



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

Board of Harbor Commissioners

DATE: APRIL 24, 2019

FROM: ENVIRONMENTAL MANAGEMENT

SUBJECT: RESOLUTION NO. _____ - PERSONAL SERVICES AGREEMENTS BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND ANCHOR QEA, LLC; MERKEL & ASSOCIATES, INC.; MICHAEL BAKER INTERNATIONAL, INC.; PI ENVIRONMENTAL, LLC; WESTON SOLUTIONS, INC.; AND WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS, INC. TO CONDUCT AS-NEEDED WATER QUALITY, SEDIMENT QUALITY, AND BIOLOGICAL RESOURCES SERVICES

SUMMARY:

Staff requests approval of the proposed Agreements with Anchor QEA, LLC; Merkel & Associates, Inc.; Michael Baker International, Inc.; Pi Environmental, LLC; Weston Solutions, Inc.; and Wood Environment & Infrastructure Solutions, Inc. to provide the City of Los Angeles Harbor Department (Harbor Department) technical support for water and sediment quality programs, biological resources management and regulatory program development and compliance. This action will authorize six as-needed Agreements, each for a three-year term, with a combined total not-to-exceed amount of \$7,500,000. The Harbor Department is financially responsible for payment under the proposed Agreements.

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 Agreements can be performed more feasibly by independent consultants rather than by City employees;
3. Approve the Agreement with Anchor QEA, LLC, for a term of three years for the total not-to-exceed amount of \$1,500,000;

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4. Approve the Agreement with Merkel & Associates, Inc. for a term of three years for the total not-to-exceed amount of \$500,000;
5. Approve the Agreement with Michael Baker International, Inc. for a term of three years for the total not-to-exceed amount of \$1,400,000;
6. Approve the Agreement with Pi Environmental, LLC for a term of three years for the total not-to-exceed amount of \$1,100,000;
7. Approve the Agreement with Weston Solutions, Inc. for a term of three years for the total not-to-exceed amount of \$1,200,000;
8. Approve the Agreement with Wood Environment & Infrastructure Solutions, Inc. for a term of three years for the total not-to-exceed amount of \$1,800,000;
9. Authorize the Executive Director to execute and the Board Secretary to attest to said Agreements for and on behalf of the Board; and
10. Adopt Resolution No. _____.

DISCUSSION:

Background/Context – The Scope of Work for the water quality, sediment quality, and biological resources technical support Agreements includes assisting the Harbor Department with regulatory requirements associated with capital and maintenance dredging projects, as well as compliance with new and increasingly stringent requirements of federal and state stormwater regulations (National Pollutant Discharge Elimination System – NPDES), and Total Maximum Daily Load (TMDL) regulations. These programs require extensive monitoring, source control, and remediation activities to reduce pollutant concentrations in harbor waters and sediments. Work under these Agreements also involves assisting the Harbor Department with biological resources management activities such as biological surveys, mitigation bank implementation, and obtaining biological mitigation credits for Harbor Department development projects. In support of these and other efforts, we request approval of the proposed Agreements for a term of three years (Transmittal 1).

Services to be Performed – Contractual services to be performed under the proposed Agreements are detailed in the Scope of Work (Transmittal 2) and include:

- TMDL Support for Harbor Toxics TMDL
- TMDL Support for Inner Cabrillo Beach Bacteria TMDL
- Source Control Measures
- Stormwater Support
- Water Quality Studies

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- Dredge Program Support
- Sediment Quality Studies
- Biological Support Services
- Biological Mitigation
- Database System Support

The terms of the current agreements expire in June 2019 and these new proposed Agreements are needed in order to continue to provide the necessary water, sediment, and biological resources support services for the Harbor Department. These professional service Agreements support operational, capital development and maintenance projects.

Work Assignments – Work under these proposed 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) anticipated participation level, and a cost estimate.

Pre-Request for Proposal Outreach – A City 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 September 18, 2018, Harbor Department Environmental Management Division (EMD) issued an As-Needed Water Quality, Sediment Quality, and Biological Resource Services Request for Proposal (RFP) outlining ten separate scope of work items. While firms were allowed to submit proposals on all of the scope of work items, or a subset of the items that best represented the firm's strengths, firms were encouraged to team together in order to provide a wide range and depth of services. The RFP was posted on the Port of Los Angeles (Port) website, and automatic email notifications were sent out to all those firms registered on the Los Angeles Business Assistance Virtual Network (BAVN) under the applicable North American Industry Classification System Codes. A total of 82 BAVN users downloaded the request.

A total of 39 firms teamed together into seven teams and seven proposals were received by the November 8, 2018 deadline. Proposals were reviewed using evaluation criteria published in the RFP (Transmittal 3). All seven teams were invited to oral interviews that occurred January 15 and 16, 2019. Interview questions were set up in consultation with the Contracts and Purchasing Division (Transmittal 4). The proposal and interview evaluation panel consisted of two Environmental Specialists from EMD and one Environmental Supervisor from the City of Los Angeles Bureau of Engineering.

Of the seven teams interviewed, five teams proposed on eight or more of the ten Scope of Work items, and two teams proposed on five items or less. Oral interviews were used to explore and determine breadth and depth of the expertise the teams could provide to the Harbor Department. Questions explored existing capabilities, understanding of

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upcoming issues that could affect the Port, and how real-world experience has benefitted other clients.

The evaluation panel completed the scoring on the strength of the written proposal and interview. The proposals were scored to a total of 100 points, as outlined in the RFP. During interviews, teams were only asked and scored on the questions that related to the scope of work items on which they proposed. The proposal and interview points were added up and then divided by the total amount of points possible. A Local Preference of 8% was added to the score to determine the Final Score (Table 1).

