

**APPROVED**  
NOV 07 2012

REPORT OF GENERAL MANAGER

NO. 12-304

DATE November 7, 2012

BOARD OF RECREATION  
AND PARK COMMISSIONERS

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AS-NEEDED ENVIRONMENTAL IMPACT ANALYSIS – AWARD OF CONTRACTS

R. Adams	_____	K. Regan	_____
H. Fujita	_____	*M. Shull	<u><i>M. Shull</i></u>
V. Israel	_____	N. Williams	_____

*[Signature]*  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board as the contract awarding authority:

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 services 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 (Department) 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 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 the Department 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 the Department's interests of having available as-needed contractors who are assigned various projects on the basis of availability, price,

REPORT OF GENERAL MANAGER

PG. 2                      NO. 12-304

and expertise, and that it is therefore necessary to have several as-needed contractors for this type of service available when called upon by the Department to perform services;

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 the Department does not have, available in its employ, personnel with sufficient time or necessary expertise to environmental impact analysis and related work projects in a timely manner, and therefore it is more feasible, economical and in the Department'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 substantially in the form on file in the Board Office and instruct staff to award contracts to the following eight (8) firms for as-needed environmental impact analysis for a term of three (3) years;
  - 1) CDW Smith  
523 West Sixth Street, Suite 400  
Los Angeles, CA 90014
  - 2) ESA  
626 Wilshire Boulevard, Suite 1100  
Los Angeles, CA 90017
  - 3) ICF Jones & Stokes, Inc.  
811 W. 7<sup>th</sup> Street, Suite 800  
Los Angeles, CA 90017
  - 4) Parsons Transportation Group, Inc.  
100 West Walnut Street  
Pasadena, CA 91124
  - 5) Rincon Consultants, Inc.  
180 North Ashwood Ave  
Ventura, CA 93003
  - 6) Terry A. Hayes Associates, Inc.  
8522 National Boulevard, Suite 102  
Culver City, CA 90232

## REPORT OF GENERAL MANAGER

PG. 3                      NO. 12-304

- 7)     The Planning Center  
       9841 Airport Boulevard, Suite 1010  
       Los Angeles, CA 90045
  
- 8)     URS Corp.  
       915 Wilshire Boulevard, Suite 700  
       Los Angeles, CA 90017
  
6.     Direct the 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; and,
  
7.     Authorize the Board President and Secretary to execute the Contracts upon receipt of the necessary approvals.

### SUMMARY:

The Department is in need of environmental impact analysis services contracts that staff cannot provide, therefore one or more environmental impact analysis are required. Currently, the Department does not have contracts in place to perform environmental impact analysis as required by the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Because most of the Department proposed projects fall within the definition of a “project” as defined by the State CEQA Guidelines and require discretionary actions by the Board and/or City Council, they are subject to the provisions of CEQA, unless an exemption applies.

These contracts will provide the Department with environmental impact expertise and resources that otherwise cannot be performed by City staff, such as the preparation and processing of legally adequate Initial Studies (ISs), Negative Declarations (NDs), Mitigated Negative Declarations (MNDs), and Environmental Impact Reports (EIRs) in accordance with City and State CEQA Guidelines and the Los Angeles CEQA Thresholds Guide. They will also provide for the preparation and processing of legally adequate Environmental Assessments, Findings of No Significant Impact (FONSI)/Mitigated FONSI and Environmental Impact Statements (EISs) in accordance with the Council on Environmental Quality Regulations for Implementing NEPA (40 Code of Federal Regulations ((CFR)) 1500) and Federal Agency NEPA Procedures, including Army Corp of Engineers (ACOE) (33 CFR 230); Housing and Urban Development (HUD) (24 CFR PART 58); United States Forest Service (USFS) (36 CFR 220); and, Federal Highway Administration (FHWA) (23 CFR 771) as implemented by California Department of Transportation (CALTRANS) (23 CFR 773 §6004-6005).

On March 14, 2012, the Board approved a Request for Qualifications (RFQ) which was released

REPORT OF GENERAL MANAGER

PG. 4                      NO. 12-304

June 19, 2012. On August 14, 2012, the Department received eleven (11) proposals in response to the RFQ for Environmental Impact Analysis.

