



GAIL FARBER, Director

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS**

"To Enrich Lives Through Effective and Caring Service"

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May 10, 2016

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

Dear Supervisors:

**AWARD AND EXECUTE CONSULTANT SERVICES AGREEMENTS FOR AS-NEEDED
ENVIRONMENTAL COMPLIANCE SERVICES FOR PROJECTS THROUGHOUT
THE COUNTY OF LOS ANGELES
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

This action is to award and authorize the Director of Public Works or her designee to enter into and execute six separate consultant services agreements with Aspen Environmental Group; ESA PCR; Dudek; Ericsson-Grant, Inc.; Impact Sciences, Inc.; and Sirius Environmental for as-needed environmental compliance services for various County projects.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the proposed actions are exempt from the California Environmental Quality Act.
2. Award and authorize the Director of Public Works or her designee to execute consultant services agreements with the six consultants for as-needed environmental compliance services for various County of Los Angeles projects for an amount not to exceed \$2,500,000 individually and \$15,000,000 in aggregate for a 3-year term and two 1-year renewal options, commencing upon full execution of the agreement, and extending for a 3-year period from the commencement date. The expiration of the consultant services agreements is subject to the following condition: When services for a given project have been authorized in writing by the County but are not completed by the consultant prior to the stated expiration date, the expiration date will be automatically extended solely to allow for the completion of the services.

3. Delegate authority to the Director of Public Works or her designee to authorize additional services and extend the agreements expiration date as necessary to complete those additional services when those additional services are: (1) previously unforeseen; (2) related to a previously assigned scope of work on a given project; and (3) are necessary for the completion of that given project.

4. Delegate authority to the Director of Public Works or her designee to supplement the initial not-to-exceed amount of \$2,500,000 for any of the above-referenced six agreements by up to 10 percent per amendment based on workload requirements. The aggregate amount for each agreement of such amendments shall not exceed 25 percent of the original agreement amount.

5. Delegate authority to the Director of Public Works or her designee to exercise the two 1-year extension options for each agreement at the discretion of the Director of Public Works or her designee.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to retain six consultants for as-needed environmental compliance services for various projects throughout the County. The recommended actions will enable the Department of Public Works to comply with local, State, and Federal environmental laws, rules, regulations, and permit conditions in the planning and implementation of its projects and maintenance activities.

Public Works will utilize the consultants to provide various services for projects in relation to environmental documentation, regulatory permit acquisition, permit compliance, mitigation planning and implementation.

Each agreement is for a maximum not-to-exceed amount of \$2,500,000 for each consultant for a combined total of \$15,000,000 for the six agreements.

The term of each as-needed consultant services agreement will be for a period of 3 years commencing on the date of full execution of the agreement. Each agreement will have two 1-year agreement extension options to be exercised at the discretion of the Director of Public Works or her designee within the not-to-exceed amount listed above. The expiration date of each agreement is subject to when services for a given project have been started, but are not completed prior to the stated expiration date. The expiration dates of such agreements will be automatically extended as necessary to allow for the completion of such services. This is to ensure that there is no loss of continuity of services for a specific project. The work authorizations in all events will be subject to the respective not-to-exceed monetary limits applicable to said agreements.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness/Fiscal Sustainability (Goal 1) because the expertise and experience to perform the required services are not currently available at Public Works.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

Public Works has negotiated a not-to-exceed fee of \$2,500,000 with each consultant for a total not-to-exceed amount of \$15,000,000, which represents the estimated cost to provide services over the 5-year period. The agreement term shall commence upon the date of the full execution of the agreement. It is expected that the initial 3-year term will start during Fiscal Year 2015-16 and conclude in Fiscal Year 2018-19. The two 1-year options, if exercised, would be operative during Fiscal Years 2019-20 and 2020-21, inclusive.

Funds will be encumbered in various Public Works-administered funds and at the time a consultant is directed to provide services. Total expenditures for this service will not exceed the amount approved by the Board. Funding for the services is included in various Public Works funds in Fiscal Year 2015-16 budgets. Funds to finance the remainder of the agreement term and optional years will be requested through the annual budget process.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The environmental firms will perform environmental compliance services to support delivery of Public Works' construction and maintenance projects. Public Works regularly requires the services of environmental firms to perform certain functions and studies associated with obtaining environmental clearance for our construction and maintenance projects. These consultant services agreements will provide Public Works with the additional resources and expertise needed to complete the environmental documentation for our construction and maintenance projects.

A standard consultant services agreement, in the form previously approved by County Counsel, will be used. The proposals for the recommended consultants were solicited on an open competitive basis and are in accordance with applicable Federal, State, and County requirements. The contractors are in compliance with the Chief Executive Officer's and the Board's requirements.

The consultant services agreements contain terms and conditions supporting the Board's ordinances, policies, and programs, including but not limited to: (1) County's Greater Avenues for Independence and General Relief Opportunities for Work, Board Policy 5.050; (2) Notice to Contract Language to Assist in Placement of Displaced County Workers, Board Policy 5.110; (3) Reporting of Improper Solicitations, Board Policy 5.060; (4) Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy 5.135; (5) Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; (6) Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); (7) Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; (8) the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; (9) the Defaulted Property Tax Reduction Program, Los Angeles County Code, Chapter 2.206; and (10) the standard Board-directed clauses that provide for agreement termination or renegotiation.

Community Business Enterprise participation data, required certification forms, and 3-year contracting histories with the County are on file with Public Works for the six consultants.

The consultant services agreements include a cost-of-living adjustment provision in accordance with the Board policy that was approved on January 29, 2002.

ENVIRONMENTAL DOCUMENTATION

The recommended actions are not a project pursuant to the California Environmental Quality Act (CEQA) because they are activities that are excluded from the definition of a project by Section 15378(b) of the CEQA Guidelines. The proposed action, to establish as-needed consultant services agreements for anticipated future projects, is an administrative activity of government that will not result in direct or indirect changes to the environment. We will return to the Board as necessary for consideration of appropriate environmental documentation pursuant to CEQA prior to any commencement of any activities under the agreements that may constitute a project.

CONTRACTING PROCESS

On July 23, 2015, Public Works issued a Request for Proposals (RFPs) for the as-needed environmental compliance services for Public Works projects. The RFP was advertised on the County's Doing Business with Us and Public Works Contract Opportunities websites. Thirty-four firms registered on Public Works Contract Opportunities website for this RFP. A total of 16 proposals were received. In each business-sized enterprise category there were three proposals for the small-sized, five proposals for the medium-sized, and eight proposals for the large-sized.

An evaluation committee composed of staff from Public Works evaluated the proposals based on criteria described in the RFP, including technical expertise, proposed work plan, experience, personnel qualifications, and understanding of the work requirements. The evaluations were completed without regard to race, creed, color, or gender and in accordance with the informed averaging methodology. Based on the evaluation of the proposals and oral interviews, the following firms were selected: small-sized category – Ericsson-Grant, Inc.; Impact Sciences, Inc.; and Sirius Environmental; medium-sized category – Aspen Environmental Group and ESA PCR; and large-sized category – Dudek. The selected firms represent the best qualified firms from each size category to provide the required services. Public Works has determined that the firms proposed rates for performing the services are reasonable.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Execution of these agreements will provide necessary environmental services in an efficient manner, thereby enhancing the delivery of Public Works' construction programs.

The Honorable Board of Supervisors

5/10/2016

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CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Programs Development Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:JTW:yr

c: Chief Executive Office (Rochelle Goff)
County Counsel
Executive Office