



**THE PORT
OF LOS ANGELES**

Executive Director's
Report to the
Board of Harbor Commissioners

DATE: OCTOBER 26, 2022

FROM: ENGINEERING

SUBJECT: RESOLUTION NO. _____ - APPROVAL OF PERSONAL SERVICES AGREEMENTS WITH AECOM TECHNICAL SERVICES, INC.; D R CONSULTANTS & DESIGNERS, INC.; JACOBS ENGINEERING GROUP INC.; KPFF, INC.; MARK THOMAS & COMPANY, INC.; MOFFATT & NICHOL; AND WSP USA INC. FOR ON-CALL ENGINEERING SERVICES

SUMMARY:

Staff requests approval of personal services agreements (Agreements) with AECOM Technical Services, Inc. (AECOM); D R Consultants & Designers, Inc. (DRCD); Jacobs Engineering Group Inc. (Jacobs); KPFF, Inc. (KPFF); Mark Thomas & Company, Inc.; Moffatt & Nichol; and WSP USA Inc. to provide on-call engineering services supporting the City of Los Angeles (City) Harbor Department's Capital Improvement Program (CIP), and Maintenance Improvement Program (MIP). The seven Agreements are for three-year terms in the amount of \$5,000,000 each for a total of \$35,000,000. The Harbor Department will be financially responsible for payment of expenses incurred under the proposed Agreements.

RECOMMENDATION:

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) in accordance with Article II Section 2(f) of the Los Angeles City CEQA Guidelines;
2. Find that in accordance with the City Charter Section 1022, work under the subject Agreements can be performed more feasibly by independent consultants rather than by City employees;
3. Approve the seven Personal Services Agreements for a term of three years each, with a combined contract total not-to-exceed amount of \$35,000,000 as follows:
 - a. AECOM Technical Services, Inc. (Orange, CA) for \$5,000,000;

- b. D R Consultants & Designers, Inc. (Los Angeles, CA) for \$5,000,000;
 - c. Jacobs Engineering Group Inc. (Los Angeles, CA) for \$5,000,000;
 - d. KPFF, Inc. (Long Beach, CA) for \$5,000,000;
 - e. Mark Thomas & Company, Inc. (Lakewood, CA) for \$5,000,000
 - f. Moffatt & Nichol (Long Beach, CA) for \$5,000,000
 - g. WSP USA Inc. (Los Angeles, CA) for \$5,000,000
4. Authorize the Executive Director to execute and the Board Secretary to attest to said Agreements, for and on behalf of the Board; and
5. Adopt Resolution No. _____.

DISCUSSION:

Background – The City of Los Angeles Harbor Department (Harbor Department) is implementing the enhancement and modernization of its facilities and cargo handling ability through terminal infrastructure improvements, operational changes requested by customers, and facility development. The Harbor Department has a need for outside engineering services to supplement the efforts of engineering staff, meet current project schedules, perform the required work, continue to serve our current and growing customer base, and respond to grant funding requirements.

All work will be initiated by project directives which will define the scope of work, maximum cost, schedule, terms of payment, deliverables, work site, personnel or sub-consultants to be utilized, Small Business Enterprise (SBE) and Very Small Business Enterprise (VSBE) participation, and other pertinent details.

All project directives require Executive Director approval. The Consultants will only be compensated for work completed; any unused funds at the end of the contract term will remain with the Harbor Department.

Services to be Performed – The Engineering Division is responsible for preparing plans, specifications, and estimates (PS&E) for development on Harbor Department controlled property. This includes all capital and maintenance work on the 3,500 acres of land and 4,000 acres of water, 43 miles of waterfront, facilities serving over 40 shipping and cruise lines, 26 cargo terminals, and the World Cruise Center. In addition, the Engineering Division is responsible for providing engineering services to maintain all the above assets of the Harbor Department and to review plans prepared by customers for work they perform on Harbor Department property.

The Consultants shall provide on-call engineering services in conjunction with Harbor Department engineering staff. These services include, but are not limited to, performing civil, structural, geotechnical, mechanical, transportation, control systems, fire protection, land surveying, corrosion, coastal, and harbor engineering. These services will be in support of the planning and design of marine structures, container terminals, buildings, pavement, storm drain, sewer, striping, and rail. Additional work includes architectural

and engineering services for conceptual, preliminary, and final design of terminal entrance gates and terminal support buildings; applying for and obtaining necessary plan checks and permits from outside regulatory agencies; as-needed project management support services, including reviews of construction bid packages, class "A" project cost estimates, project scheduling, simulation, studies, etc.; support, including drawings, sketches, color and black and white diagrams, presentation charts, etc.; as-needed AutoDesk CAD and mapping support, and design services during construction including responding to requests for information, review of shop drawings and preparation of As-Built drawings.

The detailed Scope of Work – Exhibit "B" is attached as Transmittal 2.

Pre-Request for Proposals Outreach - As part of a pre-Request for Proposals outreach, the Harbor Department Human Resources Division notified SEIU, February 1, 2022 of a RFP for On-Call Engineering Services. SEIU represents Engineers, Associate Engineers, Architects, and Associate Architects currently employed by the City.

