

**DATE: MAY 21, 2024**

**FROM: RISK MANAGEMENT**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - SUPPLEMENTARY HEALTH AND SAFETY TRAINING AND SERVICES AGREEMENTS BETWEEN CITY OF LOS ANGELES HARBOR DEPARTMENT AND 1) AECOM TECHNICAL SERVICES, INC., 2) EHS INTERNATIONAL, INC., 3) NATEC INTERNATIONAL INC., AND 4) PROMEDICS LLC**

**SUMMARY:**

Staff requests approval of four separate Agreements between the City of Los Angeles Harbor Department (Harbor Department) and 1) AECOM Technical Services, Inc. (AECOM), 2) EHS International, Inc. (EHS), 3) NATEC International, Inc. (NATEC), and 4) ProMedics LLC (ProMedics) for as needed supplementary health and safety training and services. The proposed Agreements with each firm are for a one-year period with two one-year extension options. The not-to-exceed compensation amount is \$555,000 in aggregate, over a three-year period across all Agreements. The Harbor Department is financially responsible for payment of expenses incurred 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 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 the Los Angeles City Charter Section 1022, it is more feasible for outside consultants to perform this work than City employees;
3. Award four professional services Agreements to 1) AECOM, 2) EHS, 3) NATEC and 4) ProMedics, for a term of up to three years each with an aggregate compensation total of \$555,000;

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4. Authorize the Executive Director to execute and the Board Secretary to attest to the Agreements; and,
5. Adopt Resolution No. \_\_\_\_\_.

**DISCUSSION:**

Purpose – Approval of the proposed Agreements will assist the Harbor Department Risk Management Division in providing specialized training and services to nearly 900 current Harbor Department employees. The California Department of Occupation Safety and Health (Cal/OSHA) requires that employers provide their employees with relevant health and safety training as well as specific health and safety services. Occupational health and safety consultants are utilized by both public and private entities across various industries. Risk Management staff, with assistance from professional occupational health and safety consultants, provide Harbor Department employees with supplementary health and safety training and services to comply with Cal/OSHA requirements. Utilizing these services enhances the Harbor Department's existing safety program and supports the City's policy to maintain a safe and healthy work environment. The proposed Agreements provide the most effective service because they allow the Harbor Department to address workload and operational needs, comply with Cal/OSHA requirements, avoid fines and penalties, and reduce workplace injuries and claims.

Background - Health and safety services provided by Risk Management include, but are not limited to, supporting all divisions with specific safety training, providing recommendations on personal protective equipment, coordinating/conducting accident investigations, workstation evaluations, workplace inspections, coordinating/maintaining the inspection of life-saving equipment, and coordinating the administration of workers' compensation claims with the Personnel Department's Workers' Compensation and City Attorney staff.

Occupational health and safety consultants provide Risk Management staff with essential technical support and specialized knowledge necessary to effectively manage and reduce workers' compensation claims and assist in providing a full spectrum of occupational health and safety training and services in accordance with all applicable regulations. Courses include, but are not limited to, respiratory protection, first aid, heat illness prevention, confined space entry, hazard communication, trenching and shoring awareness, and forklift operator training. The types of training courses required are determined by employee job duties, Cal/OSHA requirements, proactive measures, workplace incidents, and changes in work process or job duties.

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Occupational health and safety consultants also provide services to assist Risk Management staff when specialized knowledge is needed in establishing processes and programs, assessing work areas, conditions, and practices to ensure that employees are provided with safe and healthful work conditions.

Proposed Agreements - The proposed Agreements with each firm (Transmittals 1, 2, 3, and 4) are for a one-year period with two, one-year extension options for a total of up to three years each. Approval of the proposed Agreements will enable the Harbor Department to retain a pool of consultants to continue providing necessary supplementary health and safety training and services on an as-needed basis for a not-to-exceed compensation amount of \$555,000, in aggregate, over a three-year period, across all Agreements. None of the selected consultants are guaranteed a minimum or maximum dollar value for the duration of the said contract Agreement.

