



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

DATE November 19, 2024

TITLE Authorization to Increase the Construction Contract Contingency by \$122,800 with Lind Marine, Inc. for the Remove Ferry Point Pier
Project: Miller/Knox Regional Shoreline

DIVISION Acquisition, Stewardship, and Development

FROM Ren Bates, Chief of Design & Construction
Ken Wysocki, Assistant General Manager of Acquisition, Stewardship & Development

APPROVED Sabrina Landreth, General Manager 

RECOMMENDATION

The General Manager recommends that the Board of Directors authorize an increase in the amount of \$122,800 to the contract contingency with Lind Marine, Inc. for the Remove Ferry Point Pier Project at Miller/Knox Regional Shoreline.

BACKGROUND

The East Bay Regional Park District (Park District) acquired Ferry Point pier in 1992 along with an adjacent 17-acre parcel of land, both of which were incorporated into the Miller/Knox Regional Shoreline. The historic pier 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.

A condition assessment by the Park 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 were severely deteriorated. Therefore, the Park District decided to deconstruct and remove the derelict, structurally unsound pier structure. Other portions of the pier, including the concrete public fishing pier constructed in 2001 and the historic steel and concrete gantry structure, were not affected by this work.

A contract to remove Ferry Point Pier was awarded to Lind Marine, Inc. on October 4, 2022, by Board Resolution 2022-10-250. Discovery of asbestos-containing material and the need to develop and implement an asbestos abatement plan delayed the project, but the removal of the structure was completed in the summer of 2024. During removal, waste material exceeded the initial estimate, and additional disposal costs were incurred as a result.

ANALYSIS

The cost for disposal of the demolished materials was determined based on an estimated 660 tons

of debris. The engineers' initial estimate assumed the pier pilings would snap at the mud line, leaving the remainder of the pilings beneath the mud. However, most of the pilings were removed intact, which resulted in 409.21 additional tons of debris for disposal. There are no alternatives to paying for the disposal of this additional tonnage.

FISCAL IMPACT

There are sufficient funds for this contingency increase in the project budget. This action will not impact the Park District's operating budget.

SOURCE OF FUNDS	
Remove Ferry Point Pier (Project No. 556800)	\$ 3,026,080
Expenditures and Encumbrances to Date	(2,252,053)
Total Funds Available	\$ 774,027

USE OF FUNDS	
Construction Contingency Increase	\$ 122,800
Remaining Balance	\$ 651,227

ATTACHMENTS

None.



**EAST BAY REGIONAL PARK DISTRICT
RESOLUTION NO. 2024 – 11 -
NOVEMBER 19, 2024**

**AUTHORIZATION TO INCREASE THE CONSTRUCTION CONTRACT
CONTINGENCY BY \$122,800 WITH LIND MARINE, INC. FOR THE REMOVE
FERRY POINT PIER PROJECT: 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 Resolution No.s 2021-02-019 and 2021-09-267); and

WHEREAS, following the first emergency pier removal in January 2021, the East Bay Regional Park District (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 were severely deteriorated, leading to the decision to demolish and remove the derelict structures; and

WHEREAS, other portions of the pier, including the concrete public fishing pier constructed in 2001 and the historic steel and concrete gantry structure, were not considered to be at risk of collapse and 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 amended the contract on May 21, 2024, by Resolution 2024-05-102 to accommodate additional costs related to asbestos abatement; and

WHEREAS, removal of the pier was completed in the summer of 2024, but waste materials are more than the initial estimate, which has incurred additional disposal costs; and

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

NOW, THEREFORE BE IT RESOLVED, the Board of Directors of the East Bay Regional Park District hereby increase the construction contract contingency by \$122,800 with Lind Marine, Inc. for the Remove Ferry Point Pier Project: Miller/Knox Regional Shoreline as presented to the Board on November 19, 2024; 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 November 19, 2024, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: