



**THE PORT
OF LOS ANGELES**

Executive Director's
Report to the
Board of Harbor Commissioners

DATE: FEBRUARY 2, 2017

FROM: ENGINEERING

SUBJECT: RESOLUTION NO. _____ - APPROVAL OF PERSONAL SERVICES AGREEMENT BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND T.Y. LIN INTERNATIONAL FOR THE ENGINEERING, ARCHITECTURAL, AND LANDSCAPING DESIGN SERVICES FOR THE WILMINGTON WATERFRONT PEDESTRIAN BRIDGE

SUMMARY:

Staff requests approval of a personal services agreement (Agreement) between the City of Los Angeles Harbor Department (Harbor Department) and T.Y. Lin International (T.Y. Lin), Los Angeles, California, to provide professional engineering, architectural, and landscaping design services for the Wilmington Waterfront Pedestrian Bridge project. The Agreement has a contract term of three years, with a not-to-exceed amount of \$1,524,029. This Agreement will be the financial responsibility of the Harbor Department.

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) 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 Agreement is temporary in nature and can be performed more feasibly by an independent consultant rather than by City of Los Angeles (City) employees;
3. Approve a personal services agreement with T.Y. Lin for engineering, architectural and landscaping design services for the Wilmington Waterfront Pedestrian Bridge project with a not-to-exceed amount of \$1,524,029 and a term of three years;
4. Authorize the Executive Director to execute and the Board Secretary to attest to said Agreement for and on behalf of the Board; and

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5. Adopt Resolution No. _____.

DISCUSSION:

Background and Context - The City of Los Angeles Harbor Department continues its commitment to the community revitalizing the LA Waterfront. The Wilmington Waterfront Development Project Environmental Impact Report (EIR) was certified on June 18, 2009. The Wilmington Waterfront Development Program is focused on connecting the community with the waterfront, creating open spaces, and developing visitor-serving opportunities in and around the Port.

The Wilmington Waterfront Pedestrian Bridge project will improve access from Wilmington to the waterfront by constructing a new pedestrian bridge and enhancing existing access to the Wilmington Waterfront Promenade. The project will also construct an entry plaza and gateway feature welcoming visitors to the Wilmington Promenade. These two elements are defined as The Pedestrian Bridge (Element A) and the Entry Plaza (Element B) and are shown on the site map (Transmittal 1).

Services to be Performed – The Consultant shall provide engineering services to support the Wilmington Waterfront Pedestrian Bridge Project. These services include, performing civil, structural, geotechnical, landscaping, and architectural design; preparation of plans, specifications and estimates (PS&E), support services during construction, and preparation of the as-built records. The Agreement includes a detailed Scope of Work/Services/Deliverables and is attached as Transmittal No. 2.

Work under this Agreement will be initiated by project directives which will define the scope of work, schedule, terms of payment, deliverables, and 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. This Agreement does not include any additional change order authority. Any changes in the Consultant's total compensation will require Board approval.

Pre-Request for Proposals Outreach - As part of a pre-Request for Proposals outreach, the Harbor Department Human Resources Division notified Service Employees International Union (SEIU) on March 22, 2010 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 ten (10) 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

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1022 Determination was prepared on November 28, 2016, 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:

The Contracts and Purchasing Division issued a Selection Process request for proposals (RFP) for the Wilmington Waterfront Pedestrian Bridge on August 11, 2016. The RFP was posted on the Los Angeles Business Assistance Virtual Network (LABAVN) and on the Port of Los Angeles (Port) website. Written proposals for the Wilmington Waterfront Pedestrian Bridge project were submitted by ten consultant teams on September 15, 2016. After a evaluation of the written proposals by the selection committee consisting of staff from the Harbor Department's Engineering Division and Construction Division; and Los Angeles World Airport, all ten proposing firms were invited to be interviewed on November 7, 8 and 15, 2016:

- T.Y. Lin International (Los Angeles, CA)
- ARUP North America, Ltd. (Los Angeles, CA)
- Pacrim Engineering, Inc. (Santa Ana, CA)
- WKE, Inc. (Santa Ana, CA)
- Jacobs Engineering Group, Inc. (Los Angeles, CA)
- SALT Landscape Architects (Los Angeles, CA)
- David Evans and Associates, Inc. (Los Angeles, CA)
- Gwynne Pugh Urban Studio (Santa Monica, CA)
- Biggs Cardosa Associates, Inc. (Orange, CA)
- Rios Clementi Hale Studio (Los Angeles, CA)

During the interview, each firm presented its proposal and responded to a set of follow-up questions from the Harbor Department's selection committee. The presented proposals and responses were rated independently by each member of the selection committee and each team was given a combined score (Transmittal 3). The Harbor Department's selection committee chose T.Y. Lin based on the design approach presented, knowledge and experience on similar projects, project team organizational format, relevant experience and expertise of the key project team members, knowledge of the Harbor Department and its community relationships, and their experience with the relevant regulatory agencies. The Engineering Division is recommending that the Department enter into a three year term Agreement with a not-to-exceed amount of \$1,524,029 with T.Y. Lin.

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Small Business Development Program – This Agreement includes an overall 25% SBE goal including 5% VSBE participation. T.L. Lin has proposed a combined 41% SBE/VSBE participation. This represents \$485,836 in services going to SBEs and VSBEs. T.L. Lin is required to submit a monthly subconsultant report indicating their level of compliance with these goals. Compliance will be monitored monthly by staff. T.L. Lin is a Local Business Enterprise.

ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of an Agreement with T.Y. Lin for design of the Wilmington Waterfront Pedestrian Bridge project. This action is limited to approval of a design services Agreement and does not involve approval of any design or approval to construct any project. A pedestrian bridge was an element of the Wilmington Waterfront Environmental Impact Report (EIR) which was certified by the Board on June 18, 2009. The bridge design delivered through this Agreement will be assessed for consistency with the certified EIR and additional assessment pursuant to CEQA will be conducted separately if required. Therefore, as an administrative activity, the Director of Environmental Management has determined that the proposed action is exempt for the requirements of CEQA in accordance with Article II, Section 2(f), of the City of Los Angeles CEQA Guidelines.

FINANCIAL IMPACT:

Approval of the proposed three-year Agreement authorizes the total not-to-exceed amount of \$1,524,029 and will commit \$266,548 in funding for the current fiscal year. It is anticipated that funds for this Agreement will be expended as follows:

FISCAL YEAR (FY)		AMOUNT
FY 2016/2017:	\$	266,548
FY 2017/2018:	\$	782,481
FY 2018/2019:	\$	375,000
FY 2019/2020:	\$	100,000
Total:	\$	1,524,029

Funds for FY 2016/2017 in the amount \$266,548 is available in Account 54220 Center 1040, Program 624. The Harbor Department's financial commitments for the proposed Agreement 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 this Agreement, the Agreement 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 this Agreement. After the Wilmington Waterfront Pedestrian project is constructed, the Harbor Department will be responsible for operation and maintenance cost associated with the development.

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CITY ATTORNEY:


The Office of the City Attorney has prepared and approved the Agreement as to form and legality.

TRANSMITTALS:

1. Site Map – Wilmington Waterfront Pedestrian Bridge
2. Agreement between the City of Los Angeles and T.Y. Lin International
3. Final Evaluation Summary

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


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APPROVED:


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