

**DATE: NOVEMBER 9, 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.; CASTLE ENVIRONMENTAL CONSULTING, LLC; CDM SMITH, INC.; DUDEK; ENVIRONMENTAL COMPLIANCE SOLUTIONS, INC.; ICF JONES & STOKES, INC.; AND RAMBOLL ENVIRON US CORPORATION TO CONDUCT AS-NEEDED ENVIRONMENTAL DOCUMENTATION AND SPECIAL ENVIRONMENTAL SERVICES**

**SUMMARY:**

Staff requests approval of Agreements with AMEC Foster Wheeler Environment & Infrastructure, Inc.; Castle Environmental Consulting, LLC; CDM Smith, Inc.; Dudek; Environmental Compliance Solutions, Inc.; ICF Jones & Stokes, Inc.; and Ramboll Environ US Corporation to provide the City of Los Angeles Harbor Department (Harbor Department) as-needed environmental documentation and special environmental services. This action will authorize seven Agreements, each for a three-year term, with a combined total not-to-exceed amount of \$22,000,000. 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) 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;

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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 \$4,000,000;
4. Approve the Agreement with Castle Environmental Consulting, LLC, for a term of three years for the total not-to-exceed amount of \$700,000;
5. Approve the Agreement with CDM Smith, Inc. for a term of three years for the total not-to-exceed amount of \$4,000,000;
6. Approve the Agreement with Dudek for a term of three years for the total not-to-exceed amount of \$4,000,000;
7. Approve the Agreement with Environmental Compliance Solutions, Inc. for a term of three years for the total not-to-exceed amount of \$1,300,000;
8. Approve the Agreement with ICF Jones & Stokes, Inc. for a term of three years for the total not-to-exceed amount of \$4,000,000;
9. Approve the Agreement with Ramboll Environ US Corporation for a term of three years for the total not-to-exceed amount of \$4,000,000;
10. Authorize the Executive Director to execute and the Board Secretary to attest to said Agreements for and on behalf of the Board; and
11. Adopt Resolution No. \_\_\_\_\_.

**DISCUSSION:**

Background/Context - The proposed Agreements support the Harbor Department in its responsibilities to conduct studies and prepare documents for compliance with California Environmental Quality Act and the National Environmental Policy Act (CEQA/NEPA), and perform other environmental technical work related to sustainability, air quality, and mitigation monitoring and reporting.

Since 2013, the Harbor Department's Environmental Management Division (EMD) has completed three major Environmental Impact Reports (EIR) with assistance from consultant teams reaching as high as 20-30 individuals per EIR, with one dedicated EMD staff person functioning as the project manager. Consultant services have also supported the completion of five Negative Declarations/Mitigated Negative Declarations, mitigation monitoring and reporting, special studies in air quality and cultural resources, sustainability reporting, and staff augmentation through three full-time in-house CEQA/NEPA project managers. Continuing this approach will best leverage limited staff

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resources to meet production demands of ongoing and forecasted projects requiring environmental support over the next three years. Furthermore, the scope and complexity of Harbor Department projects increasingly require personnel with specialized skill sets in areas such as health risk assessments, greenhouse gases and climate change, and regional transportation. As a result, staff believes this level and quality of consultant services is necessary to continue to provide ongoing comprehensive and legally defensible environmental assessments for Harbor Department development projects.

The current Agreements were authorized with a total contract authority of \$27,800,000. As of to date, approximately \$10,000,000 has been committed. It is anticipated that not all remaining committed funds will be expended under the term of the current agreements which expire at the end of this year. The primary reasons are that some of the major projects previously forecasted were delayed and start times for initiating environmental review services has changed over the last three years.

Services to be Performed - Services to be provided under the proposed Agreements (Transmittal 1) include preparation of CEQA/NEPA documents, specifically EIRs and Environmental Impact Statements (EIS), and special environmental services in the areas of cultural and historic resources; air quality, toxic air contaminants, and greenhouse gases; sustainability planning and reporting; mitigation monitoring and reporting; and in-house CEQA/NEPA project management. The Scope of Work is attached (Transmittal 2).

The term of the current Agreements expires in December 2016 and these new Agreements are needed in order to continue to provide the necessary environmental documentation and special environmental support services for the Harbor Department. The total requested contract authority of \$22,000,000 reflects staff's best judgement as to the amount of money that will need to be expended over the next three years for these services. This amount is \$5,800,000 less than (\$27.8 million minus \$22 million) what was previously authorized in 2013.

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.

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Selection Process - On February 9, 2016, the Harbor Department Environmental Management Division (EMD) issued a Request for Qualifications (RFQ) for as-needed CEQA/NEPA environmental documentation and special environmental services. The RFQ 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 RFQ identified two categories of work to be performed. Firms were allowed to submit proposals on CEQA/NEPA documentation (Category 1) and any or all special services (Category 2) which included the following: cultural resources; air quality, toxic air contaminants and greenhouse gases; sustainability planning and reporting; mitigation monitoring and reporting; and in-house CEQA/NEPA project management.