Also, prior to issuance of the RFP, in conformance with the City's Charter Section 1022 procedure, the Engineering Division notified seven (7) major City departments and asked if those departments had personnel that could perform the above-referenced scope of services. Departments that were contacted either did not respond or responded that they lacked sufficient personnel to assist. Based on these findings, a Charter Section 1022 Determination was prepared on February 3, 2022 which found that the work proposed to be contracted can be performed more feasibly by a contractor than by City employees because there is insufficient existing City staff to perform the proposed work and additional staff cannot be trained in a timely manner to meet the Harbor Department's needs.

Selection Process – On May 10, 2022, the Contracts and Purchasing Division issued a RFP for On-Call Engineering Services. The RFP was posted on the Port of Los Angeles (Port) website, and the Regional Alliance Marketplace for Procurement (RAMP).

The Harbor Department received proposals from thirteen (13) firms that downloaded the RFP. The criteria for evaluation of the proposals were derived from previous on-call contracting forms used to evaluate similar services and were included in the RFP. The Criteria used to evaluate the Consultant proposals are summarized in four (4) broad categories: qualifications, experience, and references; project organization, personnel, and staffing; project management; and rates and fees and are more fully defined on the attached "RFP Selection Evaluation Form" (Transmittal 3).

The proposals were evaluated and rated by five (5) members of the Engineering Division, one (1) member of the Construction Division, one (1) member of the Construction and Maintenance Division, and one (1) outside rater from the Port of Long Beach Engineering Services Bureau. A summary of the scores of the consultant proposals are included on the attached "Cycle 11 - On-Call Engineering Proposal Evaluation Summary" (Transmittal 4). The Engineering Division recommended that the Department use the evaluation of the

written proposals for selection of the Cycle 11 Engineering On-Call consultants. Based on the score of the written proposals, the top seven (7) of the 13 teams are being recommended.

The Engineering Division is recommending that the Harbor Department enter into seven (7) 3-year term Agreements for On-Call Engineering Services with an amount not-to-exceed \$5,000,000 for each of the following consultants:

- AECOM Technical Services, Inc.
- D R Consultants & Designers, Inc.
- Jacobs Engineering Group Inc.
- KPFF, Inc.
- Mark Thomas & Company, Inc.
- Moffatt & Nichol
- WSP USA Inc.

Small Business Enterprise Program – The consultant agreements will include an overall 25% SBE participation requirement. The SBE participation commitment level will be specified for the scope of work on each individual project directive when work is assigned. This will allow the overall SBE and VSBE goals for each consultant to be tracked. D R Consultants & Designers, Inc. (DRCD) is a certified SBE; therefore, 100% of their services will apply towards the SBE goal. If all the funds are expended in these contracts, the Consultants will cumulatively achieve an SBE participation level of 25% (\$8,750,000), and a VSBE participation level of 5% (\$1,750,000). The composition of each consultant team is attached as Transmittal 5. All firms will be required to submit a monthly sub-consultant report indicating their level of compliance with these goals. This compliance will be monitored monthly by staff.

ENVIRONMENTAL ASSESSMENT:

The proposed action is the approval of AECOM, DRCD, Jacobs, KPFF, Mark Thomas & Company, Inc., Moffatt & Nichol, and WSP USA Inc. to provide on-call engineering services supporting Harbor Department CIP and MIP, 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.

FINANCIAL IMPACT:

Approval of the proposed Agreements will authorize total on-call engineering services expenditures of \$35,000,000 which are anticipated to be incurred over a three-year period. FY 2022/2023 spending under the proposed agreements is anticipated to be \$2,000,000 with future spending occurring as follows:

Fiscal Year (FY)	MIP	CIP	Total
2022/2023	\$200,000	\$1,800,000	\$2,000,000
2023/2024	\$500,000	\$14,000,000	\$14,500,000
2024/2025	\$500,000	\$14,000,000	\$14,500,000
2025/2026	\$200,000	\$3,800,000	\$4,000,000
Total	\$1,400,000	\$33,600,000	\$35,000,000

Funds for FY 2022/2023 in the amount \$1,800,000 are available in the CIP Account 54220 (Architectural and Engineering Design Services), Center 1900, Program 000, and \$200,000 is available in the MIP Account 54220, Center 0311, Program 000. The Harbor Department's financial commitments for the proposed Agreements beyond the current fiscal year are contingent upon approval of funds by the Board as part of the annual budget adoption process. If any subsequent fiscal year funds are not appropriated by the Board for the work required by the Agreements, the Agreements shall be terminated. However, such termination shall not relieve the parties of liability for any obligations previously incurred. A funding out clause is included in each Agreement.

CITY ATTORNEY:

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

TRANSMITTALS:

1. Agreements

- a. Agreement with AECOM Technical Services, Inc.
- b. Agreement with D R Consultants & Designers, Inc.
- c. Agreement with Jacobs Engineering Group Inc.
- d. Agreement with KPFF, Inc.
- e. Agreement with Mark Thomas & Company, Inc.
- f. Agreement with Moffatt & Nichol
- g. Agreement with WSP USA Inc.

2. Exhibit "B" - Scope of Work
3. RFP Selection Evaluation Form
4. Proposal Evaluation Summary, On-Call Engineering Cycle 11
5. Prime and Sub-Consultant Teams, On-Call Engineering Services Cycle 11

FIS Approval: MB (initials)
CA Approval: SO (initials)

Dina Aryan-Zahlan

DINA ARYAN-ZAHLAN, P.E.
Chief Harbor Engineer

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APPROVED:

Marla Bleavins For

EUGENE D. SEROKA
Executive Director