



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

Board of Harbor Commissioners

**DATE: JUNE 11, 2013**

**FROM: ENVIRONMENTAL MANAGEMENT**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - PERSONAL SERVICES AGREEMENTS BETWEEN THE CITY OF LOS ANGELES AND AMEC ENVIRONMENT AND INFRASTRUCTURE, ANCHOR QEA, L.P., MERKEL & ASSOCIATES, INC., AND ENVIRON INTERNATIONAL CORPORATION, TO CONDUCT WATER QUALITY, SEDIMENT QUALITY, AND BIOLOGICAL RESOURCES SERVICES**

**SUMMARY:**

The Environmental Management Division staff recommends approval of Agreements with AMEC Environment and Infrastructure, Anchor QEA, L.P., Merkel & Associates, Inc., and Environ International Corporation, to provide technical support for water and sediment quality programs, biological resources management and regulatory program development and compliance. This action will authorize four as-needed agreements for a three-year contract term each and for a combined total not-to-exceed amount of \$10,000,000.

**RECOMMENDATION:**

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

1. Find that in accordance with the City Charter Section 1022, work under the subject Agreement can be performed more feasibly by independent consultants rather than by City employees;
2. Approve the Agreement with AMEC Environment and Infrastructure for a term of three years for the total not-to-exceed amount of \$3,800,000;
3. Approve the Agreement with Anchor QEA, L.P. for a term of three years for the total not-to-exceed amount of \$2,500,000;
4. Approve the Agreement with Environ International Corporation for a term of three years for the total not-to-exceed amount of \$3,200,000;

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5. Approve the Agreement with Merkel & Associates, Inc. for a term of three years for the total not-to-exceed amount of \$500,000;
6. Authorize the Executive Director and the Board Secretary to execute and attest to said Agreement for and on behalf of the Board; and
7. Adopt Resolution No. \_\_\_\_\_.

**DISCUSSION:**

Background/Context - The initial focus of the water quality, sediment quality, and biological resources technical support Agreements, which date back to 1987, was to satisfy regulatory requirements for the City of Los Angeles Harbor Department's (Harbor Department) capital and maintenance dredging projects. However, in recent years, the scope of the Agreements have expanded substantially to include compliance with increasingly stringent requirements of federal stormwater regulations (National Pollutant Discharge Elimination System – NPDES), and Total Daily Maximum Load (TMDL) regulations which require extensive monitoring, source control, and remediation activities to reduce pollutant concentrations in harbor waters and sediments. In addition, activities associated with biological baseline assessment, mitigation bank development, and obtaining biological mitigation credits for Harbor Department development projects have intensified in recent years.

To that end, Harbor Department staff is working in partnership with the regulators to address TMDL compliance requirements, and also working closely with the City of Los Angeles Bureau of Sanitation Watershed Protection Division to ensure compliance with NPDES permit requirements in the harbor area. In support of this growing effort, we request approval of the four personal service Agreements (Transmittal 1) for a term of three years.

The Scope of Work (Transmittal 2) in the proposed Agreements includes:

- TMDL Support
- NPDES Stormwater Permit Support
- Water Resources Action Plan (WRAP) Control Measure Implementation
- WRAP Hydrodynamic and Water Quality Modeling
- Water Quality Studies
- Sediment Testing to Support Dredging Activities
- Sediment Characterization Studies
- Laboratory Analytical Support
- *Caulerpa*/Eelgrass Surveys

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- Ballast Water and Invasive Species Support
- Other Biological Surveys
- Biological Mitigation Bank Support

The current Agreement term expires in August 2013 and these new Agreements are needed in order to continue to provide the necessary water, sediment, and biological resources support services for the Harbor Department. The current four as-needed agreements have a combined not-to-exceed amount of \$9,200,000. A total of \$7,785,345.48 has been committed to date. The current regulatory environment has been very dynamic, and anticipated schedules for promulgation of the new NPDES Municipal Permit and the Harbor Toxics TMDL were extended, thus some anticipated expenditures in the last three years have been delayed. However, these programs are now in place and the requested budget for the new Agreements anticipates compliance with these and other regulations over the next 3 year period.

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) and Very Small Business Enterprise (VSBE) participation level, and a cost estimate.

Selection Process - On January 2, 2013, the RFP 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).

On January 2, 2013, the City of Los Angeles Harbor Department Environmental Management Division (EMD) issued As-Needed Water Quality, Sediment Quality, and Biological Resource Services Request for Proposals (RFP) featuring thirteen separate scope of work items. Firms were allowed to submit proposals on the scope of work items that best represented the firm's strengths. The RFP was posted on the Port website, and automatic email notifications were sent out to all those firms registered on the LABAVN under the applicable NAICS.

