

DATE: APRIL 15, 2025

FROM: ENVIRONMENTAL MANAGEMENT

SUBJECT: RESOLUTION NO. _____ - PERSONAL SERVICES AGREEMENTS BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND ANCHOR QEA, INC.; MERKEL & ASSOCIATES, INC.; MOFFATT & NICHOL; NV5, INC.; PI ENVIRONMENTAL, LLC; AND WSP USA INC. TO CONDUCT AS-NEEDED WATER QUALITY, SEDIMENT QUALITY, AND BIOLOGICAL RESOURCES SERVICES

SUMMARY:

Staff requests approval of the proposed Agreements with Anchor QEA, Inc. (Anchor); Merkel & Associates, Inc. (Merkel & Associates); Moffatt & Nichol; NV5, Inc (NV5); Pi Environmental, LLC (Pi Environmental); and WSP USA Inc. (WSP USA) 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 \$5,000,000. The Harbor Department is financially responsible for payments under the proposed Agreements.

RECOMMENDATION:

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

1. Find that the Director of Environmental Management has determined that the proposed action is administratively and categorically 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;
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;
3. Approve the Agreement with Anchor QEA, Inc., for a term of three years for the total not-to-exceed amount of \$750,000;
4. Approve the Agreement with Merkel & Associates, Inc. for a term of three years for the total not-to-exceed amount of \$200,000;
5. Approve the Agreement with Moffatt & Nichol for a term of three years for the total not-to-exceed amount of \$1,100,000;

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6. Approve the Agreement with NV5, Inc. for a term of three years for the total not-to-exceed amount of \$750,000;
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 WSP USA Inc. for a term of three years for the total not-to-exceed amount of \$1,100,000;
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 proposed 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 and state stormwater regulations under the National Pollutant Discharge Elimination System, 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 proposed Agreements also involves assisting the Harbor Department with biological resources management activities such as biological surveys, mitigation bank implementation, and obtaining biological mitigation credits for Harbor Department development projects. In support of these and other efforts, staff requests approval of the proposed Agreements for a term of three years (Transmittal 1).

Services to be Performed – Contractual services to be performed under the proposed Agreements are detailed in the Scopes of Work (SOW) and include:

- Support for Harbor Toxics TMDL
- Support for Inner Cabrillo Beach Bacteria TMDL
- Source Control Measures
- Stormwater Support
- Water Quality Studies
- Dredge Program Support
- Sediment Quality Studies
- Biological Support Services
- Biological Mitigation
- Database Management Support

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The terms of the current agreements expire May 17, 2025. The new proposed Agreements are needed to continue to provide the necessary water, sediment, and biological resources support services for the Harbor Department. These professional service Agreements support operational, capital development and maintenance projects.

Work Assignments – Work under these proposed 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.

Selection Process – On October 8, 2024, the Harbor Department's Environmental Management Division (EMD) issued an As-Needed Water Quality, Sediment Quality, and Biological Resource Services Request for Proposals (RFP) outlining ten separate scope of work items. Firms were allowed to submit proposals on all the scope of work items, or a subset of the items that best represented the firm's strengths. The RFP was posted on the Port of Los Angeles website, and automatic email notifications were sent out to all firms registered on the Los Angeles Regional Alliance Marketplace for Procurement (RAMP) under the applicable North American Industry Classification System Codes. A total of 62 RAMP users downloaded the request.

The proposal and interview evaluation panel members included a Manager of Water Quality Practices with the Port of Long Beach, and a Marine Environmental Supervisor and an Environmental Specialist, both in EMD's Water Resources group.

Eleven proposals were received by the November 14, 2024, deadline. Proposals received included six existing consultants and five new consultants. Of the 11 proposals, eight firms proposed at least nine of the ten SOW items, and three firms proposed at most three SOW items. Proposals were reviewed using the attached evaluation criteria published in the RFP (Transmittal 2). The proposals were scored to a total of 100 points. A Local Preference of 8% was added to the Overall Average percentage score to determine the Total Proposal Score.

The results of the proposal evaluations are provided below:

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Proposal Evaluation Summary

Firm	SOW Items	Reviewer Average Score (% Total Points Available)			Overall Average (%)	Local Preference (%)	Total Score (%)
		1	2	3			
1	3	96	100	93	96	8	104
2	10	96	100	88	95	8	103
3	10	87	100	93	93	8	101
4	10	88	100	95	94	-	94
5	10	85	86	84	85	8	93
6	10	78	81	65	75	8	83
7	10	78	77	71	75	8	83
8	9	85	77	77	80	-	80
9	3	60	68	61	63	8	71
10	9	55	53	50	53	8	61
11	2	24	28	35	29	8	37

Once proposal scores were considered, eight proposers were invited to oral interviews that occurred on January 16, 17, and 22, 2025. The three proposers not selected to move forward with the interviews were informed by letter on January 7, 2025. The attached interview questions were set up in consultation with Contracts and Purchasing (Transmittal 3). Oral interviews were used to explore and determine the breadth and depth of the expertise firms could provide to the Harbor Department. Questions explored existing capabilities, understanding of upcoming issues that could affect the Harbor Department, and how real-world experience has benefited other clients.

