



**THE PORT
OF LOS ANGELES**

Executive Director's
Report to the
Board of Harbor Commissioners

DATE: FEBRUARY 27, 2019

FROM: ENVIRONMENTAL MANAGEMENT

**SUBJECT: RESOLUTION NO. _____ - FIRST AMENDMENT TO
AGREEMENT NO. 16-3438 BETWEEN THE CITY OF LOS ANGELES
HARBOR DEPARTMENT AND RAMBOLL ENVIRON US
CORPORATION**

SUMMARY:

Staff requests approval of a first amendment to Agreement No. 16-3438 (Amendment) with Ramboll Environ US Corporation (Ramboll), which will increase the contract amount by \$1,480,000 from \$4,000,000 to \$5,480,000. The additional funds are needed to provide specialized expertise to perform technical studies and complete large-scale environmental documents currently in progress. There is no change to the contract term, which is due to expire on December 1, 2019. The City of Los Angeles Harbor Department (Harbor Department) is financially responsible for expenses incurred under Agreement No. 16-3438.

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 City Charter Section 1022, work under the Amendment can be performed more feasibly by independent consultants rather than by City employees;
3. Approve the Amendment to Agreement No. 16-3438 with Ramboll Environ US Corporation to increase the contract amount from \$4,000,000 to \$5,480,000;
4. Authorize the Executive Director to execute and the Board Secretary to attest to said Amendment for and on behalf of the Board; and
5. Adopt Resolution No. _____.

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SUBJECT: FIRST AMENDMENT TO AGREEMENT NO. 16-3438 WITH RAMBOLL ENVIRON US CORPORATION.

DISCUSSION:

Background/Context – On November 17, 2016, the Board approved a contract with Ramboll along with six other firms (collectively, As-Needed Environmental Consultants) to provide as-needed environmental documentation and special environmental services. The As-Needed Environmental Consultants were selected through a Request for Proposals (RFP) process in 2016, in accordance with the City of Los Angeles policy of open competition for contractual services. Through their respective agreements, the As-Needed Environmental Consultants support the Environmental Management Division in its responsibilities for managing and conducting environmental assessments such as Environmental Impact Reports (EIRs) and special environmental studies associated with CEQA and the National Environmental Policy Act (NEPA).

During the first two years of Agreement No. 16-3438, Ramboll has prepared technical studies and drafted environmental documents for projects including Berth 164 [Valero] Marine Oil Terminal Wharf Improvement Project; Berths 97-109 [China Shipping] Container Terminal Project; Berths 121-131 [Yang Ming] Container Terminal Redevelopment Project; and the Southern California International Gateway (SCIG) Project. Several of these projects involved unanticipated studies and assessments as well as appeals and litigation, extending the CEQA environmental process and cost.

Approximately \$3,998,500 of the \$4,000,000 authorized agreement amount has already been committed to Ramboll during the first two years of the three-year term. The total amount invoiced to-date is approximately \$2,900,000. Given anticipated expenditures over the remaining term of Agreement No. 16-3438, an additional \$1,480,000 is expected to be sufficient for the remainder of the term, subject to authorization to proceed from the Executive Director.

Services to be Performed – The Amendment (Transmittal 1) would allow for the completion of CEQA documents for three capital projects: 1) Berths 97-109 [China Shipping] Container Terminal Project Final Supplemental EIR, 2) Berths 121-131 [Yang Ming] Container Terminal Redevelopment Project EIR, and the 3) SCIG Project Revised Final EIR.

Proposed First Amendment – Due to above-anticipated workload related to unanticipated studies and assessments and litigation support, the current not-to-exceed amount of \$4,000,000 under Agreement No. 16-3438 has been deemed insufficient. Therefore, the Amendment is required in order to increase by \$1,480,000 the not-to-exceed amount under Agreement No. 16-3438 to an aggregate not-to-exceed amount of \$5,480,000 through the remaining contract term ending on December 1, 2019.

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ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of the First Amendment to Agreement No. 16-3438 with Ramboll to increase the contract amount from \$4,000,000 to \$5,480,000 for CEQA/NEPA environmental documentation and special environmental services, 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:

The proposed Amendment would increase compensation by \$1,480,000 to an amount not-to-exceed \$5,480,000 over the remaining term of Agreement No. 16-3438 expiring on December 1, 2019. It is anticipated that the Amendment funds will be expended as follows:

FY 18/19	\$ 1,175,000
<u>FY 19/20</u>	<u>\$ 305,000</u>
TOTAL	\$ 1,480,000

The Amendment funding will support three capital projects: 1) Berths 97-109 [China Shipping] Container Terminal Project Final Supplemental EIR (WO 25353), 2) Berths 121-131 [Yang Ming] Container Terminal Redevelopment Project EIR (WO 25232), and the 3) SCIG Project Revised Final EIR (WO 25525). Funding in the current fiscal year is available within the Capital Improvement Program Budget; Account 54260 (Environmental Assessment Services); Center Numbers 1000, 1042, and 1189; 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 Agreement No. 16-3438, the Agreement 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 this Amendment as to form and legality.

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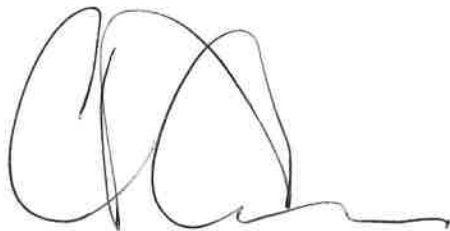
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TRANSMITTAL:

1. Amendment to Agreement No. 16-3438 with Ramboll Environ US Corporation

FIS Approval: 
CA Approval: 



CHRISTOPHER CANNON
Director of Environmental Management



for MICHAEL DiBERNARDO
Deputy Executive Director

APPROVED:


FOR

EUGENE D. SEROKA
Executive Director

CC/yo
AUTHOR: D. JORDAN

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