Selection Process - The current three-year Agreements for supplementary health and safety training and services were awarded to AECOM, NATEC and Safety Dynamics Group, Inc. in July 2021. The Harbor Department is projecting that about \$360,000 will be expended under the current Agreements when they expire in July 2024.

In November 2023, the Harbor Department issued a Request for Proposals on the Los Angeles Regional Alliance Marketplace for Procurement and the Port of Los Angeles websites. Though over 60 unique RFP downloads were completed, only one proposal was deemed responsive. To solicit additional responsive proposals and to establish a pool of qualified consultants to address the varied training and services needs of the Harbor Department, the November 2023 RFP was cancelled, and a replacement RFP was issued in January 2024. Six proposals were deemed responsive after over 60 unique RFP downloads.

A selection committee comprised of Harbor Department Risk Management Division staff and the City of Pasadena Safety Division staff evaluated the proposals and selected the top four companies for contract award using the evaluation criteria below:

<b>CRITERIA</b>	<b>DESCRIPTION</b>	<b>WEIGHING FACTOR</b>
Firm Qualifications, Experience and References	How long has the company been in business? Has the company done similar work? Level of expertise in subject matter areas?	6
Project Organization, Personnel and Staffing	Qualification and experience of proposed personnel for requested services? On-site availability of team and project manager?	6
Rates, Fees and Budget	Are proposed budget management, fees and	6

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Control	staff hours proposed and clearly defined?	
Clarity and Comprehensiveness of the Proposal	Is the proposal clear, comprehensive and understandable?	2
<b>Maximum points possible = 100</b>		20

Multiple consultants are beneficial to the Harbor Department so that the strengths and resources of each can be fully utilized. This allows for a more flexible training schedule. Experience has shown that no single consultant meets the Department's wide range of safety training service needs.

**ENVIRONMENTAL ASSESSMENT:**

The proposed action is approval of four separate agreements between the Harbor Department and AECOM, EHS, NATEC and ProMedics for as needed supplementary health and safety training 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:**

Approval of the proposed Agreements will enable the Harbor Department to retain a pool of multiple consultants to continue providing necessary supplementary health and safety training and services. Across the proposed Agreements total compensation would not exceed \$555,000 over the proposed three-year term, assuming all renewal options are exercised.

Spending under the proposed Agreements is anticipated to occur as follows:

<b>Fiscal Year (FY)</b>	<b>AECOM</b>	<b>EHS</b>	<b>NATEC</b>	<b>ProMedics</b>	<b>Total</b>
2024-25	\$46,250	\$46,250	\$46,250	\$46,250	<b>\$185,000</b>
2025-26	\$46,250	\$46,250	\$46,250	\$46,250	<b>\$185,000</b>
2026-27	\$46,250	\$46,250	\$46,250	\$46,250	<b>\$185,000</b>
<b>Total</b>	<b>\$138,750</b>	<b>\$138,750</b>	<b>\$138,750</b>	<b>\$138,750</b>	<b>\$555,000</b>

FY 2024-25 funding in the amount of \$185,000 has been requested to be budgeted within Account 54290 (Miscellaneous Professional Services), Center 0550 and Program 000. Future fiscal year funding will be requested as part of the annual budget process upon Board approval.

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**CITY ATTORNEY:**

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

**TRANSMITTALS:**

1. Proposed Agreement with AECOM
2. Proposed Agreement with EHS
3. Proposed Agreement with NATEC
4. Proposed Agreement with ProMedics
5. Evaluation Scores

FIS Approval: JS

CA Approval: SO

Jennifer M. Bersales  
Digitally signed by Jennifer M. Bersales  
Date: 2024.05.28  
16:32:52 -07'00'

JENNIFER BERSALES  
Director of Risk Management

Erica M. Caloun  
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ERICA M. CALHOUN  
Interim Deputy Executive Director

APPROVED:

Erica M. Caloun  
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EUGENE D. SEROKA  
Executive Director

JB:JM:CT  
Author: C. Makaena