

RECOMMENDATION APPROVED;
RESOLUTION 11-7172 ADOPTED; AND
AGREEMENT NO. 11-2706-A APPROVED
BY THE BOARD OF HARBOR COMMISSIONERS



**THE PORT
OF LOS ANGELES**
Executive Director's
Report to the

Board of Harbor Commissioners

August 4, 2011

Kerla Y. Tomdrault
SECRETARY

8-4-11
9
DATE: JULY 28, 2011

FROM: ENGINEERING DIVISION

SUBJECT: RESOLUTION NO. 11-7172 FIRST AMENDMENT - PERSONAL SERVICES
AGREEMENT NO. 08-2706 BETWEEN THE CITY OF LOS ANGELES
HARBOR DEPARTMENT AND CH2M HILL, INC., FOR THE SAMPSON
WAY (7TH STREET TO 22ND STREET) ROADWAY IMPROVEMENT
PROJECT

SUMMARY:

Agreement No. 08-2706 (Agreement) between the City of Los Angeles Harbor Department (Harbor Department) and CH2M Hill, Inc. (Consultant), Los Angeles, California to provide planning and engineering services for the Sampson Way (7th Street to 22nd Street) Roadway Improvement Project (Project) was approved by the Board of Harbor Commissioners (Board) on July 31, 2008 for a term of three years in the amount of \$4,987,768 (Transmittal No. 1).

This First Amendment will increase the contract term by four years from the current expiration date of September 2, 2011 to September 2, 2015 (Transmittal No. 2). The extension, if approved by the Board and the Los Angeles City Council (City Council), will provide additional time necessary to complete the Project design and provide design support services during construction. No additional funding is required.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners:

1. Approve the First Amendment to Agreement No. 08-2706 with CH2M Hill, Inc. to increase the contract term by four years from the current expiration date of September 2, 2011 to September 2, 2015;
2. Authorize and direct the Board Secretary to forward the First Amendment to Agreement No. 08-2706 to the City Council for its approval pursuant to Section 373 of the City Charter;
3. Authorize the Executive Director to execute and Board Secretary to attest to said Amendment for and on behalf of the Board; and
4. Adopt Resolution No. 11-7172.

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SUBJECT: FIRST AMENDMENT TO AGREEMENT NO. 08-2706 WITH CH2M HILL, INC.

DISCUSSION:

Background – The primary purpose of the Project is to connect downtown San Pedro and the surrounding communities with the waterfront by realigning, expanding, and transforming Sampson Way into a scenic four-lane road between 7th Street and 22nd Street.

The original three-year Agreement and proposed amended Agreement both provide design services to expand and realign Sampson Way between 7th Street and 22nd Street, realign the Waterfront Red Car Line, improve traffic circulation on Harbor Boulevard, optimize the efficiency of traffic intersections along Harbor Boulevard and Sampson Way, create a new pedestrian bridge at 13th Street, and implement various landscape and streetscape improvements throughout the Project site.

This Project design will include features to provide smooth transitions from completed portions of the San Pedro Waterfront Downtown Harbor Projects. In addition, the design will study the future San Pedro Waterfront 7th Street Pier Project transportation needs in order to maintain complimentary Project elements in those designs.

The Harbor Department did not complete design during the original three year contract term because we are proceeding first with the San Pedro downtown harbor and will be delivering the remaining waterfront projects in sequence, instead of concurrently, as funding is available.

The Harbor Department has conducted two public workshops for this Project to consider alternatives for the Harbor Boulevard/7th Street/Sampson Way intersection. A third workshop is planned to finalize the preferred intersection and then proceed with a detailed engineering design later this summer. We anticipate completing conceptual design in Fall 2011 then proceeding with the remaining design elements. The Project is expected to start construction in Spring 2013 and be completed in Summer 2014 depending on Harbor Department finances. This will result in the need to extend the design Agreement by four years, in order that the Consultant is available for construction support and Project completion.

First Amendment - The Agreement authorizes the Consultant to be compensated in an amount not to exceed \$4,987,768. Of this amount, \$673,804 has been incurred to date, leaving a balance of \$4,313,964 available for the remaining term of the Agreement, including the proposed four-year extension. No additional funding is required.

The term of the Agreement expires on September 2, 2011. The Consultant will provide design services and design support services during construction. Staff therefore recommends the contract term be increased by four years, for a total of seven years, with the current expiration date of September 2, 2011 extended to September 2, 2015.

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Small Business Enterprise Participation - Throughout the term of the Agreement, the Consultant will continue to maintain compliance with the City's contracting requirements and will comply with the Harbor Department's Small Business Enterprise (SBE) Program. The Consultant's overall small business enterprise participation rate currently is 24.7% compared to a contract requirement of 30%. The Consultant proposes to utilize SBE's for design work that will be started after the preferred alternative has been selected by the Department. This will result in the consultants SBE participation increasing to the 30% requirement as design progresses. The Consultant is in compliance with the Very Small Business Enterprise Program even though this new requirement is not included in their contract.