Table 1. Proposal and Interview Evaluation Summary

Team	No. of SOW Items	Total Points Available	Reviewer Average Score (% Total Points Available)			Overall Average (%)	Local Preference (%)	Final Score (%)
			1	2	3			
1	10	210	93.1	98.1	96.7	96.0	8	104.0
2	10	210	93.1	99.0	92.4	94.8	8	102.8
3	3	165	87.6	97.6	95.8	93.6		93.6
4	10	210	89.8	92.1	89.5	90.5		90.5
5	10	210	88.3	92.9	88.8	90.0		90.0
6	8	195	89.7	92.3	84.4	88.8		88.8
7	5	180	66.9	81.7	68.3	72.3	8	80.3

Following the evaluation process and interviews, the top six teams, consisting of 37 different firms, were selected as the most qualified to meet the Harbor Department's anticipated needs over the next three years. The Harbor Department's current list of on-call contractors consists of six teams, and based on work projections this number of teams is expected to be adequate for the next three years as well.

The prime contractors of the selected teams are Anchor QEA, LLC, Merkel & Associates, Inc. Michael Baker International, Inc., Pi Environmental, LLC, Weston Solutions, Inc., and Wood Environment & Infrastructure Solutions, Inc. These teams exceed all necessary qualifications and experience to provide as-needed water quality, sediment quality, and biological resource services. The selection of these teams is also designed to provide a certain amount of redundancy in Scope of Work expertise, which allows for flexibility in making work assignments as well as price competition to assure the Harbor Department will receive the most cost effective services.

The six selected primes are all prime contractors to the Harbor Department in the current on-call Water Quality services contracting cycle, but a total of nine new subcontractors will now be available on these teams for the new contracting cycle. This allows new subcontractor firms the opportunity to demonstrate their abilities, with the potential that

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some can become prime contractors to the Harbor Department for on-call Water Quality services in the future.

As a result, EMD recommends that the Harbor Department enter into three-year Agreements with the selected six firms at the following identified not-to-exceed agreement amounts:

Anchor QEA, LLC	\$ 1,500,000
Merkel & Associates, Inc.	\$ 500,000
Michael Baker International, Inc.	\$ 1,400,000
Pi Environmental, LLC	\$ 1,100,000
Weston Solutions, Inc.	\$ 1,200,000
Wood Environment & Infrastructure Solutions, Inc.	\$ 1,800,000
TOTAL	\$ 7,500,000

EMD assigned not-to-exceed amounts to each Agreement based on each team's expertise and experience, tasks bid on, and information gathered from the written proposals and interviews. The types of projects and activities EMD anticipates undertaking over the next three years was also considered. This allocation ensures that consultants with proven capabilities are available, but also allows new teams or team members the opportunity to demonstrate their abilities. Actual assignments for work will be made based on budget allocations in each fiscal year. Further, as described above, where possible contractors will be asked to submit bids for project work in order to obtain a competitive price for various work assignments.

Small Business Enterprise and Local Business Enterprise Preference Programs – The required Small Business Enterprise (SBE) participation for each Agreement is 25%, including five percent Very Small Business Enterprise (VSBE) participation. This requirement can be met through the prime consultant or sub-consultant. The specific sub-consultant participation levels will be committed through each individual PD when work is assigned. Merkel & Associates and Pi Environmental are certified SBEs and VSBEs; therefore, 100% of their services will apply towards these goals. The other four teams have sub-consultants that include SBE and VSBE, Disabled Veteran Business Enterprises, and Local Business Enterprises (LBE). The contract opportunity was also eligible for the LBE Preference Program which provides for an eight percent preference in their selection scores for qualifying LBEs. Two of the selected six prime consultants are local businesses: AMEC Foster Wheeler Environment & Infrastructure, Inc. and Michael Baker International, Inc. Both of these firms received an eight percent preference in their selection score, but this did not impact the final results.

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The proposed action is approval of six as-needed agreements for water quality, sediment quality, and biological resources technical support, which is an administrative activity related to basic data collection, field-testing, research, experimental management and resource activities. Therefore, 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.

FINANCIAL IMPACT:

Approval of the three-year Agreements authorizes a total amount not-to-exceed of \$7,500,000 for environmental consulting services. It is anticipated that funds under the Agreements will be expended as follows:

Division:	Environmental	GASB	CIP	MIP	
Center:	0330	7000	1000	0311	
Account:	54260	21995	54260	54260	TOTAL
FY 2020	1,023,000	396,666	333,332	176,752	\$1,929,750
FY 2021	1,830,335	396,668	333,336	509,915	\$3,070,248
FY 2022	1,426,665	396,666	333,332	343,333	\$2,500,000
TOTAL	\$4,280,000	\$1,190,000	\$1,000,000	\$1,030,000	\$7,500,000

Future year funds will be requested 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 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. A funding out clause is included in each Agreement.

CITY ATTORNEY:

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

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TRANSMITTALS:

1. Agreements
 - a. Agreement with Anchor QEA, LLC
 - b. Agreement with Merkel & Associates, Inc.
 - c. Agreement with Michael Baker International, Inc.
 - d. Agreement with Pi Environmental, LLC
 - e. Agreement with Weston Solutions, Inc.
 - f. Agreement with Wood Environment & Infrastructure Solutions, Inc.
2. Scope of Work
3. Proposal Evaluation Criteria
4. Oral Interview Questions

FIS Approval: My B
CA Approval: Jme



CHRISTOPHER CANNON
Director of Environmental Management



MICHAEL DiBERNARDO
Deputy Executive Director

APPROVED:



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Executive Director

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