



**THE PORT
OF LOS ANGELES**
Executive Director's
Report to the
Board of Harbor Commissioners

DATE: OCTOBER 18, 2023

FROM: PORT PILOTS

SUBJECT: RESOLUTION NO. _____ - SUCCESSOR AGREEMENT TO AGREEMENT NO. 20-3367-A BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND THE U.S. DEPARTMENT OF COMMERCE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NATIONAL OCEAN SERVICE CENTER FOR OPERATIONAL OCEANOGRAPHIC PRODUCTS AND SERVICES

SUMMARY:

Staff requests approval of a successor agreement to Agreement No. 20-3367-A (Agreement) between the City of Los Angeles Harbor Department (Harbor Department) and the U.S. Department of Commerce National Oceanic and Atmospheric Administration National Ocean Service Center for Operational Oceanographic Products and Services (NOAA). The scope of the proposed Agreement is for the management, operation, maintenance, enhancement, and repair of an air gap sensor on the Vincent Thomas Bridge and the quality control and dissemination of wind data for NOAA's Los Angeles/Long Beach Physical Oceanographic Real-Time System (PORTS).

Agreement No. 20-3367-A expired on July 31, 2023. The term of the proposed successor Agreement is five years, retroactive to August 1, 2023, and expiring on July 31, 2028. The not-to-exceed amount is \$100,000. The payment of expenses incurred under the proposed 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 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 Los Angeles City Charter Section 1022, the services required can be performed more feasibly by an outside contractor than by City employees;
3. Approve the proposed Agreement between the City of Los Angeles Harbor Department and the U.S. Department of Commerce National Oceanic and

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Atmospheric Administration National Ocean Service Center for Operational
Oceanographic Products and Services;

4. Authorize the Executive Director to execute and the Board Secretary to attest to said Agreement for and on behalf of the Board; and
5. Adopt Resolution No. _____

DISCUSSION:

Background - At its November 23, 2015, meeting, the Board approved Agreement No. 15-3367 between the Harbor Department and NOAA to install, operate, and maintain an air gap measurement system on the Vincent Thomas Bridge (VTB) and for the quality control and dissemination of wind data for NOAA's Los Angeles / Long Beach PORTS system. The term of the agreement was for approximately five years, commencing January 8, 2016, and expiring on December 31, 2020. The not-to-exceed amount of the agreement was \$135,459.

At the February 6, 2020, Board meeting, the First Amendment to Agreement No. 15-3367 (First Amendment, Agreement No. 20-3367-A) was approved. The First Amendment changed the dates of the operation and maintenance periods, updated the points of contact, and extended the term to July 31, 2023, to account for the approximately two-and-a-half years it took for NOAA to obtain a permit from the California Department of Transportation (CALTRANS) to install the air gap measurement system on the VTB.

The purpose of the air gap measurement system is to measure the distance from the middle point of the VTB to the water surface below. The measurements are displayed in real-time on NOAA's PORTS website. The Los Angeles Pilot Service uses real-time information to determine when it is safe for Ultra Large Container Vessels to pass safely under the VTB. The information supplied by the air gap measurement system is critical to safe operations within the Port as the gap between the bridge and the surface of the water is not constant. It can vary depending on the tide and the weight of passing vehicles on the bridge. The proposed Agreement will allow for the continuation of the project. As part of the new agreement, NOAA will install a redundant air gap sensor as a backup. This redundancy will allow for continuity of operations in case the primary sensor fails.

In addition to the air gap measurement system, four weather stations are located throughout the port complex. The locations of the weather stations are as follows: (1) on top of Badger Avenue Bridge, (2) on the roof of the Construction & Maintenance / Contracts & Purchasing Building at 500 Pier A Street in Wilmington, (3) on the riprap at the southern tip of Pier 400, and (4) on Navy Way between Piers 300 and 400. Three out of the four weather stations measure wind speed and direction only. The weather station at the southern tip of Pier 400 measures wind speed, wind direction, air temperature, air pressure, and water temperature. The Harbor Department is responsible for maintaining the equipment at cost and expense per the agreement. This maintenance is performed

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through a separate contract with Woods Hole Group, Inc. However, the authority to disseminate the weather data through NOAA's PORTS website is addressed in the proposed Agreement.

The proposed Agreement (Transmittal 1) is for a five-year term, retroactive to August 1, 2023, and expires on July 31, 2028.

Selection Process - The proposed Agreement is being awarded as a sole source contract to allow for the continued use of the system that is currently in place. This system has been designed, installed, and maintained by NOAA. In addition, the data collected is broadcast on NOAA's PORTS website. Therefore, it is not feasible for any entity other than NOAA to perform this project.

ENVIRONMENTAL ASSESSMENT:

The proposed action is the approval of the successor agreement, 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.

FINANCIAL IMPACT:

Approval of the proposed Agreement authorizes expenditures in the not-to-exceed amount of \$100,000 over five years. This comprises \$17,000 in annual maintenance costs plus \$15,000 in Period 1 to install a redundant air gap sensor. The payment schedule is as follows:

Period	Begin Date	End Date	Operation & Maintenance Cost	Redundant Air Gap Sensor Equipment & Installation Cost
1	08/01/23	07/31/24	\$ 17,000	\$ 15,000
2	08/01/24	07/31/25	\$ 17,000	\$ -
3	08/01/25	07/31/26	\$ 17,000	\$ -
4	08/01/26	07/31/27	\$ 17,000	\$ -
5	08/01/27	07/31/28	\$ 17,000	\$ -
Subtotal			\$ 85,000	\$ 15,000
Grand Total			\$ 100,000	

Funding for Period 1 operations and maintenance has been budgeted in Fiscal Year 2023/24, Account 54030 (Maintenance Services - Equipment), Center 0414, Program 000. Funding for the redundant air gap sensor has been budgeted in Fiscal Year 2023/24 Account 13150 (Capital Equipment), Center 0414, Program 000. Operation and

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maintenance costs for future periods will be appropriated through the annual budget process.

A funding out clause, also known as a termination of the agreement for non-appropriation of funds clause, has been included in the proposed Agreement in Section VIII.E.

CITY ATTORNEY:

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

TRANSMITTALS:

1. Proposed Successor Agreement to Agreement No. 20-3367-A (NOAA MOA-2023-086(#12602))

FIS Approval: MB
CA Approval: SO


JOHN L. DWYER
Chief Port Pilot


THOMAS E. GAZSI
Chief of Public Safety and
Emergency Management

APPROVED:


EUGENE D. SEROKA ^{FOR}
Executive Director

JLD/JMK
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