

**DATE: JULY 19, 2022**

**FROM: ENVIRONMENTAL MANAGEMENT**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - PERSONAL SERVICES AGREEMENT WITH WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS, INC. TO PERFORM BIOLOGICAL SURVEYS OF LONG BEACH AND LOS ANGELES HARBORS**

**SUMMARY:**

Staff requests approval of the proposed Agreement with Wood Environment & Infrastructure Solutions, Inc. (Wood), to conduct biological surveys of the Long Beach and Los Angeles Harbors (Harbors). The total cost associated with the 2023 Biological Survey is \$1,515,000, which will be shared equally between the City of Los Angeles Harbor Department (Harbor Department) and the Port of Long Beach (POLB). POLB staff recommended to its Board that it approve a separate contract with Wood for \$757,500. Approval of the proposed Agreement will authorize a three-year contract for an amount not-to-exceed \$757,500. The Harbor Department is financially responsible for expenses incurred under the proposed Agreement.

**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 and categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Article II Section 2(f) and Article III Class 6(2) of the Los Angeles City CEQA Guidelines;
2. 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;
3. Approve the Agreement with Wood Environment & Infrastructure Solutions, Inc. for a term of three years and a total not-to-exceed amount of \$757,500;
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. \_\_\_\_\_.

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**DISCUSSION:**

Background/Context – The Harbor Department and POLB have periodically undertaken biological baseline studies of the Harbors. In 1983-1984, MBC Applied Environmental Sciences (MBC) studied the Long Beach Harbor and in 1986-1987, MEC Analytical Systems conducted a study of the Los Angeles Harbor. More recently, the Harbor Department and POLB jointly conducted biological baseline surveys of the Harbors in 2000, 2008, 2013 and 2018. The information from these studies have been used in numerous CEQA and National Environmental Protection Act (NEPA) documents, related to biological coordination activities, and biological mitigation planning related to Harbor Department development projects. An accurate understanding of the biological conditions of the Los Angeles Harbor is critical to obtain development approvals and to negotiate biological mitigation measures with various regulatory and resource agencies (including representatives from the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Fish & Wildlife Service, National Marine Fisheries Service, and California Department of Fish & Wildlife). The information has also been presented to the public in an interactive and enthralling format with the creation of the LA Harbor Habitats website (LAHarborHabitats.org) that can be easily updated with data from 2023.

The general consensus among the Harbor Department, POLB, and Federal and State agency representatives is that this type of harbor-wide biological survey needs to be updated on a periodic basis, ideally every five years, to maintain up-to-date information on the Harbors. For instance, the Harbor Department and POLB are active stakeholders in the implementation of the Dominguez Watershed Total Maximum Daily Load (TMDL) regulations that directly affect the Harbors. Data collected in conjunction with a new biological baseline study will provide supporting information on benthic community health that can be used to inform upcoming TMDL monitoring and implementation activities.

In support of these and other efforts, staff requests approval of the proposed Agreement for a term of three years (Transmittal 1).

Services to be Performed – Contractual services to be performed under the proposed Agreement include:

- Perform spring and summer sampling for benthic infauna, riprap and pier piling biota, kelp and macroalgae, benthic, pelagic and fish, biota collected through beach seining, and eelgrass.
- Perform spring, summer and winter sampling for water physical characteristics, and ichthyoplankton.
- Perform monthly sampling for birds and marine mammals.
- Evaluate collected data to identify the presence of non-native species in the Port of Los Angeles (Port) Complex.

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- Perform statistical analyses to determine relationships among habitats and regions of the Port.
- Document biota and sampling using above-water and underwater photographs taken by an experienced photographer.
- Produce a clear and accessible report of the sampling efforts that can be used to relay information on the status of the harbor habitat to agency scientists, the public, and other interested stakeholders.

Pre-Request for Proposal Outreach – A 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 City employees.

Selection Process – On March 3, 2022, the Harbor Department Environmental Management Division (EMD), in coordination with POLB, issued a joint Request for Proposal (RFP) for Biological Surveys of the Harbors. The RFP was posted on POLB’s PlanetBid portal, as well as the Port’s website, with a link to PlanetBid. As stated in the RFP, the Harbor Department and POLB would jointly select the most qualified proposer, to be administered under two separate contracts.

