



**DATE: MAY 24, 2016**

**FROM: ENVIRONMENTAL MANAGEMENT**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - PERSONAL SERVICES AGREEMENTS BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND AMEC FOSTER WHEELER ENVIRONMENT & INFRASTRUCTURE, INC.; ANCHOR QEA, LLC; MERKEL & ASSOCIATES, INC.; MICHAEL BAKER INTERNATIONAL, INC.; PI ENVIRONMENTAL, LLC; AND WESTON SOLUTIONS, INC.; TO CONDUCT AS-NEEDED WATER QUALITY, SEDIMENT QUALITY, AND BIOLOGICAL RESOURCES SERVICES**

**SUMMARY:**

Staff requests approval of Agreements with AMEC Foster Wheeler Environment & Infrastructure, Inc.; Anchor QEA, LLC; Merkel & Associates, Inc.; Michael Baker International, Inc.; Pi Environmental, LLC; and Weston Solutions, Inc.; to provide the City of Los Angeles Harbor Department (Harbor Department) technical support for water and sediment quality programs, biological resources management and regulatory program development and compliance. This action will authorize six as-needed Agreements, each for a three-year term, with a combined total not-to-exceed amount of \$7,800,000. The Harbor Department is financially responsible for payment under the proposed agreements.

**RECOMMENDATION:**

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

1. Find that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) and Article III Class 6(2) of the Los Angeles City CEQA Guidelines as determined by the Director of Environmental Management;
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;

**SUBJECT: AS-NEEDED AGREEMENTS FOR WATER QUALITY SERVICES**

3. Approve the Agreement with AMEC Foster Wheeler Environment & Infrastructure, Inc. for a term of three years for the total not-to-exceed amount of \$2,000,000;
4. Approve the Agreement with Anchor QEA, LLC, for a term of three years for the total not-to-exceed amount of \$2,000,000;
5. Approve the Agreement with Merkel & Associates, Inc. for a term of three years for the total not-to-exceed amount of \$500,000;
6. Approve the Agreement with Michael Baker International, Inc. for a term of three years for the total not-to-exceed amount of \$700,000;
7. Approve the Agreement with Pi Environmental, LLC for a term of three years for the total not-to-exceed amount of \$1,100,000;
8. Approve the Agreement with Weston Solutions, Inc. for a term of three years for the total not-to-exceed amount of \$1,500,000;
9. Authorize the Executive Director to execute and the Board Secretary to attest to said Agreements for and on behalf of the Board; and
10. Adopt Resolution No. \_\_\_\_\_.

**DISCUSSION:**

Background/Context - The scope of work for the water quality, sediment quality, and biological resources technical support Agreements includes assisting the Harbor Department with regulatory requirements associated with capital and maintenance dredging projects, as well as compliance with new and increasingly stringent requirements of federal stormwater regulations (National Pollutant Discharge Elimination System – NPDES), and Total Daily Maximum Load (TMDL) regulations. These programs require extensive monitoring, source control, and remediation activities to reduce pollutant concentrations in harbor waters and sediments. Work under these agreements also involves assisting the Harbor Department with biological resources management activities such as biological surveys, mitigation bank development, and obtaining biological mitigation credits for Harbor Department development projects. In support of these and other efforts, we request approval of the Agreements (Transmittal 1) for a term of three years.

Services to be Performed - Contractual services to be performed under the proposed Agreements are detailed in the Scope of Work (Transmittal 2) and include:

- Support for Harbor Toxics TMDLs
- Support for Inner Cabrillo Beach Bacteria TMDL

**SUBJECT: AS-NEEDED AGREEMENTS FOR WATER QUALITY SERVICES**

- Source Control Measures
- Stormwater Support
- Water Quality Studies
- Dredge Program Support
- Sediment Quality Studies
- Ballast Water and Invasive Species Support
- *Caulerpa*/Eelgrass Surveys
- Other Biological Surveys
- Biological Mitigation Electronic
- Database System Support

The term of the current Agreements expires in July 2016 and these new Agreements are needed in order to continue to provide the necessary water, sediment, and biological resources support services for the Harbor Department.

Work Assignments - Work under these Agreements will be authorized through a Project Directive (PD) process and approved by the Executive Director. Each PD will include a detailed scope of work, schedule, Small Business Enterprise (SBE) anticipated participation level, and a cost estimate.

Pre-Request for Proposal Outreach - A City Charter Section 1022 Determination was prepared which found that the proposed work and staff needed under the proposed Agreements can be performed more feasibly by independent consultants rather than by City employees.

Selection Process - On November 12, 2015, the Harbor Department Environmental Management Division (EMD) issued the As-Needed Water Quality, Sediment Quality, and Biological Resource Services Request for Proposals (RFP). The RFP was posted on the Port of Los Angeles (Port) website, and automatic email notifications were sent out to all firms registered on the Los Angeles Business Assistance Virtual Network (LABAVN) under the applicable North American Industry Classification System (NAICS). The RFP featured twelve separate scope of work items (bulleted above). Firms were allowed to submit proposals on one or more of the scope of work items that best represented their firm's strengths.

