



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

Board of Harbor Commissioners

**DATE: MARCH 15, 2023**

**FROM: ENGINEERING**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ – APPROVAL OF AMENDMENT NO. 3 TO AGREEMENT NO. 18-3618 BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND MARK THOMAS & COMPANY, INC. FOR THE STATE ROUTE 47(SR-47)/VINCENT THOMAS BRIDGE AND FRONT STREET/HARBOR BOULEVARD INTERCHANGE RECONFIGURATION PROJECT**

**SUMMARY:**

Staff requests that the Board of Harbor Commissioners (Board) adopt a Resolution approving Amendment No. 3 to Agreement No. 18-3618 (Agreement) between the City of Los Angeles Harbor Department (Harbor Department) and Mark Thomas & Company, Inc. (Consultant) of Irvine, California, to provide Bid and Construction support services for the State Route 47 (SR-47)/Vincent Thomas Bridge and Front Street/Harbor Boulevard Interchange Reconfiguration Project (Project).

Amendment No. 3 will allow the Harbor Department to utilize design services during the Bid and Construction phase for the Project with the same Engineer of Record by adding \$2,455,000 in compensation for a total not-to-exceed amount of \$7,452,873.

Additionally, Amendment No. 3 will add two years to the term of the agreement with a completion date of November 28, 2027. Payment of expenses incurred under this agreement will continue to be the financial responsibility of the Harbor Department.

**RECOMMENDATION:**

It is recommended that the Board of Harbor Commissioners:

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. Find that in accordance with the City Charter Section 1022, the services required can be performed more feasibly by an outside contractor than by City employees;

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3. Approve Amendment No. 3 to Agreement No. 18-3618 between the City of Los Angeles Harbor Department and Mark Thomas & Company, Inc. for the State Route 47 (SR-47)/Vincent Thomas Bridge and Front Street/Harbor Boulevard Interchange Reconfiguration Project (Project) utilizing the same Engineer of Record by adding \$2,455,000 to the compensation for a total not-to-exceed amount of \$7,452,873 and adding two years to the term of the agreement with a completion date of November 28, 2027;
4. Direct the Board Secretary to transmit Amendment No. 3 to Agreement 18-3618 to the Los Angeles City Council for approval pursuant to Section 373 of the Charter of the City of Los Angeles and Section 10.5 of the Los Angeles Administrative Code;
5. Authorize the Executive Director to execute and the Board Secretary to attest to said Amendment for and on behalf of the Board; and
6. Adopt Resolution No. \_\_\_\_\_.

**DISCUSSION:**

**Background and Context**

The City of Los Angeles Harbor Department is committed to improving transportation safety and operation in and around the Port of Los Angeles complex. Currently, westbound SR-47 traffic and southbound Interstate 110 (I-110) traffic destined for the West Basin and San Pedro Waterfront areas exit at Harbor Boulevard. Significant non-standard weaving conditions exist as traffic travels through the Harbor Boulevard off-ramp. Non-standard merging also exists on the eastbound SR-47 on-ramp from Harbor Boulevard as traffic approaches the Vincent Thomas Bridge. Vehicles routinely back up onto both off-ramps during peak periods as a result of the two freeways (I-110 & SR-47) terminating at the same point. With the projected future growth and the development of the Waterfront, the Harbor Department anticipates that traffic congestion will increase and greatly reduce the operational efficiency of the interchange.

To mitigate this operational deficiency, the Harbor Department proposes to relocate the existing westbound SR-47 off-ramp north of the Vincent Thomas Bridge at Front Street and Knoll Drive. Relocating the off-ramp to the north will separate traffic travelling from both freeways into two different exits (Harbor Boulevard/Swinford Street and Front Street/Knoll Drive), allowing for efficient movement of vehicles through the interchange that are destined for the cruise terminal, waterfront developments, and other recreational facilities. The Project will reduce delays, potential for crashes/non-recurrent congestion, and emissions.

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The Project is located within the boundaries of Knoll Drive to the north, Swinford Street to the south, Front Street to the east, and the I-110/SR-47 freeway interchange to the west as shown in the site map (Transmittal 1). The proposed project improvements are located on property within three jurisdictions: State of California, City of Los Angeles, and the Harbor Department. Each agency must review and approve any changes that occur during the Bid and Construction phase prior to the Harbor Department providing approved information to the selected future contractor. Additionally, there are many stakeholders that require coordination: Los Angeles Fire Department, Los Angeles Department of Water and Power, United States Department of Navy, grant funding agencies, and several utility owners. The level of effort for this coordination work has greatly exceeded what was originally anticipated for both budget and schedule, and will increase with the work included in Amendment No. 3.