The interviews were scored to a total of 150 points. Similar to the Total Proposal Scores, a Local Preference of 8% was added to the Overall Average percentage score to determine the Total Interview Score. Selection of firms was based 100% on interview scores.

The results of the interview evaluations are provided below:

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Interview Evaluation Summary

Firm	Reviewer Average Score (Points, out of 150 Available)			Overall Average (%)	Local Preference (%)	Total Score (%)
	1	2	3			
1	141	133	143	93	8	101
2	137	134	132	90	8	98
3	136	133	123	87	8	95
4	128	123	124	83	8	91
5	135	130	131	88	-	88
6	132	129	124	86	-	86
7	100	108	98	68	8	76
8	103	108	92	67	8	75

Given the strength of the interviews, EMD recommends awarding the top six firms, which is consistent with the number of firms currently under contract. This number of firms has allowed for a wide selection of expert firms and their subconsultants to be available to address the diverse and changing water quality, sediment quality, and biological resource projects.

The top six firms are Anchor, Merkel & Associates, Moffatt & Nichol, NV5, Pi Environmental, and WSP USA. NV5 is a newly selected firm, while the other five firms have previously been under contract. These firms exceed all necessary qualifications and experience to provide As-Needed Water Quality, Sediment Quality, and Biological Resource Services. The selection of consultants provides EMD with consistency and keeps proven capabilities on-call but also allows a new firm the opportunity to demonstrate their capabilities. The selection of firms provides redundancy in Scope of Work expertise, which provides flexibility and fiscal integrity to the assignment of projects under the As-Needed contracts.

Therefore, it is EMD's recommendation that the Harbor Department enter into three-year as-needed consultant agreements with the following six firms at the identified not-to-exceed contract amounts:

Anchor	\$750,000
Merkel & Associates	\$200,000
Moffatt & Nichol	\$1,100,000
NV5	\$750,000
Pi Environmental	\$1,100,000
WSP USA	\$1,100,000
TOTAL	\$5,000,000

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The assigned not-to-exceed amounts to each Agreement are based on each firm’s expertise and experience, tasks bid on, and information gathered from the written proposals and interviews. The types of projects and activities EMD anticipates undertaking over the next three years were also considered. This allocation ensures that consultants with proven capabilities are available but also allows new teams the opportunity to demonstrate their capabilities. Actual assignments for work will be made based on budget allocations in each fiscal year. Further, where appropriate, consultants will be asked to submit bids for project work to obtain a competitive price for various work assignments.

Small Business Enterprise (SBE) and Local Business Enterprise (LBE) Preference Programs – The required SBE participation for each Agreement is 25%, including 5% 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. Merkel & Associates and Pi Environmental are certified SBEs and VSBEs; therefore, 100% of their services will apply towards these goals. 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. Four of the selected six firms are local businesses: Merkel & Associates, Moffatt & Nichol, NV5, and WSP USA. These four firms received an eight percent preference in their selection scores.

ENVIRONMENTAL ASSESSMENT:

The proposed action is the approval of six Agreements for as-needed technical support relating to water and sediment quality programs, biological resources management, and regulatory program development and compliance, which is an administrative activity and an activity involving basic data collection, field testing, research, experimental management, and resource activities of City Departments which do not result in serious or major disturbances to an environmental resource. Therefore, the Director of Environmental Management has determined that the proposed action is administratively and categorically 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 proposed three-year Agreements authorize a total amount not-to-exceed \$5,000,000. It is anticipated that funds for these Agreements will be expended as follows:

	OP	GASB	CIP	MIP	TOTAL
FY 2024/25	113,000	66,000	66,000	33,000	278,000
FY 2025/26	680,000	395,000	395,000	197,000	1,667,000
FY 2026/27	680,000	395,000	395,000	197,000	1,667,000
FY 2027/28	567,000	329,000	329,000	163,000	1,388,000
TOTAL	2,040,000	1,185,000	1,185,000	590,000	5,000,000

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Funds for Fiscal Year 2024/25 in the following amounts are available as follows: \$113,000 is available within Account 541100 (Environment Assessment Services), Division 42010 (Environmental Management); \$66,000 is available within Account 212310 (Allowance for Environmental Litigation/Claims - GASB 49), Division 00000 (Global Harbor); \$66,000 is available within Account 161305 (Construction in Progress), Division 00000 (Global Harbor); and \$33,000 is available within Account 541100 (Environment Assessment Services), Division 30900 (Maintenance Improvement Program). Funding needed in future fiscal 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.

CITY ATTORNEY:

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

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TRANSMITTALS:

1. Agreements
 - a. Agreement with Anchor QEA, Inc.
 - b. Agreement with Merkel & Associates, Inc.
 - c. Agreement with Moffatt & Nichol
 - d. Agreement with NV5, Inc.
 - e. Agreement with Pi Environmental, LLC
 - f. Agreement with WSP USA Inc.
2. Proposal Evaluation Criteria
3. Oral Interview Questions

FIS Approval: JS

CA Approval: SO



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