Nine proposals were received by the December 29, 2015 deadline. The proposal evaluation committee consisted of two representatives from EMD and one Water Biologist from the City of Los Angeles Department of Public Works, Bureau of Sanitation. Proposals were reviewed using evaluation criteria published in the RFP (Transmittal 3) and all nine proposers were invited to oral interviews that occurred February 8-10, 2016. Of the nine firms interviewed, three firms proposed on 11 to 12 scope of work items, four firms proposed on four to six items, and two firms proposed on one item (Transmittal 4). Interview questions were developed in consultation with

**SUBJECT: AS-NEEDED AGREEMENTS FOR WATER QUALITY SERVICES**

the Contracts and Purchasing Division (Transmittal 5). Oral interviews were used to determine breadth and depth of the expertise firms could provide to the Harbor Department. The evaluation panel completed the evaluation scoring on the strength of the written proposals and interviews.

Following the evaluation process and interviews, six firms were selected as the most qualified to meet the Harbor Department's anticipated needs over the next three years. These six firms exceed all necessary qualifications and experience to assist Harbor Department staff in addressing key regulatory and technical water, sediment, and biological resources issues anticipated over the next three years. AMEC Foster Wheeler Environment & Infrastructure Inc. and Anchor QEA, LLC, are the two most qualified full service firms. Merkel & Associates, Inc.; Michael Baker International, Inc.; Pi Environmental, LLC; and Weston Solutions, Inc. are the most qualified firms that proposed on a subset of the scope of work items, each bringing a different area of expertise to the Harbor Department. Michael Baker International and Pi Environmental are new to EMD's on-call services, and Weston Solutions is returning as a prime after previously working as a sub-consultant.

As a result, EMD's recommends that the Harbor Department enter into three-year Agreements with these six firms at the following identified not-to-exceed agreement amounts:

AMEC Foster Wheeler Environment & Infrastructure, Inc.	\$ 2,000,000
Anchor QEA, LLC	\$ 2,000,000
Merkel & Associates, Inc.	\$ 500,000
Michael Baker International, Inc.	\$ 700,000
Pi Environmental, LLC	\$ 1,100,000
Weston Solutions, Inc.	\$ 1,500,000
<b>TOTAL</b>	<b>\$ 7,800,000</b>

EMD assigned not-to-exceed amounts to each Agreement based on the each firm's expertise and experience as well as information gleaned from the written proposals and interviews. This was weighed against the types of projects and activities EMD anticipates undertaking over the next three years and funds were allocated accordingly. This allocation ensures that consultants with proven capabilities are available, but also allows new firms the opportunity to demonstrate their abilities. Actual assignments for work will be made based on budget allocations in each fiscal year. Further, where appropriate, consultants will be asked to submit competitive bids for work in order to obtain a good price for various work assignments.

Small Business Enterprise and Local Business Enterprise Preference Programs - The required Small Business Enterprise (SBE) participation for each Agreement is 25%, including five percent Very Small Business Enterprise (VSBE) participation. This requirement can be met through the prime consultant or sub-consultant. The specific

**SUBJECT: AS-NEEDED AGREEMENTS FOR WATER QUALITY SERVICES**

sub-consultant participation levels will be committed through each individual PD when work is assigned. Merkel & Associates and Pi Environmental are certified SBEs and VSBEs; therefore, 100% of their services will apply towards these goals. The other four firms have sub-consultant teams that include SBE and VSBE, Disabled Veteran Business Enterprises, and Local Business Enterprises (LBE). The contract opportunity was also eligible for the LBE Preference Program which provides for an eight percent preference in their selection scores for qualifying LBEs. Three of the nine firms are local businesses: AMEC Foster Wheeler Environment & Infrastructure, Inc.; Michael Baker International, Inc.; and Ramboll Environ US Corporation. Each of these firms received an eight percent preference in their selection score, but this did not impact the final results.

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is approval of six as-needed agreements for water quality, sediment quality, and biological resources technical support, which is an administrative activity related to basic data collection, field testing, research, experimental management and resource activities. As such, the Director of Environmental Management has determined that the proposed action is exempt from the requirements of CEQA in accordance with Article II Section 2(f) and Article III Class 6(2) of the Los Angeles City CEQA Guidelines.

**FINANCIAL IMPACT:**

Approval of the three-year Agreements authorizes a total amount not-to-exceed of \$7,800,000 for environmental consulting services. It is anticipated that funds under the Agreements will be expended as follows:

FY 16/17	\$ 1,580,000
FY 17/18	\$ 3,110,000
FY 18/19	\$ 3,110,000
<b>TOTAL</b>	<b>\$ 7,800,000</b>

Funds for FY 2016/2017 in the amount of \$1,580,000 have been budgeted in Account 54260, Center 330, Program 000. Future year funds will be requested through the Harbor Department's annual budgeting process, upon Board approval. The Harbor Department's financial obligations after the current fiscal year are contingent upon the Board appropriation of funds. 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.

DATE: MAY 24, 2016

PAGE 6 OF 6

SUBJECT: AS-NEEDED AGREEMENTS FOR WATER QUALITY SERVICES

**CITY ATTORNEY:**

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

**TRANSMITTALS:**

1. Agreements
  - a. Agreement with AMEC Foster Wheeler Environment & Infrastructure, Inc.
  - b. Agreement with Anchor QEA, LLC
  - c. Agreement with Merkel & Associates, Inc.
  - d. Agreement with Michael Baker International, Inc.
  - e. Agreement with Pi Environmental, LLC
  - f. Agreement with Weston Solutions, Inc.
2. Scope of Work
3. Evaluation Criteria
4. Proposal matrix
5. Oral interview questions

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

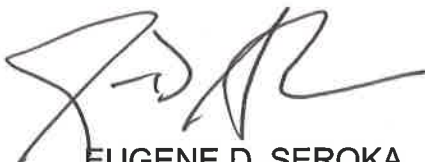


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