Amendment No. 3 will increase compensation for professional design services to provide design, bid and construction support for three main components:

1. Project elements that were added throughout the design phase based on Caltrans requirements as follows: settlement mitigation work, site drainage, landscaping, nonstandard retaining walls, and architectural wall treatment.
2. Additional effort to include Caltrans' latest Highway Design Manual standards issued in October 2022 which require addendum changes to the Caltrans plans, specifications and estimates.
3. Permit related reviews and approvals from Caltrans and City Departments for the execution of this project. The consultant will be responsible for coordinating and seeking stakeholder approval on the following: addendums, Requests for Information (RFI), submittals, shop drawings, and compliance with contract documents.

Amendment No. 3 will add two years to the term of the contract for a completion date of November 28, 2027. This will allow the same Engineer of Record to provide bid and construction support services through the completion of the project. The Project is scheduled to Advertise in June 2023 and complete construction in December 2026 followed by as-built drawing preparation and project closeout to November 2027.

Approval of Amendment No. 3 will allow the Harbor Department to complete the Bid and Construction phases utilizing the same Engineer of Record. It will also assist the Department in meeting the requirements of over \$60 million in construction grant funds awarded for this Project.

#### Scope of Services

Mark Thomas & Company, Inc. shall provide professional engineering services under this personal services agreement for the SR-47/Vincent Thomas Bridge and Front

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Street/Harbor Boulevard Interchange Reconfiguration Project. The attached Agreement includes updated contract term and compensation (Transmittal 2).

Amendment No. 3 adds additional professional engineering services to complete the Bid and Construction Support for the Project, and as-needed engineering services.

A notice to proceed from the Engineering Division is required prior to the Consultant proceeding with each individual task. The Harbor Department incurs no penalty should the Harbor Department decide not to proceed with any individual task.

Contract Amount and Term

The original Agreement included Compensation for a not-to-exceed amount of \$2,999,986 over a term of three years.

Amendment No. 1 to the Agreement increased the Compensation by \$1,997,887 for a total not-to-exceed amount of \$4,997,873. The term remained at three years.

Amendment No. 2 to the Agreement increased the term of the agreement by four years for a total term of seven years.

Amendment No. 3 to the Agreement increases the Compensation by \$2,455,000 for a total not-to-exceed amount of \$7,452,873 and adds two years to the term for a total term of nine years.

Contract Requirements

Amendment No. 3 to the Agreement is in conformance with both the City Service Contract Worker Retention and Living Wage Ordinances.

Throughout the term of the Agreement, Mark Thomas & Company, Inc. will maintain compliance with the City of Los Angeles' (City) contracting requirements. Mark Thomas & Company, Inc.'s overall sub-consultant business enterprise proposal is 32.4% Small Business Enterprise (SBE) and Very Small Business Enterprise combined. This represents \$2,414,731 in services going to these various business enterprises.

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is approval of Amendment No. 3 to the Agreement with Mark Thomas & Company, Inc. to prepare plans, specifications, and estimates for the State Route 47/Vincent Thomas Bridge and Front Street/Harbor Boulevard Interchange Project, 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 Amendment No. 3 will extend the term of the Agreement by two years to November 28, 2027 and increase the total not-to-exceed amount by \$2,455,000 from \$4,997,873 to \$7,452,873. If Amendment No. 3 is approved, spending under the Agreement is expected to occur as follows:

<b>FISCAL YEAR (FY)</b>		<b>AMOUNT</b>
Prior Years:	\$	4,246,453.80
FY 2022/2023:	\$	700,000.20
FY 2023/2024:	\$	750,000.00
FY 2024/2025:	\$	750,000.00
FY 2025/2026:	\$	600,000.00
FY 2026/2027:	\$	406,419.00
<b>Total:</b>	<b>\$</b>	<b>7,452,873.00</b>

Funds for Fiscal Year 2022/2023 in the amount of \$700,000.20 are budgeted in Account 54220 (Architectural/Engineering Design), Center 1172, Program 000, Project No. 2533400. 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.

**CITY ATTORNEY:**

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

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**TRANSMITTALS:**

1. Site Map – State Route 47/Vincent Thomas Bridge and Front Street/Harbor Boulevard Interchange Reconfiguration Project
2. Amendment No. 3 to Agreement No. 18-8618 between the City of Los Angeles and Mark Thomas & Company, Inc.

FIS Approval: MB  
CA Approval: SO

*Dina Aryan-Zahlan*

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

*Antonio V. Gioiello*

ANTONIO V. GIOIELLO, P.E.  
Deputy Executive Director

APPROVED:

*Marla Bleavins* For

EUGENE D. SEROKA  
Executive Director

Author: S. Aziz

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