



**THE PORT
OF LOS ANGELES**

Executive Director's
Report to the
Board of Harbor Commissioners

DATE: MARCH 21, 2023

FROM: ENVIRONMENTAL MANAGEMENT

SUBJECT: RESOLUTION NO. _____ - APPROVAL OF PERSONAL SERVICES AGREEMENTS WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC.; ENSAFE INC.; ICF INCORPORATED, L.L.C.; RAMBOLL US CONSULTING, INC.; STARCREST CONSULTING GROUP, LLC; AND TETRA TECH, INC. FOR AS-NEEDED AIR QUALITY SERVICES

SUMMARY:

Staff requests approval of the proposed Personal Service Agreements (Agreements) with Burns & McDonnell Engineering Company, Inc. (Burns & McDonnell), Ensafe Inc. (Ensafe), ICF Incorporated, L.L.C. (ICF), Ramboll US Consulting, Inc. (Ramboll), Starcrest Consulting Group, LLC (Starcrest); and Tetra Tech, Inc. (Tetra Tech) to provide the City of Los Angeles Harbor Department (Harbor Department) as-needed technical support for air quality programs. This action will authorize six Agreements, each for a three-year term, with a combined total not-to-exceed amount of \$7,200,000. The Harbor Department is financially responsible for the payment of services 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 exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with Article II Section 2(f) of the Los Angeles City CEQA Guidelines;
2. Find that in accordance with the City of Los Angeles (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 proposed Agreements for a term of three-years each, for the combined total not-to-exceed amount of \$7,200,000 as follows:
 - a. Burns & McDonnell Engineering Company, Inc. (Brea, CA) for \$1,000,000;

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- b. Ensafe Inc. (Memphis, TN) for \$200,000;
 - c. ICF Incorporated, L.L.C. (Los Angeles, CA) for \$500,000;
 - d. Ramboll US Consulting, Inc. (Los Angeles, CA) for \$500,000;
 - e. Starcrest Consulting Group, LLC (Albuquerque, NM) for \$2,500,000; and
 - f. Tetra Tech, Inc. (Pasadena, CA) for \$2,500,000;
4. Authorize the Executive Director to execute and the Board Secretary to attest to said Agreements for and on behalf of the Board; and
5. Adopt Resolution No. _____.

DISCUSSION:

Background/Context – The proposed Agreements support the Harbor Department’s air quality programs (Transmittals 1a-1f). This includes the development and implementation of programs to support the Clean Air Action Plan (CAAP), zero emission technology advancement initiatives, grant funding opportunities, climate change initiatives, regulatory permitting and reporting support for operation of Harbor Department stationary and mobile sources, and ongoing regulatory and legislative tracking and analysis.

The Harbor Department is a world leader in air quality programs and initiatives. With the adoption of the CAAP in 2006 and the CAAP Updates in 2010 and 2017, the Harbor Department has developed and implemented a number of important air quality programs, including the Clean Truck Program (CTP), Vessel Speed Reduction Incentive Program, Environmental Ship Index Program, Alternative Maritime Power Program, and the Technology Advancement Program (TAP). With implementation of the CAAP, as of 2021, there have been emission reductions of 84% for diesel particulate matter, 44% for oxides of nitrogen, and 94% for oxides of sulfur compared to 2005. In addition to the CAAP-related accomplishments, the Harbor Department has been a leader in the area of climate change and greenhouse gas (GHG) inventories and strategy development. The Harbor Department has been active in several international efforts in this area involving C40, the International Maritime Organization, the World Ports Sustainability Program, the World Ports Climate Action Plan, and the Pacific Ports Clean Air Collaborative.

The Air Quality Group within the Environmental Management Division (EMD) provides project management, which includes overseeing consultants performing specialized technical work. This approach best leverages limited staff resources to meet the demands of projects requiring environmental support. Further, the scope and complexity of Harbor Department projects increasingly require personnel with specialized skill sets and expertise in areas such as control strategy development, grant preparation and management, air quality modeling, climate change policy, regulatory analysis, and health

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risk assessments. As a result, staff believes this level and quality of consultant services is necessary to continue to provide ongoing comprehensive and highly competent air quality assistance for the Harbor Department. In support of this continued effort, staff requests approval of the proposed Agreements for a term of three years.

Services to be Performed – Contractual services to be provided under the proposed Agreements are detailed in the Scope of Work and include, but are not limited to:

- Support and assist with the implementation of the strategies in the CAAP, including special studies for the five main source categories identified in the CAAP.
- Prepare annual updates to the Port-Wide Air Emissions Inventory and conduct related special studies.
- Assist in the identification, evaluation, and demonstration/piloting of new and emerging emission reduction technologies/strategies applicable to the port-related industries.
- Support the Harbor Department GHG programs, including leadership in local, national and international GHG and climate change initiatives, including Green Shipping Corridors.
- Provide technical expertise and review of air quality sections and health risk assessments of CEQA/National Environmental Protection Act (NEPA) documents.
- Support and track existing and proposed local, state, and federal regulations/legislation, and an analysis of the potential impact on the Harbor Department.
- Assist in grant writing and project management for air quality-focused grant opportunities and awards.
- Provide permit compliance support for Regional Clean Air Incentives Market and other stationary and mobile sources.
- Assist in information sharing and outreach to national and international ports and organizations.
- Assist in preparing technical papers and presentations for conferences.
- Provide any additional services requested by the Director of EMD.

The terms of the current agreements expire on April 6, 2023, and these proposed Agreements are necessary to continue to provide the necessary support for the Harbor Department.

Work Assignments – Work assigned 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 and Very Small Business Enterprise 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

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City employees.