Three proposals were received by the March 24, 2022 deadline. The proposal evaluation panel members included a Marine Environmental Supervisor and an Environmental Specialist, both from EMD’s water quality resources group, and two panelists from POLB. Proposals were reviewed using evaluation criteria published in the RFP (Transmittal 2).

The results of the proposal and interview evaluations are as follows:

**Proposal and Interview Evaluation Summary**

Team	Reviewer Average Score				Average Score
	1	2	3	4	
1	70	78	88	69	<b>76.3</b>
2	82	87	95	88	<b>88.0</b>
<b>3 (Wood)</b>	95	92	99	98	<b>96.0</b>

Following evaluation of the proposals, the evaluation panel found that the Wood team was the most qualified proposer and met or exceeded all necessary qualifications and experience to perform the 2023 Biological Surveys of Long Beach and Los Angeles Harbors. The evaluation panel’s recommendation is based on the following findings regarding Wood:

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- Extensive experience in performing biological surveys of marine habitat at the Port and throughout Southern California for over 20 years, including successful completion of the 2018 Biological Survey.
- A thorough understanding and application of sampling techniques, sonar, photography and statistical methods to determine relationships among habitats and regions of the Port.
- Excellent working history and relationships with the Harbor Department and POLB staff, including the ability to coordinate with multiple divisions during complex, multi-season sampling events in the harbor.
- Demonstrated excellence in producing clear accessible reports of complicated sampling efforts, as well as an emphasis on outreach to the public and other interested stakeholders to relay the status of the harbor habitat in an engaging manner using expert photographs and graphics.

It is EMD's recommendation for the Harbor Department to enter into a three-year agreement with Wood in the amount of \$757,500. This represents 50% of the total project cost of \$1,515,000. The remaining 50% of the project costs will be borne by POLB through an agreement it will enter into directly with Wood.

The Harbor Department did not apply local business preference in this instance because it was a joint RFP with POLB, which does not include local business preference, and all proposers were local businesses in any event.

Small Business Enterprise Program – The required Small Business Enterprise (SBE) participation for this agreement is 20%. The amount of SBE participation in Wood's proposal was 55%, far exceeding the goal.

### **ENVIRONMENTAL ASSESSMENT:**

The proposed action is the approval the proposed Agreement with Wood for completion of the 2023 Biological Survey, which is an administrative activity involving basic data collection, field testing, research, experimental management, and resource activity of a City Department which does not result in serious or major disturbances to an environmental resource. Therefore, the Director of Environmental Management has determined that the proposed action is administratively and categorically exempt from the requirements of CEQA in accordance with Article II Section 2(f) and Article III Class 6(2) of the Los Angeles City CEQA Guidelines.

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**FINANCIAL IMPACT:**

Approval of the three-year Agreement authorizes a total amount not-to-exceed of \$757,500 for environmental consulting services. It is anticipated that funds under the Agreement will be expended as follows:

FY 22/23	\$ 200,000
FY 23/24	\$ 367,000
FY 24/25	\$ 146,000
FY 25/26	\$ 44,500
<b>TOTAL</b>	<b>\$ 757,500</b>

Funds for FY 22/23 in the amount of \$200,000 were budgeted in Account 54260 (Environmental Assessment Services), Center 330, Program 000. Future year funds will be requested to be budgeted 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 Board appropriation of funds. If any subsequent fiscal year funds are not appropriated by the Board for the work required by the Agreement, the Agreement 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 Agreement.

**CITY ATTORNEY:**

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


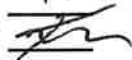
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**TRANSMITTALS:**

1. Agreement with Wood Environment & Infrastructure Solutions, Inc.
2. Proposal Evaluation Criteria

FIS Approval:   
CA Approval: 



CHRISTOPHER CANNON  
Director of Environmental Management

*Michael DiBernardo*

MICHAEL DiBERNARDO  
Deputy Executive Director

APPROVED:

*Marla Bleavins* For

EUGENE D. SEROKA  
Executive Director

AUTHOR: K.PRICKETT  
APP No.: 220401-507

FILE: Y:\\_ADMIN\BOARD REPORTS\WATER QUALITY\BIOSURVEY 2023\Environmental\_2023 Biobaseline\_Board Report - FINAL.docx  
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