- 1) CDW Smith  
523 West Sixth Street, Suite 400  
Los Angeles, CA 90014
  
- 2) ESA  
626 Wilshire Boulevard, Suite 1100  
Los Angeles, CA 90017
  
- 3) ICF Jones & Stokes, Inc.  
811 W. 7<sup>th</sup> Street, Suite 800  
Los Angeles, CA 90017
  
- 4) Michael Brandman Associates  
220 Commerce, Suite 200  
Irvine, CA 92602
  
- 5) Parsons Transportation Group, Inc.  
100 West Walnut Street  
Pasadena, CA 91124
  
- 6) Rincon Consultants, Inc.  
180 North Ashwood Ave  
Ventura, CA 93003
  
- 7) Sapphos Environmental, Inc.  
430 N. Halstead St  
Pasadena, CA 91107
  
- 8) Terry A. Hayes Associates, Inc.  
8522 National Boulevard, Suite 102  
Culver City, CA 90232
  
- 9) The Planning Center  
9841 Airport Boulevard, Suite 1010  
Los Angeles, CA 90045
  
- 10) Ultra Systems Environmental, Inc.  
16431 Scientific Way

REPORT OF GENERAL MANAGER

PG. 5                      NO. 12-304

Irvine, CA 92618

- 11) URS Corp.  
915 Wilshire Blvd, Suite 700  
Los Angeles, CA 90017

Responders were required to provide evidence of their qualifications and were required to meet all of the following minimum requirements as stated below:

- 1) Provide a brief (maximum of 2 pages) statement of its general background information related to conducting environmental impact analysis services, including the number of years performing both CEQA and NEPA work, the organizational approach and other resources that will be used in the performance of the contract work.

Note: This was for background information only and was not used to evaluate the Responder.

- 2) Have an established office(s) in southern California (Los Angeles, Orange, Riverside, San Bernardino, San Diego, Ventura counties). The response shall include the address of the office location(s) and the name and phone number of the office manager(s).
- 3) Submit a list of ten (10) representative CEQA projects prepared by the Responder for a government agency comprised of seven (7) Mitigated Negative Declarations and three (3) Environmental Impact Reports that required State Clearinghouse circulation and that were completed from January 1, 2007 to January 31, 2012. Each project listing must contain the following information: the title and a brief description of the project, the service date, the agency name and a valid contact reference.

Projects related to the acquisition and/or development of public parks and recreational facilities that have been completed by the southern California office (as specified in Qualification #2) are preferred but not required to qualify.

- 4) From the required list you have provided in Qualification #3, you must submit the following documents:
  - a. Three (3) Mitigated Negative Declarations (MNDs)
  - b. One (1) Environmental Impact Report. (EIR)

Each document must be the final version with all associated technical appendices,

REPORT OF GENERAL MANAGER

PG. 6 NO. 12-304

and a Mitigation Monitoring and Reporting Plan. These documents must have been adopted or certified and must include a copy of the Notice of Determination. For the EIR document please include a copy of the Findings of Fact and Statement of Overriding Considerations prepared by the Responder in support of the certification process.

Provide one hard copy of each environmental document as well as one electronic copy on a compact disk (CD).

Note: All of the electronic documents for the MNDs may be submitted on one (1) CD.

- 5) Submit a list of five (5) representative NEPA projects prepared by the Responder for a government agency. The NEPA projects submitted must be comprised of Environmental Assessments (EA) or Joint EA/Mitigated Negative Declarations that were completed from January 1, 2007 to January 31, 2012. Each project listing must contain the following information: title, a brief description of the project, the service date, the agency name and a contact reference.

Projects related to the development of parks and recreational facilities on US Army Corp's land, completed by your Southern California office(s) as specified in Qualification #2 are preferred but not required to qualify.

- 6) From the required list you have provided in Qualification #5, you must submit the following documents:
  - a. One (1) Environmental Assessment/Finding of No Significant Impact (EA/FONSI)
  - b. One (1) joint Environmental Assessment/Mitigated Negative Declaration (EA/MND).

Each document must be the final version that was approved and must include a copy of the Record of Decision.

Provide one hard copy of each environmental document as well as one electronic copy on CD.

