



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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DONALD L. WOLFE, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

May 1, 2007

IN REPLY PLEASE
REFER TO FILE: **WR-2**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**SUPPLEMENTAL CONSULTANT SERVICES AGREEMENTS
AS-NEEDED BIOLOGICAL AND ENVIRONMENTAL SERVICES
CONTRACT NO. PW 12848 (BON TERRA)
CONTRACT NO. PW 12849 (EDAW INC.)
ALL SUPERVISORIAL DISTRICTS
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Authorize the Director of Public Works, or his designee, to enter into and execute a Supplemental Consultant Services Agreement with Bon Terra Consulting for a total not to exceed fee of \$880,000 to be financed by the Fiscal Year 2006-07 Flood Control District budget and to establish the effective contract date following your Board's approval.
2. Authorize the Director of Public Works, or his designee, to enter into and execute a Supplemental Consultant Services Agreement with EDAW Inc., for a total not to exceed fee of \$860,000 to be financed by the Fiscal Year 2006-07 Flood Control District budget and to establish the effective contract date following your Board's approval.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

In April 2005, Public Works entered into a biological Consultant Services Agreement with Bon Terra and EDAW, respectively, for a total fee of \$1,500,000 each for a two-year term with two one-year renewal options. Increasing regulatory compliance requirements have quickly exhausted the original contract spending authority.

The Bon Terra contract currently has a balance of about \$243,000, and the EDAW contract has a balance of about \$583,000 for the remaining contract period, which expires in April 2009.

During the past two years, the need for environmental documentation and biological services has been increasing due to regulatory compliance requirements. The demand for California Environmental Quality Act (CEQA) documents has increased because of increasing restrictions on use of Categorical Exemptions. National Environmental Policy Act documentation that was not required in the past is now deemed necessary by the U.S. Army Corps of Engineers and U.S. Forest Service. The California Department of Fish and Game is requiring more protocol species surveys and monitoring as a condition of issuing Streambed Alteration Agreements and complying with them during project implementation. Meeting these demands is quickly exceeding the spending authority of the existing As-Needed Biological Services Contracts during the contract term. With two more years remaining on the contracts, additional spending authority is needed to use the contract services to address the environmental regulatory demands on Public Works' projects.

Implementation of Strategic Plan Goals

Approving the execution of Supplemental Agreements is consistent with the County Strategic Plan Goal of Organizational Effectiveness as it will allow for efficient and effective use of consultant expertise and experience to perform the required services that are not currently available in Public Works.

FISCAL IMPACT/FINANCING

There will be no impact to the County's General Fund. The recommended Supplemental Agreement to the Bon Terra Agreement is for a not to exceed fee of \$880,000 for biological and environmental services and will increase the contract amount from \$1,500,000 to \$2,380,000. The recommended Supplemental Agreement to the EDAW Agreement is for a not to exceed fee of \$860,000 for biological and environmental services and will increase the contract amount from \$1,500,000 to \$2,360,000. Financing of these services is available in the Fiscal Year 2006-07 Flood Control District budget.

FACTS AND PROVISIONAL/LEGAL REQUIREMENTS

A standard supplemental consultant services agreement, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for termination of services, renegotiations, and hiring qualified displaced County employees will be included.

As required by your Board, language has been incorporated into the Agreement stating that the consultant shall notify its employees, and shall require each subconsultant to notify its employees, about Board Policy 5.135, the Safely Surrendered Baby Law, and that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

As requested by your Board on August 12, 1997, and as a threshold requirement for consideration for contract award, Bon Terra and EDAW are willing to consider Greater Avenues for Independence Program/General Relief Opportunity for Work participants for future employment.

Bon Terra and EDAW are in full compliance with Los Angeles County Code Chapter 2.200 (Child Support Compliance Program) and Chapter 2.203 (Contractor Employee Jury Service Program).

ENVIRONMENTAL DOCUMENTATION

Approval of the Supplemental Agreements is not a project subject to the provision of CEQA because it can be seen with certainty that this action will not result in a direct or reasonably foreseeable indirect physical change in the environment in accordance with Public Resources Code Section 21065.

CONTRACTING PROCESS

On April 5, 2005, your Board awarded Contract PW 12848 to Bon Terra and Contract PW 12849 to EDAW, respectively, for a total fee of \$1,500,000 each to provide biological and environmental services. Bon Terra and EDAW were selected to perform the work after careful evaluation of proposals from qualified consulting firms that responded to our Request for Proposal. On April 12, 2005, Public Works entered into Consultant Services Agreements with Bon Terra and EDAW, each for a two-year term with two one-year renewal options. The fee schedules provided by the consultants

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have been reviewed by Public Works and are considered fair and reasonable. The recommended Supplemental Agreement will increase the contract amount from \$1,500,000 to \$2,380,000 for Bon Terra and from \$1,500,000 to \$2,360,000 for EDAW.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no negative impact on County services or projects currently planned during the performance of the recommended services.

CONCLUSION

Please return three adopted copies of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

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cc: Chief Administrative Office
County Counsel
Department of Public Social Services (GAIN/GROW Program)