

**DATE: MAY 16, 2023**

**FROM: ENVIRONMENTAL MANAGEMENT DIVISION**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - FIRST AMENDMENT TO AGREEMENT NO. 22-9896 FOR AS-NEEDED EMERGENCY RESPONSE AND HAZARDOUS WASTE MANAGEMENT SERVICES WITH OCEAN BLUE ENVIRONMENTAL SERVICES, INC.**

**SUMMARY:**

Staff requests approval of the proposed First Amendment to Agreement No. 22-9896 (Agreement) with Ocean Blue Environmental Services, Inc. (Ocean Blue). Under Agreement No. 22-9896, Ocean Blue provides as-needed emergency response and hazardous waste management services for the City of Los Angeles Harbor Department (Harbor Department). The proposed Amendment increases the not-to-exceed contract amount by \$977,000, from \$2,000,000 to \$2,977,000, with no change in contract term. The First Amendment is required at this time due to an unplanned, high amount of work requests received to support continued development along the San Pedro Waterfront.

The Harbor Department will continue to be financially responsible for payment of expenditures incurred under the Agreement.

**RECOMMENDATIONS:**

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) of the Los Angeles City CEQA Guidelines;
2. Approve the First Amendment to Agreement No. 22-9896 with Ocean Blue Environmental Services, Inc. to increase the contract amount by \$977,000 for a total not-to-exceed amount of \$2,977,000;
3. Authorize the Executive Director to execute and the Board Secretary to attest to said Amendment for and on behalf of the Board; and
4. Adopt Resolution No. \_\_\_\_\_.

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**DISCUSSION:**

On October 6, 2022, the Board approved Agreement No. 22-9896 with Ocean Blue, to provide as-needed emergency response and hazardous waste management services for the Harbor Department. Services include emergency and non-emergency responses to chemical spills or releases of regulated and/or hazardous materials and abandoned wastes within the Port of Los Angeles (Port), such as responding to chemical releases or spills; removal and disposal of abandoned wastes; disposal of biowaste (e.g., marine mammal carcasses, cleaning Port Police vehicles, etc.); removal of hazardous waste from derelict boats; abatement of asbestos and lead; disposal of contaminated soil and groundwater; and the disposal of creosote-treated wood pilings. This work is performed under the direction of the Environmental Management Division (EMD), with further direction as appropriate by federal and state agencies, including the U.S. Coast Guard, the California Department of Fish and Wildlife, the U.S. Environmental Protection Agency, and the Los Angeles Regional Water Quality Control Board. EMD also responds to requests from other Harbor Department divisions, including Port Police, Construction & Maintenance, Waterfront and Commercial Real Estate Division, and Cargo and Industrial Real Estate Division, for services that involve emergency waste management removal and disposal. The work performed through Agreement No. 22-9896 requires specialized training, equipment, and licenses to handle and dispose of hazardous substances and wastes.

The Agreement was approved for one year and is scheduled to expire on October 18, 2023. The Agreement was approved for a total not-to-exceed amount of \$2,000,000. In the first six months of the Agreement, EMD received a high volume of work requests, most notably work to support the San Pedro Waterfront, Ports O'Call redevelopment, at a cost of approximately \$977,000. Including this work request, \$1,882,286 (94%) out of the \$2,000,000 contract amount has been committed to specific project tasks. The remaining balance of \$117,714 will be insufficient to support other requests through the end of the contract term. The proposed First Amendment (Transmittal 1) will allow EMD to provide ongoing support to existing projects and respond to future unanticipated service requests throughout the Port.

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is the approval of a First Amendment to the Agreement with Ocean Blue and the Harbor Department to increase the authority amount, which is an administrative activity. Therefore, the Director of Environmental Management has determined that the proposed action is administratively exempt from the requirements of CEQA in accordance with Article II Section 2(f) of the Los Angeles City CEQA Guidelines.

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**FINANCIAL IMPACT:**

Approval of the First Amendment would increase the not-to-exceed amount of the contract by \$977,000, from \$2,000,000 to \$2,977,000.

It is anticipated that the First Amendment funds of \$977,000 will be expended in Fiscal Year 2023/2024. Funds to cover this amendment are available in Capital Work Order No. 25526 – San Pedro Waterfront – Ports O’Call Promenade Phase II, Account 54260 (Environmental Assessment Services), Center 1185 (San Pedro Waterfront – Ports O’Call), Program 624 (Waterfront Development).

**CITY ATTORNEY:**

The Office of the City Attorney has reviewed and approved the proposed Amendment as to form and legality.

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**TRANSMITTALS:**

1. First Amendment to Agreement No. 22-9896 with Ocean Blue

FIS Approval: MB

CA Approval: SO



CHRISTOPHER CANNON  
Director of Environmental Management



ANTONIO GIOIELLO  
Deputy Executive Director

APPROVED:

*Marla Bleavins* For

EUGENE D. SEROKA  
Executive Director

AUTHOR: L. FANG  
BOARD MEETING: 5/25/23

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