Only eight (8) of the eleven (11) responders submitted a responsive submittal to this RFQ. Three (3) responders failed to submit a completed submittal and thus had to be disqualified from any further review process. The following responders were disqualified because they submitted an incomplete RFQ package submittal response, specific details for the disqualifications can be found on Exhibit A.

REPORT OF GENERAL MANAGER

PG. 7            NO. 12-304

- 1) Michael Brandman Associates  
220 Commerce, Suite 200  
Irvine, CA 92602
- 2) Sapphos Environmental, Inc.  
430 N. Halstead St  
Pasadena, CA 91107
- 3) Ultra Systems Environmental, Inc.  
16431 Scientific Way  
Irvine, CA 92618

The following responders met the minimum qualifications for this RFQ for Environmental Impact Analysis specified above:

- 1) CDW Smith  
523 West Sixth Street, Suite 400  
Los Angeles, CA 90014
- 2) ESA  
626 Wilshire Boulevard, Suite 1100  
Los Angeles, CA 90017
- 3) ICF Jones & Stokes, Inc.  
811 W. 7<sup>th</sup> Street, Suite 800  
Los Angeles, CA 90017
- 4) Parsons Transportation Group, Inc.  
100 West Walnut Street  
Pasadena, CA 91124
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REPORT OF GENERAL MANAGER

PG. 8                      NO. 12-304

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- 8)     URS Corp.  
       915 Wilshire Boulevard, Suite 700  
       Los Angeles, CA 90017

RFQ responses were evaluated solely for the minimum qualifications (as stated in RFQ Document). The minimum qualifications as set forth will determine the responder's knowledge and experience to perform the terms and specifications of this Contract. It was determined through review of the submittals and verification of references by Department staff that the above listed responders have met and/or exceeded the minimum qualifications as set forth in the RFQ.

When staff checked the respondent's references, questions were posed regarding each respondent's ability to produce a quality product that met all necessary standards, in a timely manner. References were also asked if the respondent was timely and effective in their correspondence with governing agencies. All of the references for the respondents who met our minimum qualifications responded favorably to these questions and highly recommend the respective respondent. Staff then determined that the eight (8) respondents listed above should be selected as pre-qualified Environmental Impact Analysis contractors eligible to bid on future Department projects.

All responders who submitted and qualified performed and passed the City's Business Inclusion Program (BIP) outreach.

The Department is seeking authorization to direct staff to prepare contracts for each of the eight (8) 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 are recommended to the Board for a three (3) year contract, in an amount not to exceed an annual expenditure of \$7,000,000 per contract. The contract amount is an estimate, and the Department does not guarantee that the contract maximum amount will be reached. The professional services that the Department is requesting shall be on an as-needed basis; the Department, 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 Department, as provided in the Standard Provisions for City Contracts.

Funding for projects will be provided from various funding sources including to but not limited to Proposition K, Quimby, and Proposition 40.

REPORT OF GENERAL MANAGER

PG. 9            NO. 12-304

FISCAL IMPACT STATEMENT:

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

This report was prepared by Jim Newsom, Management Analyst II, Planning, Construction and Maintenance Branch.

## EXHIBIT A

### REQUEST FOR QUALIFICATION ENVIRONMENTAL IMPACT ANALYSIS

"NON RESPONSIVE" RESPONDERS	REASONS FOR 'NON-RESPONSIVENESS'
Michael Brandman Associates	1) Did not fill out "Article 16" (Page 27) of RFQ Document, 2) "Reporting Requirements After Award of a Contract" (Page 59) was not fill out and signed, 3) Did not fill out or sign the Contract Responsibility Ordinance on Pages 68-79 of RFQ Document.
Sapphos Environmental, Inc	1) Responder submitted a Response document that was missing the title headers from the following pages: Page 38, 39, 40, 61, 62, 63, 66, 67, 79, 80, 81, 82, 84, 118-128, 129, 134. This is important because this RFQ becomes the terms and conditions of the executed contract when awarded.
Ultra Systems Environmental Inc.	1) Responder did not fill out the "Contractor Government Project Reference Sheet" on page 39 of the RFQ document, 2) Responder did not fill out the "Contractor Key Employee Reference Sheet" on Page 40 of the RFQ document.