


**EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS MEETING
AGENDA STAFF REPORT**

DATE	May 21, 2024
TITLE	Authorization to Amend a Contract with Lind Marine, Inc. in the Amount of \$415,000 and Award a Professional Services Agreement to Terracon Consultants in the Amount of \$54,800 for the Remove Ferry Point Pier Project No. 556800: Miller/Knox Regional Shoreline
DIVISION	Acquisition, Stewardship, and Development
FROM	Ren Bates, Chief of Design & Construction Ken Wysocki, Assistant General Manager of Acquisition, Stewardship and Development
APPROVED	Sabrina Landreth, General Manager 

RECOMMENDATION

The General Manager recommends that the Board of Directors take the following actions for the Remove Ferry Point Pier Project (Project) (No. 556800) at Miller/Knox Regional Shoreline (Miller-Knox):

1. Authorize a contract amendment with Lind Marine, Inc. in the amount of \$415,000; and
2. Authorize the award of a professional services agreement to Terracon Consultants in the amount of \$54,800.

BACKGROUND

The Ferry Point Pier was built in the 1900s by the Santa Fe Railroad Company and served as a terminal for passenger ferries and intermodal freight, loading train cars onto barges that operated in San Francisco Bay. The passenger ferry service ended in 1933 after bridges were constructed across San Francisco Bay, but the pier continued to be used for freight and barge operations until 1975. In 1992, the Park District acquired the pier along with an adjacent 17-acre parcel of land, both of which were incorporated into the Miller/Knox Regional Shoreline. The Park District holds a lease from the State Lands Commission for 2.95 acres of submerged lands including the underwater mud upon which the pier stands.

The historic pier has significantly deteriorated over several decades with many pilings rotted at the water line. Large sections of the pier broke off in January and August 2021, requiring emergency actions to remove and dispose of the debris before they became a hazard to marine navigation and the environment. The emergency contracts for the debris removal work were ratified by Board Resolutions 2021-02-019 and 2021-09-267.

A condition assessment by the District's consultant, Moffat & Nichol, was completed following the emergency work, and it noted that most of the timber piles that support the 120-year-old pier and the entire timber fender system have experienced severe deterioration in the intertidal area. The

severity and extent of deterioration are such that portions of the pier are collapsing and falling into San Francisco Bay. Therefore, the Park District proposes to deconstruct and remove the derelict structures that are no longer in use, are structurally unsound, and are at risk of falling into the San Francisco Bay. Other portions of the pier, including the concrete public fishing pier constructed in 2001 and the historic steel and concrete gantry structure, are not considered to be at risk of collapse and will not be affected by this work.

A contract to remove the Ferry Point Pier was awarded to Lind Marine, Inc. on October 4, 2022, by Board Resolution 2022-10-250. On November 9, 2023, during final permitting, and as a requirement of the Bay Area Air Quality Management District, the Park District engaged the services of Terracon, Inc., one of the Park Districts on-call consultants, to inspect, sample, and test the pier for hazardous materials. They identified that tar material at the top of each pile was asbestos-containing construction material. Due to this information and the constraints of construction window allowed by environmental permitting, demolition was postponed to 2024.

Abating asbestos in this type of in-water demolition is not common, so the Park District, Terracon, and Lind Marine spent several months developing a work plan for safe removal of the pier. Approval of this proposed Board action will allow the Park District to move forward with the pier removal this summer. Terracon will have a State of California Certified Asbestos Professional on site monitoring personal exposure to asbestos. Lind Marine will hire a subcontractor qualified to do the asbestos abatement portions of the work. Authorizing the contract amendment with Lind Marine and contract with Terracon will cover the costs of these additional tasks and added scope for the safe removal of the pier.

ANALYSIS

The Ferry Point Pier is derelict and needs to be removed. The proposed action will allow for the project to move forward and demolish the pier. Without this approval the project will not move forward, and the pier will not be removed this year.

FISCAL IMPACT

There is adequate funding for this work in the Project Budget (No. 556800), and no need for additional funding is anticipated.

SOURCE OF FUNDS	
Remove Ferry Point Pier (Project No. 556800)	\$ 3,026,079
Expenditures and Encumbrances to Date	(1,862,147)
Total Funds Available	\$ 1,163,932

USE OF FUNDS	
Construction Change Order	\$ 415,000
Consultant Contract	54,800
Remaining Balance	\$ 694,132

ATTACHMENTS

1. Remove Ferry Point Pier Project Map



**EAST BAY REGIONAL PARK DISTRICT
RESOLUTION NO. 2024 – 05 -
MAY 21, 2024**

**AUTHORIZATION TO AMEND A CONTRACT WITH LIND MARINE, INC. IN THE
AMOUNT OF \$415,000 AND AWARD A PROFESSIONAL SERVICES AGREEMENT
TO TERRACON CONSULTANTS IN THE AMOUNT OF \$54,800 FOR THE
REMOVE FERRY POINT PIER PROJECT NO. 556800: MILLER/KNOX REGIONAL
SHORELINE**

WHEREAS, in January and August 2021 large sections of the historic 120-year-old Ferry Point Pier at Miller/Knox Regional Shoreline broke off requiring emergency actions to remove and dispose the debris before they became a hazard to marine navigation and the environment, (Board Resolutions 2021-02-019 and 2021-09-267); and

WHEREAS, following the first emergency pier removal in January 2021, the Park District contracted with Moffatt & Nichol to assess the condition of the remaining piers and that assessment noted that most of the timber piles and the entire fender system have experienced severe deterioration in the intertidal area; and

WHEREAS, the Park District proposes to demolish and remove the derelict structures that are no longer in use, are structurally unsound, and are at risk of falling into the San Francisco Bay; and

WHEREAS, other portions of the pier, including the concrete public fishing pier constructed in 2001 and the historic steel and concrete gantry structure are not considered to be at risk of collapse and will remain; and

WHEREAS, on October 4, 2022, by Resolution No. 2022-10-250, the Board of Directors authorized award of a construction contract with Lind Marine for the Remove Ferry Point Pier Project; and

WHEREAS, as a requirement of Bay Area Air Quality Management District permitting, the pier was inspected, sampled, and tested for hazardous materials and the tar material at the top of each pile was an asbestos carrying construction material; and

WHEREAS, because abating asbestos in this type of in-water demolition is not common, Park Staff worked with the Terracon, Inc. and Lind Marine over several months to develop a work plan for safe removal of the pier; and

WHEREAS, costs to abate the asbestos and perform the proposed work plan will require an amendment to the Construction Contract with Lind Marine, and authorization of a contract with Terracon, Inc to monitor the demolition work; and

WHEREAS, funds for this action are available within the project budget;

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby authorize an amendment in the amount of \$415,000 to the existing \$1,083,000 construction contract with Lind Marine for a total of \$1,498,000; and

BE IT FURTHER RESOLVED that the Board of Directors of the East Bay Regional Park District hereby authorize the award of a professional services contract to Terracon, Inc. in the amount of \$54,800 for abatement and monitoring services for the asbestos removal; and

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed, on behalf of the Park District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director _____, and seconded by Director _____, and
adopted May 21, 2024, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: