



Executive Director's
Report to the
Board of Harbor Commissioners

DATE: DECEMBER 2, 2020

FROM: CARGO AND INDUSTRIAL REAL ESTATE

SUBJECT: RESOLUTION NO. _____ - APPROVE TEMPORARY ENTRY AND USE PERMIT NO. 1779 WITH MANSON CONSTRUCTION CO.

SUMMARY:

Staff requests approval of Temporary Entry and Use Permit No. 1779 (TEUP) with Manson Construction Co. (Manson), a Washington corporation, for a laydown area with waterside access to support various construction projects under the 2020-2022 Marine Improvements contract. The Board of Harbor Commissioners awarded the construction Contract No. 2314 to Manson on May 21, 2020.

The proposed TEUP would grant Manson the right to occupy 1.5 acres of land for a laydown area and an additional one-acre of water space for Manson's marine vessels. There will be no rent charged for the TEUP, consistent with the terms of Contract No. 2314.

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 categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Article III Class 1(14), of the Los Angeles City CEQA Guidelines;
2. Approve Temporary Entry and Use Permit No. 1779 between the City of Los Angeles Harbor Department and Manson Construction Co.;
3. Authorize the Executive Director to execute and the Board Secretary to attest to Temporary Entry and Use Permit No. 1779; and
4. Adopt Resolution No. _____.

SUBJECT: TEUP NO. 1779 FOR MANSON CONSTRUCTION CO.

DISCUSSION:

Background – On May 21, 2020, the Board, under Resolution No. 20-9647, approved an award of the 2020-2022 Marine Improvements contract to Manson. Contract No. 2314 consists of marine construction work and improvements to be performed on an on-call basis. The term of the TEUP is coterminous with Contract No. 2314. The contract obligates the City of Los Angeles Harbor Department (Harbor Department) to provide Manson 1.5 acres of land laydown area. The TEUP proposed under this action would fulfill that requirement by providing 1.5 acres of land at Berth 200 G and H (Transmittal 1).

Additionally, the TEUP would provide Manson the right to use one acre of water space. Contract No. 2314 did not include water space; however, Manson requires water access for its marine vessels used in connection with construction operations under Contract No. 2314. There is no rent proposed for this TEUP, consistent with the terms of Contract No. 2314 as to the laydown area. The water space will facilitate and is integral to Manson's performance of its construction operations associated with Contract No. 2314, as such no rent is charged for water space either.

To enable Manson's use of the site, the Harbor Department will repair the existing deteriorated paving, at an estimated cost of \$200,000 which would be borne by the Harbor Department.

Summary of the TEUP (Transmittal 2) terms:

<u>Provisions</u>	<u>Description</u>
Permittee	Manson Construction Co., a Washington corporation
Use	Laydown area with waterside access to support various construction projects under the 2020-2022 Marine Improvements contract the Board awarded to Assignee pursuant to Specification No. 2808
Effective Date	Upon execution by Executive Director after the issuance of a Notice to Proceed under Specification No. 2808, Contract No. 2314
Term	The term commences on the Effective Date. TEUP no. 1779 and Contract No. 2314 are coterminous.
Premises	Approximately 1.5 acres of land; and Approximately 1 acre of water space (submerged land)

SUBJECT: TEUP NO. 1779 FOR MANSON CONSTRUCTION CO.

Compensation	No rent
Environmental	Manson must comply with the Industrial General Permit guidelines, established Sustainable Construction guidelines, and maintain the site paving to prevent any storm water infiltration
Release for Pre-existing Conditions	In consideration of Manson's payment to the Harbor Department of \$70,000, the Harbor Department releases and discharges Manson from any and all responsibility to Harbor Department for hazardous material conditions on the Premises as depicted in the baseline report dated June 9, 2020. Such hazardous materials may have been due to Manson's previous occupancy of the premises. The amount of \$70,000 represents the amount it would otherwise cost to resolve/remediate the hazardous conditions at the premises, as verified by the Environmental Management Division.
Insurance	All standard insurance requirements

ENVIRONMENTAL ASSESSMENT:

The proposed action is the approval of TEUP No. 1779 with Manson for a laydown area with waterside access to support various construction projects under Contract No. 2314, which is an activity involving the issuance of any permit to use an existing facility involving negligible or no expansion of use. Therefore, the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of CEQA in accordance with Article III Class 1(14) of the Los Angeles City CEQA Guidelines.

FINANCIAL IMPACT:

Approval of TEUP No. 1779 will enable Manson to occupy 1.5 acres of land and 1 acre of water area at Berth 200 at no charge in order to support various construction projects under the 2020-2022 Marine Improvements contract. However, Manson will pay the Harbor Department \$70,000 to cover the estimated environmental cleanup and release of liability. TEUP No. 1779 is required in order for the Harbor Department to satisfy its obligation to provide Manson with a laydown area under Contract No. 2314. If the proposed TEUP is approved, the Harbor Department expects to incur estimated costs of \$200,000 to repair the existing paving on the premises and provide Manson with a usable site.

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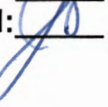
SUBJECT: TEUP NO. 1779 FOR MANSON CONSTRUCTION CO.

CITY ATTORNEY:

Temporary Entry and Use Permit No. 1779 has been reviewed and approved as to form and legality by the Office of the City Attorney.

TRANSMITTALS:

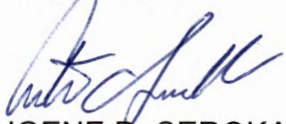
1. Site Map
2. Temporary Entry and Use Permit No. 1779

FIS Approval: 
CA Approval: 

Marisa L. Katnich
MARISA KATNICH
Director of Cargo & Industrial Real Estate

Michael DiBernardo
MICHAEL DIBERNARDO
Deputy Executive Director

APPROVED:


FOR EUGENE D. SEROKA
Executive Director

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