliance measures are uninterrupted and consistent. The City lacks the in-house expertise or resources needed to fulfill these obligations.

ALTERNATIVE ACTIONS CONSIDERED

No alternative action was considered since compliance with federal, state, and regional regulatory requirements is mandatory.

CONTACT PERSON

Wahid Amiri, Deputy Director, Public Works, (510) 981-6396
Ronald A. Nevels, Manager of Engineering, Public Works, (510) 981-6439

Attachments:

1: Resolution – Amendment to Contract with SCS Engineers

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

CONTRACT NO. 32300096 AMENDMENT: SCS ENGINEERS

WHEREAS, the City is required to maintain the landfill gas collection and flare system at Cesar Chavez Park, as well as monitor surface and subsurface conditions at the closed landfill, in accordance with a post-closure permit issued by the Bay Area Air Quality Management District (“Air District”); and

WHEREAS, the City does not have the resources or expertise to fulfill the obligations of the landfill post-closure permit and requires the services of qualified firms to fulfill these obligations; and

WHEREAS, on June 28, 2022, the City released a Request for Qualifications (Specification No. 22-11521-C) seeking firms to provide professional services for the landfill post-closure maintenance and monitoring project at Cesar Chavez Park and SCS Engineers was determined to be the best qualified bidder; and

WHEREAS, on September 20, 2022, by Resolution No. 70,532-N.S., the City Council authorized Contract No. 32300096 with SCS Engineers for landfill post-closure maintenance and monitoring, in an amount not to exceed \$714,022 for the contract period of January 1, 2023 to June 30, 2026; and

WHEREAS, on May 14, 2024, by Resolution No. 71,330-N.S., the City Council amended Contract No. 32300096 with SCS Engineers for landfill post-closure maintenance and monitoring, increasing it by an amount of \$1,530,000 for a total amount not to exceed \$2,244,022; and

WHEREAS, an Abatement Order was issued for the closed landfill by the Air District on February 16, 2024, which mandates compliance actions and conditions beyond routine monitoring and maintenance activities; and various orders have been issued by the San Francisco Bay Regional Water Quality Control Board (RWQCB) requiring testing, reporting, and other work beyond routine monitoring, and these actions these actions are estimated to require \$1,834,000 of additional funding over the remainder of the contract term; and

WHEREAS, \$1,834,000 is available in FY 2026 adopted budget in Zero Waste Fund (601).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized to execute an amendment to Contract No. 32300096 with SCS Engineers for continuing engineering, monitoring, maintenance, and compliance services for the closed landfill, increasing the amount by \$1,834,000 for a

total amount not to exceed \$4,078,022. A record signature copy of said contract and any amendments will be on file in the Office of the City Clerk.