1022 Determination – When Agreement No. 08-2706 was approved by the Board in July 31, 2008, the Board found that in accordance with Charter Section 1022, the work proposed to be contracted could be performed more feasibly by a contractor than by a city employee. Since this proposed amendment does not add a new labor component or significantly increase an existing labor component and the original 1022 determination elements are still accurate, a new 1022 determination is not required.

ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of the First Amendment to Agreement No. 08-2706 with CH2M Hill, Inc. to increase the contract term by four years for planning and engineering services related to the Sampson Way Roadway Improvement Project, a separate project subject to further environmental review and approval under the California Environmental Quality Act (CEQA). As an administrative contractual activity, the Director of Environmental Management has determined that the proposed action is exempt from the California Environmental Quality Act (CEQA) under Article II, Section 2 (f) of the Los Angeles City CEQA Guidelines.

ECONOMIC BENEFITS:

Approval of the proposed First Amendment will have no employment impact in the five-county region. Economic impact under the original Agreement approved on July 31, 2008 was stated to support 65 one-year full time equivalent jobs for the region.

FINANCIAL IMPACT:

The proposed First Amendment will increase the term of the existing three-year Agreement by an additional four years with no change to the original \$4,313,964 authority level, of which \$673,804 has been spent to date. Upon Board approval, funds for FY 11/12 in the amount of \$750,000 is available in Account 54220, Center 1169, Program 624. Funds for future fiscal years will be requested to be budgeted as part of

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the annual budget adoption process. The funding out clause was included in the original Agreement and remains in force.

CITY ATTORNEY:

The First Amendment to Agreement No. 08-2706 has been reviewed and approved as to form and legality by the Office of the City Attorney.

TRANSMITTALS:

- 1. Agreement No. 08-2706 between the City of Los Angeles and CH2M Hill, Inc. July 31, 2008.
- 2. First Amendment to Agreement No. 08-2706 between the City of Los Angeles and CH2M Hill, Inc.
- 3. Site Map of Project

ANTONIO V. GIOIELLO
Chief Harbor Engineer

CA Approval APB (initials)

FIS Approval MC (initials)

MICHAEL R. CHRISTENSEN, P.E.
Deputy Executive Director, Development

APPROVED:

GERALDINE KNATZ, Ph.D.
Executive Director

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Author: E. Robledo

CITY OF LOS ANGELES
BOARD OF HARBOR
COMMISSIONERS

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OFFICE OF
SECRETARY

FIRST AMENDMENT TO AGREEMENT NO. 08-2706
BETWEEN THE CITY OF LOS ANGELES AND CH2M HILL, INC.

THIS FIRST AMENDMENT to Agreement No. 08-2706 is made and entered into by and between the CITY OF LOS ANGELES, a municipal corporation ("City"), acting by and through its Board of Harbor Commissioners ("Board"), and CH2M HILL, INC., ("Consultant") as follows:

1. Article V, Section E, subsection 4, is amended to read:

"4. Seven (7) years have elapsed from the effective date of the Agreement; or"

Except as amended herein, all remaining terms and conditions of Agreement No. 08-2706 shall remain in full force and effect.

IN WITNESS THEREOF, the parties hereto have executed this First Amendment to Agreement No. 08-2706 on the date to the left of their signatures.

Dated: 10/25/11, 2011

THE CITY OF LOS ANGELES, by its
Board of Harbor Commissioners

By: [Signature]
Executive Director

Attest: [Signature]
Board Secretary

Dated: 7/13, 2011

CH2M HILL, INC.

By: [Signature]

OPERATIONS LEAD, MELISSA DE LA PEÑA
(Print/type name and title)

Attest: [Signature]
Juan Carlos Velasquez, Project Manager
(Print/type name and title)

APPROVED AS TO FORM AND LEGALITY

[Signature], 2011
CARMEN A. TRUTANICH, City Attorney

By: [Signature]
JOHN T. DRISCOLL, Deputy City Attorney

JTD:jpr
07/05/11

Account#	54220	W.O.#	24882
Ctr/Div#	1169	Job Fac.#	203-62
Proj/Prog#	624		
Budget FY:	11/12	Amount:	0
TOTAL			0

For Acct/Budget Div. Use Only

Verified by: [Signature]
Verified Funds Available: [Signature]
Date Approved: July 18, 2011

Project Location



Sampson Way (7th. Street to 22nd. Street) Roadway Improvement Project



CITY OF LOS ANGELES
CALIFORNIA

JUNE LAGMAY
City Clerk

HOLLY L. WOLCOTT
Executive Officer



ANTONIO R. VILLARAIGOSA
MAYOR

Office of the
CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

When making inquiries relative to
this matter, please refer to the
Council File No.

www.cityclerk.lacity.org

October 14, 2011

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council
File No. 11-1647, at its meeting held October 12, 2011.



City Clerk
OS

Respectfully submitted,

TRADE, COMMERCE AND TOURISM COMMITTEE



MEMBER	VOTE
LABONGE:	YES
ROSENDAHL:	YES
GARCETTI:	YES

SG
10/4/11
CD 15
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ADOPTED
OCT 12 2011
LOS ANGELES CITY COUNCIL

Not Official Until Council Acts