Eleven proposals were received by the January 29, 2013 deadline. The proposal evaluation committee members were Rachel McPherson and Andrew Jirik, both Environmental Specialists in EMD's water resources group, and Kosta Kaporis from the City of Los Angeles Department of Public Works, Bureau of Sanitation. Proposals were reviewed using evaluation criteria published in the RFP (Transmittal 3) and eight proposers were invited to oral interviews that occurred March 27 and April 2. The remaining three firms did not qualify for further consideration as a full service or specialty service provider based on either the scores of their proposals or the items they chose from the scope of work. Of the eight firms interviewed, six are large firms

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that proposed on all thirteen scope of work items, and two are small specialty firms that proposed on up to seven items. The following eight (8) firms were invited for interviews:

- AMEC Environment and Infrastructure
- Anchor QEA, L.P.
- Arcadis U.S., Inc.
- Endemic Environmental Services, Inc.
- Environ International Corporation
- Merkel & Associates, Inc.
- Parsons
- RBF Consulting

Interview questions were developed in consultation with the Contracts and Purchasing Division (Transmittal 4). Oral interviews were used to further assess the breadth and depth of the firms' expertise. The evaluation panel completed the scoring on the strength of the written proposal and interview.

Following the evaluation process, four (4) firms were selected as the most qualified to meet the Harbor Department's anticipated needs over the next three years:

- AMEC Environment and Infrastructure
- Anchor QEA, L.P.
- Environ International Corporation
- Merkel & Associates, Inc.

We believe these firms provide an excellent range of skills and expertise to assist Harbor Department staff in addressing key regulatory and technical water, sediment, and biological resources issues anticipated over the next three years. Environ International Corporation is new to EMD as a full service firm, while AMEC Environment and Infrastructure, Anchor QEA, L.P., and Merkel & Associates, Inc. have previously been awarded as-needed contracts.

It is EMD's recommendation for the Harbor Department to enter into three-year consultant agreements with these four firms at the following identified not-to-exceed contract amounts:

AMEC	\$ 3,800,000
Anchor QEA	\$ 2,500,000
Environ	\$ 3,200,000
Merkel	\$ 500,000
Total:	<u>\$ 10,000,000</u>

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We assigned the not-to-exceed amounts to each Agreement based on several factors. Merkel is a specialty firm which proposed on four of the total 13 scope of work items, focused largely on biological resources activities. The other three firms proposed on all 13 tasks. We weighed the strengths of each firm based on their experience and information gleaned from the written proposals and interviews, against the types of projects and activities we anticipate undertaking over the next three years and allocated funding accordingly. For instance, it is anticipated that AMEC and Environ will be involved in the most field and laboratory work, thus more funding was allocated to these two firms.

Small Business Development Program - The SBE goal for these contracts is 25%. Merkel is a certified SBE and therefore 100% of their work qualifies toward the SBE goal. The other three firms have subconsultant teams that include SBE and VSBE, Disabled Veteran Business Enterprises, and Local Business Enterprises. The specific subconsultant participation levels will be committed through each individual Project Directive when work is assigned to each consultant and should meet or exceed the goal of 25% participation.

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is approval of four as-needed agreements for technical support of water and sediment quality programs, biological resources management and regulatory development and compliance. As an administrative activity related to basic data collection, field testing, research, experimental management and resource activities, the Director of Environmental Management has determined that the proposed action is exempt from the requirements of the California Environmental Quality Act in accordance with Article II Section 2 (f) and Article III Class 6 (2) of the Los Angeles City CEQA Guidelines.

**ECONOMIC BENEFITS:**

Approval of the proposed Agreement will support 116 direct and 76 secondary one-year equivalent jobs for the five-county region.

**FINANCIAL IMPACT:**

Approval of the three-year Agreements authorizes a total amount not-to-exceed of \$10,000,000 for environmental consulting services. It is anticipated that funds under the Agreements will be expended as follows:

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FY 13/14	\$ 3,141,000
FY 14/15	\$ 3,429,500
FY 15/16	\$ 3,429,500
Total:	\$10,000,000

These four Agreements will help the Harbor Department to fulfill compliance with federal, state, and local regulatory requirements and completion of projects on schedule. The Harbor Department will meet regulations and implement actions needed to comply with TMDL implementation requirements, NPDES compliance, WRAP commitments, and Strategic Plan goals. Funds for FY 2013/2014 in the amount of \$3,141,000 are available as follows: \$841,000 in Account 54260, Center 330 (Environmental Management Division), Program 000 and \$2,300,000 in Account 54260, Center 0331 (Remediation Program), Program 000.

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

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**CITY ATTORNEY:**

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

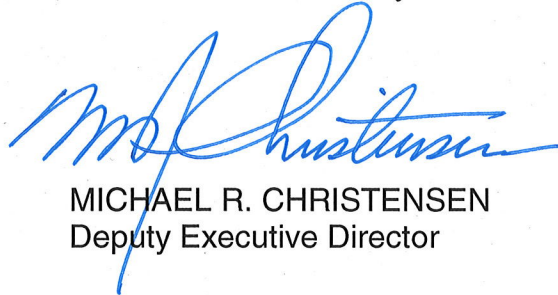
**TRANSMITTALS:**

1. Agreements
  - a. Agreement with AMEC Environment and Infrastructure
  - b. Agreement with Anchor QEA, L.P.
  - c. Agreement with Environ International Corporation
  - d. Agreement with Merkel & Associates, Inc.
2. Scope of Work
3. Evaluation Criteria/Selection Process Summary
4. Oral interview questions

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



CHRISTOPHER CANNON  
Director of Environmental Management



MICHAEL R. CHRISTENSEN  
Deputy Executive Director

APPROVED:



GERALDINE KNATZ, Ph.D.  
Executive Director

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BOARD MEETING: 06/20/2013

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