

# APPROVED

FEB 07 2018

## BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 18-020

DATE: February 07, 2018

C.D. ALL

### BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AS-NEEDED ENVIRONMENTAL SITE ASSESSMENT AND REMEDIATION –  
AWARD OF CONTRACTS

AP Diaz	_____	V. Israel	_____
R. Barajas	_____	S. Piña-Cortez	_____
H. Fujita	_____	*N. Williams	<u>NDW</u>

  
\_\_\_\_\_  
General Manager

Approved X \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

### RECOMMENDATIONS

1. Find, in accordance with Charter Section 371(e)(2) and Los Angeles Administrative Code Section 10.15(a)(2), that the services to be provided are professional and special of a temporary and occasional character for which competitive bidding is not practicable or advantageous as it is necessary for the Department of Recreation and Parks (RAP) to be able to call on contractors to perform this work as-needed and on an occasional, but frequent, basis without engaging in a new competitive process for each individual project to be performed; however, from among as-needed contractors each individual project is assigned on the basis of availability of an as-needed contractor to perform the work, the price to be charged and the unique expertise of the as-needed contractor;
2. Find in accordance with Charter Section 371(e)(10), that the use of competitive bidding would be undesirable, impractical or impossible or is otherwise excused by the common law and the Charter because, unlike the purchase of a specified product, there is no single criterion, such as price comparison, that will determine which proposer can best provide the services required by RAP to provide as-needed environmental impact analysis;
3. Find, in accordance with Charter Section 372, that obtaining competitive proposals or bids for each individual project for which work may be performed pursuant to this agreement is not reasonably practicable or compatible with RAP's interests of having available as-needed contractors who are assigned various projects on the basis of availability, price, and expertise, and that it is therefore necessary to have several as-needed contractors for this type of service available when called upon by RAP to perform services;

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4. Find as the contract awarding authority, in accordance with Charter Section 1022, that the work can be performed more economically or feasibly by independent contractors than by City employees because RAP does not have, available in its employ, personnel with sufficient time or necessary expertise to perform environmental impact analysis and related work projects in a timely manner, and therefore it is more feasible, economical and in RAP's best interest, to secure these services by contract with multiple contractors to perform this work as-needed and on an occasional, but frequent basis, without engaging in a new competitive bidding process for each individual project to be performed;
5. Approve the proposed Contracts (Attachment 1) substantially in the form on file in the Board Office, and instruct staff to award contracts to the following seventeen (17) firms for as-needed environmental site assessment and remediation for a term of three (3) years in an amount not to exceed an annual expenditure of Seven Million Dollars (\$7,000,000.00) per contract;
  - 1) AECOM Technical Services, Inc.
  - 2) Alisto Engineering Group, Inc.
  - 3) California Environmental Geologists & Engineers, Inc.
  - 4) Cardno, Inc.
  - 5) The Converse Professional Group dba Converse Consultants
  - 6) Eco & Associates, Inc.
  - 7) EFI Global, Inc.
  - 8) ES Engineering Services, LLC
  - 9) ETIC Engineering, Inc.
  - 10) Frey Environmental, Inc.
  - 11) Ninyo & Moore Geotechnical & Environmental Sciences Consultants
  - 12) Partner Engineering and Science, Inc.
  - 13) Pinnacle Environmental Technologies
  - 14) PlaceWorks, Inc.
  - 15) Ramboll Environ US Corporation
  - 16) Stantec Consulting Services, Inc.
  - 17) Tetra Tech, Inc.
6. Direct the Board of Recreation and Park Commissioners' (Board) Secretary to transmit the Contracts to the Mayor in accordance with Executive Directive No. 3 and, concurrently to the City Attorney for review and approval as to form;
7. Authorize RAP's General Manager to make technical corrections as necessary to carry out the intent of this Report, and,
8. Authorize the Board President and Secretary to execute the Contracts upon receipt of the necessary approvals.

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### SUMMARY

RAP is in need of environmental site assessment services that staff cannot provide, therefore one or more environmental site assessment and remediation services contracts are required to replace current contracts soon to expire. These contracts are needed to perform the required due diligence in accordance with the United States Environmental Protection Agency's Standards and Practices for All Appropriate Inquiries (40 Code of Federal Regulation (CFR) Part 312) when it acquires property for park use through a purchase, a donation, or transfer. The scope of these contracts will include, but is not limited to, the preparation of Transaction Screens in accordance with ASTM Standard E1528-14, Phase I Environmental Site Assessments for All Appropriate Inquiries in accordance with ASTM Standard E1527-13, Phase II Environmental Site Assessments in accordance with ASTM Standard E1903-11, and related standards. In addition, these contracts are needed for site characterization and remedial investigations for developing site models and risk-based corrective actions at contaminated sites in accordance with ASTM Standard E1689-14 and E2081-15, and related standards.