A total of 15 proposals were received by the March 15, 2016 deadline. Eleven proposals were received for both Categories 1 and 2 and four proposals were received for Category 2 only. The proposal evaluation committee consisted of four representatives from EMD and project manager from the United States Army Corps of Engineers. Proposals were reviewed using evaluation criteria published in the RFQ (Transmittal 3). 12 of the 15 proposers were short-listed and invited to oral interviews that occurred on April 28, May 3 and May 5, 2016 in the categories as follows:

Categories 1 and 2

AECOM Technical Services, Inc.  
AMEC Foster Wheeler  
Aspen Environmental Group  
CDM Smith, Inc.  
Dudek  
ICF Jones & Stokes, Inc.  
Leidos  
LSA Associates, Inc.  
Ramboll Environ US Corporation

Category 2 Only

Castle Environmental Consulting, LLC  
Environmental Compliance Solutions  
SWCA

Interview questions were developed in consultation with the Contracts and Purchasing Division (Transmittal 4). 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, seven firms were selected as the most qualified to meet the Harbor Department's anticipated needs over the next three years (Transmittal 5). AMEC Foster Wheeler Environment & Infrastructure, CDM Smith, Inc., Dudek, ICF Jones & Stokes, Inc., and Ramboll Environ US Corporation are the most qualified firms under both Categories 1 and 2. Castle Environmental Consulting and

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Environmental Compliance Solutions are the most qualified firms under Category 2 only. AMEC Foster Wheeler is new to EMD's as-needed services. This provides an opportunity for a new firm to demonstrate their abilities. Under Category 2, the two firms are returning firms that are Very Small Business Enterprises.

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

AMEC Foster Wheeler Environment & Infrastructure, Inc.	\$ 4,000,000
Castle Environmental Consulting, LLC	\$ 700,000
CDM Smith, Inc.	\$ 4,000,000
Dudek	\$ 4,000,000
Environmental Compliance Solutions	\$ 1,300,000
ICF Jones & Stokes, Inc.	\$ 4,000,000
Ramboll Environ US Corporation	\$ 4,000,000
<b>TOTAL</b>	<b>\$ 22,000,000</b>

EMD assigned not-to-exceed amounts to each Agreement based on the categories of work and services to be performed. Actual assignments for work will be made based on budget allocations in each fiscal year. Further, where appropriate, consultants will be asked to submit proposals for work in order to obtain competitive costs 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 sub-consultant participation levels will be committed through each individual PD when work is assigned. Castle Environmental Consulting, LLC and Environmental Compliance Solutions 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. Six of the seven firms are local businesses. Each of these firms received an eight percent preference in their selection score, but this did not change the final results.

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**ENVIRONMENTAL ASSESSMENT:**

The proposed action is approval of seven as-needed Agreements for CEQA/NEPA environmental documentation and special environmental services. As an administrative activity, 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) of the Los Angeles City CEQA Guidelines.

**FINANCIAL IMPACT:**

The proposed three-year Agreements authorize a total contract amount not-to-exceed \$22,000,000. Approximately \$12,000,000 of these funds are for the completion of current projects. The demand for environmental services will be guided by the Harbor Department's determination of scheduled capital development projects and lease negotiations that are approved. It is anticipated that funds for these Agreements will be expended as follows:

FY 16/17	\$ 5,000,000 (\$2,000,000 Operational and \$3,000,000 Capital)
FY 17/18	\$ 7,000,000
FY 18/19	\$ 7,000,000
FY 19/20	<u>\$ 3,000,000</u>
<b>TOTAL</b>	<b>\$ 22,000,000</b>

Operational Funds in FY 2016/2017 in the amount of \$2,000,000 are available in Account 54260 Center 0330 Program 000. Approximately \$1,700,000 of the operational expenditures are for the preparation of CEQA documents that will be reimbursed by third parties. Capital Funds in FY 2016/2017 are available in Account 54260 in various Centers and Programs. Funding needed in future years will be requested through the annual budget adoption process.

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.

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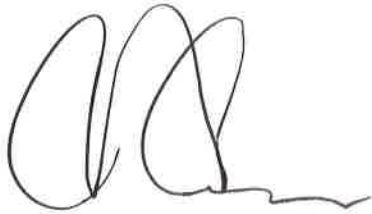
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**CITY ATTORNEY:**

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 Castle Environmental Consulting, LLC
  - c. Agreement with CDM Smith, Inc.
  - d. Agreement with Dudek
  - e. Agreement with Environmental Compliance Solutions
  - f. Agreement with ICF Jones & Stokes, Inc.
  - g. Agreement with Ramboll Environ US Corporation
2. Scope of Work
3. Evaluation Criteria
4. Oral Interview Questions
5. Selection Summary



CHRISTOPHER CANNON  
Director of Environmental Management

FIS Approval: JB (initials)  
CA Approval: JB (initials)



MICHAEL DiBERNARDO  
Deputy Executive Director

APPROVED:



FOR EUGENE D. SEROKA  
Executive Director

CC:yo  
AUTHOR: L. OCHSNER

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