



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

Board of Harbor Commissioners

DATE: JUNE 28, 2011

FROM: CLEAN TRUCK PROGRAM

SUBJECT: RESOLUTION NO. _____ - FIRST AMENDMENT TO AGREEMENT NO. 08-2702 BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND TETRA TECH, INC. FOR ADMINISTRATION OF THE CLEAN TRUCK PROGRAM

SUMMARY:

On September 18, 2008, the City of Los Angeles Harbor Department (Harbor Department), after completion of a competitive bidding process, entered into Agreement No. 08-2702 with Tetra Tech, Inc. (Tetra Tech) located in Pasadena, California for \$8.4 million to provide concession and grant administration for the Clean Truck Program (CTP). The CTP commenced on October 1, 2008 with a series of progressive truck bans that gradually restrict terminal access to older trucks in favor of clean U.S. Environmental Protection Agency (EPA) 2007 emission compliant trucks. The final truck ban is scheduled to go into effect on January 1, 2012. Now, after nearly three years, the Tetra Tech Agreement is scheduled to expire on September 18, 2011, before the final January 1, CTP progressive ban. Consequently, in order to provide effective administration of the concession program through implementation of the final January 1, 2012 CTP progressive ban, Harbor Department staff requests that the Tetra Tech Agreement be extended by approximately nine months until June 30, 2012. This also will give the Harbor Department the necessary time to assess the need for future CTP administration services that will either be contracted out through another competitive bid process, or provided in-house by Harbor Department staff. The Tetra Tech Agreement scope of work will remain unchanged, and this proposed extension will not require any additional funding authority, as excess unspent funding authority remains available in the original \$8.4 million Tetra Tech Agreement. The actual funds for the 9-month extension are available in the Environmental Management Division CTP budget for expenditure in fiscal year 2011/12.

RECOMMENDATION:

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

1. Approve the proposed First Amendment to Agreement No. 08-2702 with Tetra Tech Inc. to extend the current contract to June 30, 2012;

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2. Authorize the Board Secretary to transmit the proposed Amendment to Agreement No. 08-2702 to the Los Angeles City Council for approval in accordance with Charter Section 373 and Los Angeles Administrative Code Section 10.5(a);
3. Authorize the Executive Director to execute and Board Secretary to attest to the proposed Amendment to Agreement No. 08-2702 for and behalf of the Board of Harbor Commissioners upon approval by the City Council; and
4. Adopt Resolution No. _____.

DISCUSSION:

Background - On November 20, 2006, the governing boards of the ports of Los Angeles and Long Beach (Ports) voted to approve the landmark San Pedro Bay Ports Clean Air Action Plan (CAAP), the most comprehensive strategy to cut air pollution and reduce health risks ever produced for a global seaport complex. The CAAP contains a suite of strategies for reducing pollution generated by the Ports five major source categories including the ships, trucks, trains, cargo handling equipment and harbor craft. Notably, the CAAP contained goals to achieve a 45% emissions reduction in diesel particulate matter (DPM), nitrogen oxides (NOx) and sulfur oxides (SOx) by the end of 2011. In fact, the Ports' emissions inventories for calendar year 2009 indicated overall emissions reductions of 52% for DPM, 33% for NOx and 56% for SOx which not only met, but exceeded the CAAP goals for DPM and SOx two years early.

One of the most significant and successful efforts under the CAAP has been the development, approval, and implementation of the CTP. The CTP established the following progressive ban on polluting trucks from entering the Ports' terminals:

- October 1, 2008: All pre-1989 trucks are banned from entering the Ports
- January 1, 2010: 1989-1993 trucks and 1994-2003 trucks that have not been retrofitted with after-treatment devices are banned from entering the Ports
- January 1, 2012: All trucks that do not meet the 2007 Federal Clean Truck Emissions Standards will be banned from entering the Ports

Since its commencement on October 1, 2008, the CTP has delivered an estimated more than 80-percent reduction in the rate of truck emissions compared to 2007 air emissions data. As of May 2011, 97 percent of the cargo gate moves at the Ports' terminals were being made by trucks meeting EPA 2007 heavy duty truck emissions standards (clean trucks). The fleet of over 12,000 trucks currently servicing the Ports is

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comprised of approximately 9,000 trucks meeting the EPA 2007 emissions standards and 1,000 trucks powered by alternative fuels. When the final ban occurs on January 1, 2012, 100 percent of the truck moves will be made by clean trucks.

Initial Competitive Bid Process - In the summer of 2008 in anticipation of commencement of the CTP on October 1, 2008, the Ports conducted a joint competitive bid for outside consulting services to provide concession and grant administration service in connection with the CTP. After completion of interviews for this work, Tetra Tech was selected by a joint interview team from the two Ports to provide these services. Tetra Tech agreed to provide separate teams to each port due to slight differences in the programs, and agreed to sign separate 3-year contracts with the two Ports making Tetra Tech the administrator for the CTP for both Ports.

