



**THE PORT  
OF LOS ANGELES**

Executive Director's  
Report to the  
Board of Harbor Commissioners

**DATE: AUGUST 6, 2015**

**FROM: ENGINEERING**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ APPROVAL OF PERSONAL SERVICES AGREEMENT BETWEEN THE CITY OF LOS ANGELES HARBOR DEPARTMENT AND POPULOUS, INC. FOR THE ENGINEERING, ARCHITECTURAL, AND LANDSCAPING DESIGN SERVICES FOR THE SAN PEDRO WATERFRONT – TOWN SQUARE AND PORTS O' CALL PROMENADE**

**SUMMARY:**

The Engineering Division recommends approval of a personal services agreement (Agreement) between the City of Los Angeles Harbor Department (Harbor Department) and Populous, Inc. (Populous), San Francisco, California, to provide professional engineering, architectural, landscape, and design services during construction for the San Pedro Waterfront – Town Square and Ports O' Call Promenade projects. The Agreement has a contract term of three years, with a not-to-exceed amount of \$2,340,000. The Harbor Department is financially responsible for payment of expenses under the proposed contract.

**RECOMMENDATION:**

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

1. Find that in accordance with the City Charter Section 1022, work under the subject Agreement is temporary in nature and can be performed more feasibly by an independent contractor rather than by City of Los Angeles (City) employees;
2. Approve a personal services agreement with Populous for engineering, architectural and landscaping design services for the San Pedro Waterfront – Town Square and Ports O' Call Promenade projects with a not-to-exceed amount of \$2,340,000 and a term of three years;
3. Authorize the Executive Director to execute and the Board Secretary to attest to said Agreement for and on behalf of the Board; and

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4. Adopt Resolution No. \_\_\_\_\_.

**DISCUSSION:**

Background and Context - The City of Los Angeles Harbor Department continues its commitment to the community to revitalize the LA Waterfront. The San Pedro Waterfront (SPW) Environmental Impact Report (EIR), certified in September 2009, has set the framework for this development focusing on the San Pedro community that surrounds the Harbor.

Ports O’ Call (POC) is located along the waterfront between 6th Street and the Southern Pacific Slip Berth 73, east of Sampson Way and is a Southern California destination and focal point of the SPW revitalization efforts. The two distinct elements specific to the POC re-development area are the continuous pedestrian waterfront promenade along the Main Channel’s water’s edge, and a Town Square at the foot of 6th Street, south of the recently completed Downtown Harbor, as shown in the site map (Transmittal 1).

It is recommended that a personal services agreement for San Pedro Waterfront – Town Square and POC Promenade design tasks and deliverables be awarded.

Scope of Services – Consultant shall provide professional engineering, architectural, and landscaping services to prepare a geotechnical report, conceptual design alternatives with comprehensive construction cost estimates, plans and specifications, and design services during construction for the San Pedro Waterfront – Town Square and POC Promenade. The attached Agreement includes design tasks and deliverables, for each project, which are individually priced per the Rate Sheet (Transmittal 2):

A notice to proceed from the Engineering Division is required prior to the consultant proceeding with each individual task. Further, there is no penalty to the Harbor Department should it decide not to proceed with any individual task.

Consultant Selection Process - A request for proposals (RFP) for both the San Pedro Waterfront – Town Square and POC Promenade, and the Wilmington Waterfront Promenade was issued on April 14, 2015, and posted on Los Angeles Business Assistance Virtual Network (LABAVN) and on the Port of Los Angeles (Port) website. Written proposals for the San Pedro Waterfront projects were submitted by eight consultant teams. After a complete evaluation of the written proposals by the selection committee consisting of Harbor Department staff from the Engineering Division, Construction Division, Executive Office; and Department of Public Works (Bureau of Engineering), all eight proposing firms were invited to be interviewed on June 10 and 11, 2015:

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- AECOM (Los Angeles, CA)
- ARUP (Los Angeles, CA)
- Brooks + Scarpa Architects (Los Angeles, CA)
- CH2MHill Engineers, Inc. (Los Angeles, CA)
- Gruen Associates (Los Angeles, CA)
- Populous, Inc. (San Francisco, CA)
- Sasaki Associates, Inc. (Watertown, MA)
- SWA (Los Angeles, CA)

During the interview, each firm presented its proposal and responded to a set of formulated and follow-up questions from the Harbor Department’s selection committee. The presented proposals and responses were rated independently by each member of the selection committee and each team was given a combined score (Transmittal 3). The Harbor Department’s selection committee chose Populous based on the design approach presented, knowledge and experience on similar projects, outstanding project team organizational format, relevant experience and expertise of the key project team members, knowledge of the Harbor Department and its tenant relationships, and their experience with the relevant regulatory agencies.

The Engineering Division’s staff met with Populous and negotiated their proposed fee from \$3,100,356 to \$2,340,000. It is recommended that the Engineering Division utilize in-house staff for civil, structural, and mechanical design and obtaining the necessary permits associated with the disciplines.

Contract Amount and Term - The not-to-exceed amount for The San Pedro Waterfront – Town Square and POC Promenade projects Agreement is \$2,340,000. The term of the Agreement is three years.

Contract Requirements - This Agreement is in conformance with both the City Service Contract Worker Retention and Living Wage Ordinances.

Throughout the term of the Agreement, Populous will maintain compliance with the City’s contracting requirements. Populous’ overall sub-consultant business enterprise proposal is 50% Small Business Enterprise (SBE) and Very Small Business Enterprise combined. This represents \$1,170,000 in services going to these various business enterprises. Local Business Enterprise (LBE) participation is 52%.

Final 1022 Notifications to other City Departments were made and City staff is not available to assist the Harbor Department with this design project.

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**ENVIRONMENTAL ASSESSMENT:**

The proposed action is approval of an Agreement with Populous for engineering and architectural design services for the San Pedro Waterfront – Town Square and POC Promenade projects. These projects were components of the San Pedro Waterfront Project Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR) which was certified by the Board on September 29, 2009. Therefore as an activity for which the underlying project has previously been evaluated for environmental significance and processed according to the requirements of CEQA, the Director of Environmental Management has determined that the proposed action is exempt from the requirements of CEQA in accordance with Article II Section 2(i) of the Los Angeles City CEQA Guidelines.

**ECONOMIC BENEFITS:**

Approval of the proposed Agreement will support 17 direct and 18 secondary one-year equivalent jobs for the five-county region.

**FINANCIAL IMPACT:**

Approval of the proposed three-year Agreement authorizes the total not-to-exceed amount of \$2,340,000 and will commit \$520,137 in funding for the current fiscal year. It is anticipated that funds for this Agreement will be expended as follows:

<b>FISCAL YEAR (FY)</b>		<b>AMOUNT</b>
FY 2015/2016:	\$	520,137
FY 2016/2017:	\$	1,000,000
FY 2017/2018:	\$	500,000
FY 2018/2019:	\$	319,863
<b>Total:</b>	\$	<b>2,340,000</b>

Funds for FY 2015/2016 in the amount \$520,137 are budgeted in Account 54220 Center 1185, Program 624. The Harbor Department’s financial commitments for the proposed Agreement beyond the current fiscal year are contingent upon approval of funds by the Board as part of the annual budget adoption process. If any subsequent fiscal year funds are not appropriated by the Board for the work required by this 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.

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**CITY ATTORNEY:**

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

**TRANSMITTALS:**

1. Site Map – San Pedro
2. Agreement between the City of Los Angeles and Populous, Inc.
3. Final Evaluation Summary

FIS Approval: MR (initials)  
CA Approval: gpc (initials)



DAVID M. WALSH, P.E.  
Chief Harbor Engineer



ANTONIO V. GIOIELLO, P.E.  
Deputy Executive Director

APPROVED:



**FOR** EUGENE D. SEROKA  
Executive Director

JC:dke  
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Author: C. Honeybone