On August 9, 2017, the Board approved a Request for Qualifications (RFQ) (Report No. 17-181) which was released on August 30, 2017. On October 5, 2017, RAP received eighteen (18) proposals in response to the RFQ for Environmental Site Assessment and Remediation, seventeen (17) of which were from the following entities:

- 1) AECOM Technical Services, Inc.
- 2) Alisto Engineering Group, Inc.
- 3) California Environmental Geologists & Engineers, Inc.
- 4) Cardno, Inc.
- 5) The Converse Professional Group dba Converse Consultants
- 6) Eco & Associates, Inc.
- 7) EFI Global, Inc.
- 8) ES Engineering Services, LLC
- 9) ETIC Engineering, Inc.
- 10) Frey Environmental, Inc.
- 11) Ninyo & Moore Geotechnical & Environmental Sciences Consultants
- 12) Partner Engineering and Science, Inc.
- 13) Pinnacle Environmental Technologies
- 14) PlaceWorks, Inc.
- 15) Ramboll Environ US Corporation
- 16) Stantec Consulting Services, Inc.
- 17) Tetra Tech, Inc.

The eighteenth proposal response was received from Avocet Environmental, Inc. after the deadline for submissions had passed and was not eligible for evaluation.

Responders were required to provide evidence of their qualifications and were required to meet a series of minimum qualifications related to work experience, professional licenses, a representative projects list and required project documentation. These minimum qualifications were used to determine whether or not the responder's knowledge and experience is sufficient

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to perform the desired terms, specifications and services outlined above.

Seventeen (17) responders submitted a responsive submittal to this RFQ. The following responders met the minimum qualifications for this RFQ for Environmental Site Assessment and Remediation as specified above:

- 1) AECOM Technical Services, Inc.
- 2) Alisto Engineering Group, Inc.
- 3) California Environmental Geologists & Engineers, Inc.
- 4) Cardno, Inc.
- 5) The Converse Professional Group dba Converse Consultants
- 6) Eco & Associates, Inc.
- 7) EFI Global, Inc.
- 8) ES Engineering Services, LLC
- 9) ETIC Engineering, Inc.
- 10) Frey Environmental, Inc.
- 11) Ninyo & Moore Geotechnical & Environmental Sciences Consultants
- 12) Partner Engineering and Science, Inc.
- 13) Pinnacle Environmental Technologies
- 14) PlaceWorks, Inc.
- 15) Ramboll Environ US Corporation
- 16) Stantec Consulting Services, Inc.
- 17) Tetra Tech, Inc.

RFQ responses were evaluated solely for the minimum qualifications (as stated in RFQ Document).

It was found through review and verification by RAP staff that the above listed responders met and/or exceeded the minimum qualifications as set forth in the RFQ. All responders who submitted and qualified, performed and passed the City's Business Inclusion Program (BIP) outreach; however, each of the seventeen (17) responders, have informalities that can be waived by the Board, such as missing Applicant's Declaration of Self Insurance, no response on Representatives of Parties, Compliance with the Americans with Disabilities Act Certificate, Living Wage Ordinance forms, missing Business Tax Registration Certificate, and a missing response on a question on the Responsibility Questionnaire form.

By waiving the informalities for these companies, it would increase competition among contractors and would benefit RAP with competitive bids for the much needed critical services in Environmental Site Assessment and Remediation. It is proposed that these responders have ten (10) business days to rectify these informalities once they have been informed by mail. The forms may be mailed or hand-delivered but they must be received before 3:00 p.m. on the tenth day.

RAP is seeking authorization to direct staff to prepare contracts for each of the seventeen (17) qualified responders and authorize the Board President and Secretary to execute these contracts, subject to City Attorney and Mayor Approval. The selected pre-qualified contractors

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are recommended to the Board for a three (3) year contract, in an amount not to exceed an annual expenditure of Seven Million Dollars (\$7,000,000.00) per contract. The contract amount is an estimate, and RAP does not guarantee that the contract maximum amount will be reached. The professional services that RAP is requesting shall be on an as-needed basis; RAP, in entering into an agreement, guarantees no minimum amount of business or compensation. Contracts awarded through this RFQ shall be subject to funding availability and early termination by RAP, as provided in the Standard Provisions for City Contracts (Rev. 10/17 [v.2]). (Attachment 2)

Funding for projects will be provided from various funding sources including to but not limited to Proposition K, Quimby, and Proposition 84.

### FISCAL IMPACT STATEMENT:

Executing these as-needed contracts has no impact to the RAP's General Fund.

This report was prepared by Gino Ogtong, Management Analyst II, and reviewed by Robert Feld, Senior Management Analyst I, Finance Division.

### LIST OF ATTACHMENTS/EXHIBITS

- 1) Contract Exemplar
- 2) Appendix A Standard Provisions for City Contracts