Agreement No. 08-2702 - On September 18, 2008, the Board approved Agreement No. 08-2702 with Tetra Tech, Inc. (Transmittal 1) to provide professional, expert and technical services which assist the Harbor Department in the administration of Concessions and Grants under the CTP. Tetra Tech's responsibilities under this Agreement included development of a concession application, design and development of a grant application for truck replacement; design and development of a system to register drayage trucks, and overall coordination with members of the trucking community to assure a smooth transition to the concession-based drayage program.

Proposed Amendment to Agreement No. 08-2702 - The proposed amendment to the Agreement (Transmittal 2) is requesting an extension of Tetra Tech services for approximately nine months to June 30, 2012. This will ensure smooth implementation of the final CTP ban and that there will be sufficient time to possibly transition some of the tasks that Tetra Tech is currently providing to Harbor Department staff, and to initiate a Request for Proposals (RFP) process if a new supporting consultant is required after June 30, 2012.

If an extension is granted, both Ports plan to release a joint RFP in early 2012 if necessary. The extension date through June 30, 2012 was mutually agreed to by staff of both Ports. By following this strategy, the Ports expect to receive more favorable quotations from prospective bidders for this contract. The Port of Long Beach Board of Commissioners has already granted an extension of the existing contract to June 30, 2012, which was set to expire on June 30, 2011.

Scope of Work - The scope of work will remain unchanged. A complete list of all tasks and subtasks to be performed by the Tetra Tech team are listed in Exhibit A of the Agreement (Transmittal 3).

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Union Informational Meeting - As part of the Contract Amendment outreach, a meeting was held on June 20, 2011 with the Service Employees International Union (SEIU), the local union that represents Environmental Specialists and Marine Environmental Supervisors currently employed by the City, to notify them of the proposed amendment. At that meeting, staff agreed to identify the duties and tasks that City employees would be able to administer upon contract expiration. The SEIU will be notified of the issuance of the RFP when it occurs.

ENVIRONMENTAL ASSESSMENT:

The proposed action is an amendment to Agreement No. 08-2707 with Tetra Tech, Inc. that would extend the contract for concession and grant administration services for the CTP through June 30, 2012. As an administrative activity, the Director of Environmental Management has determined the proposed action is exempt from the California Environmental Quality Act (CEQA) in accordance with Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.

FINANCIAL IMPACT:

The contract authority for this project is \$8,400,000 of which \$5,207,656 has been expended through May 1, 2011, leaving a remaining balance of \$3,192,344. It is anticipated that \$1.2 million will be spent during the amendment period, leaving a balance of \$1,992,344 that will remain unspent at the end of the proposed contract term of June 30, 2012. The additional funds are available in the fiscal year 2011/2012 budget in Account 59967 (Clean Truck Program), Center 0330 (Environmental Management Division), Program 000.

ECONOMIC BENEFITS:

Spending to date under this contract is estimated to have supported the equivalent of 91 full-time direct and indirect jobs in the five-county region. Additional spending under this amendment is estimated to support the equivalent of 21 full-time direct and indirect jobs in the five-county region.

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CITY ATTORNEY:

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

TRANSMITTALS:

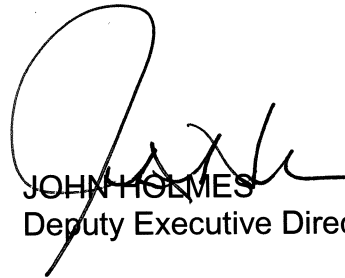
1. Agreement No. 08-2702 with Tetra Tech Inc.
2. Proposed First Amendment to Agreement No. 08-2702 with Tetra Tech Inc.
3. Exhibit A – Tasks and Subtasks to be Performed

FIS Approval: KP

CA Approval: TR

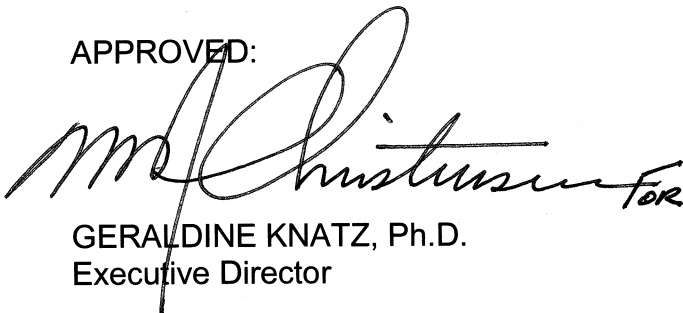


CHRISTOPHER CANNON
Director of Environmental Management



JOHN HOLMES
Deputy Executive Director

APPROVED:



GERALDINE KNATZ, Ph.D.
Executive Director

AUTHOR: TIM DeMOSS
BOARD MEETING: 7/7/2011

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