The proposed Agreements are requesting a combined amount of \$7,200,000 for this next three-year term. This amount will be used for a variety of activities involving the implementation of the CAAP 2017 Update, including activities such as implementing the CTP and Clean Truck Fund rate, clean ship technology and corridor programs, and ongoing TAP projects. Additionally, these proposed Agreements will support existing and new grant projects, evaluation of emission benefits, and air-related data collection and analysis.

Selection Process – On July 12, 2022, an As-Needed Air Quality Services Request for Proposals (RFP) was released and posted on the Port of Los Angeles website and on RampLA.org. Automatic email notifications were sent out to all those firms registered on the Los Angeles Regional Alliance Marketplace for Procurement (RAMP) under the applicable North American Industry Classification System Codes. A total of thirty-nine RAMP users downloaded the RFP.

A total of six proposals were received and deemed responsive. Proposals were reviewed using evaluation criteria published in the RFP (Transmittal 2). All six proposers were invited to oral interviews that occurred on October 3 and 4, 2022. Oral interviews were used to explore and determine breadth and depth of the expertise firms could provide to the Harbor Department. Interview questions were set up in consultation with the Contracts and Purchasing Division (Transmittal 3).

The proposal and interview panel consisted of a Marine Environmental Supervisor and one Environmental Specialist from EMD and one Environmental Specialist from the Port of Long Beach Environmental Division. The evaluation panel completed the scoring on the strength of the written proposal and the oral interview. The proposals and interviews were scored to a total of 100 points each, as outlined in the RFP. Where applicable, a Local Business Preference of eight percent was added to the score to determine the Final Score.

Firm	Reviewer Score for Written Proposal/Interview (% Total Points Available)			Average Proposal Score	Average Interview Score	Combined average Proposal and average Interview score plus Local Business Enterprise points (16points)
	1	2	3			
1	88/90	94/96	94/90	92	92	200.0
2	92/94	100/96	94/94	95.3	94.7	190.0
3	84/90	60/78	90/90	78	86	180.0
4	78/82	82/88	74/74	78	81.3	175.3
5	84/88	70/62	82/78	78.7	76	170.7
6	78/64	54/54	76/66	69.3	61.3	130.7

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Following the evaluation process and interviews, all six teams were selected as qualified to meet the Harbor Department’s anticipated needs over the next three years.

The prime contractors of the selected teams are Burns & McDonnell, EnSafe, ICF, Ramboll, Starcrest, and Tetra Tech. These teams exceed all necessary qualifications and experience to provide as-needed environmental document and related services. The selection of these firms is also designed to provide a certain amount of redundancy in Scope of Work expertise, which allows for flexibility in making work assignments as well as price competition to ensure that the Harbor Department will receive the most cost-effective services. Four of these firms are returning contractors while two of them are new as prime contractors. Additionally, several new subconsultants have been added to the teams. These firms provide additional support for ongoing projects and offer new opportunities to EMD for future programs.

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

Burns & McDonnell	\$ 1,000,000
EnSafe	\$ 200,000
ICF	\$ 500,000
Ramboll	\$ 500,000
Starcrest	\$ 2,500,000
Tetra Tech	\$ 2,500,000
TOTAL	\$ 7,200,000

EMD assigned the not-to-exceed amounts to each proposed Agreement based on teams’ expertise and the types of projects and activities we anticipate undertaking over the next three years. The proposed Agreements will help the Harbor Department meet Strategic Plan goals and environmental initiatives, achieve regulatory compliance, and complete projects on schedule. Actual assignments for work will be made based on budget allocations in each fiscal year. Further, as described above, where possible, contractors will be asked to submit bids for project work to obtain a competitive price for various work assignments.

Small Business Enterprise (SBE), Very Small Business Enterprise (VSBE), and Local Business Enterprise (LBE) Preference Programs – The required SBE participation for each proposed Agreement is 25%, including 5% VSBE participation. This requirement can be met through the prime consultant or sub-consultant. The teams have sub-consultants that include SBE and VSBE, Disabled Veteran Business Enterprises, and LBE. To meet these goals, the specific sub-consultant participation levels will be committed through each individual PD when work is assigned.

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ENVIRONMENTAL ASSESSMENT:

The proposed action is the approval of six as-needed Agreements for air quality technical support, 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 Agreements authorizes a total amount not-to-exceed \$7,200,000 for as-needed air quality consulting services over a three-year period. It is anticipated that funds under the proposed Agreements will be expended as follows:

FY 2022/23	\$ 385,000
FY 2023/24	\$ 1,718,000
FY 2024/25	\$ 1,718,000
FY 2025/26	\$ 3,379,000
TOTAL	\$ 7,200,000

Funds for Fiscal Year (FY) 2022/2023 in the amount of \$385,000 are available in Account 54260 (Environmental Assessment Services), Center 0330, Program 000.

Future year funds will be requested through the Harbor Department's annual budgeting process, upon Board approval. 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 proposed 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 proposed Agreement.

CITY ATTORNEY:

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

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TRANSMITTALS:

- 1a. Agreement with Burns & McDonnell Engineering Company, Inc.
- 1b. Agreement with EnSafe Inc.
- 1c. Agreement with ICF Incorporated, L.L.C.
- 1d. Agreement with Ramboll US Consulting, Inc.
- 1e. Agreement with Starcrest Consulting Group, LLC
- 1f. Agreement with Tetra Tech, Inc.
2. Evaluation Criteria
3. Oral interview questions

FIS Approval: MB
CA Approval: SO



CHRISTOPHER CANNON
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APPROVED:

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