



**DATE: APRIL 24, 2008**

**FROM: ENGINEERING**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - PERSONAL SERVICES AGREEMENT BETWEEN THE CITY OF LOS ANGELES AND TETRA DESIGN, INC. FOR THE SAN PEDRO WATERFRONT DOWNTOWN HARBOR & SALINAS DE SAN PEDRO PROMENADE PROJECTS, ENGINEERING, ARCHITECTURAL, AND LANDSCAPE ARCHITECTURAL DESIGN SERVICES**

### **SUMMARY**

The agreement with Tetra Design, Inc., located in Los Angeles, California, provides the Port of Los Angeles with engineering, architectural, and landscape architectural design services for the San Pedro Waterfront Downtown Harbor project and the Salinas de San Pedro Promenade located at Cabrillo Beach. This action will authorize a professional services agreement with Tetra Design, Inc. for a 3 year term in the amount of \$8,986,412.

### **RECOMMENDATION**

It is recommended that the Board of Harbor Commissioners:

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 consultant rather than by City employees.
2. Approve the subject agreement with Tetra Design, Inc. in the amount of \$8,986,412 and that a 15% contingency not included in the original contract amount be applied for a total authorization of \$10,334,374.
3. Authorize the Executive Director and the Board Secretary to execute and attest to said agreement for and on behalf of the Board.
4. Adopt Resolution No. \_\_\_\_\_.

### **DISCUSSION**

1. Project Background

The purpose of both the Downtown Waterfront Harbor Project and the Salinas de San Pedro Promenade are to construct a grand promenade and create public access

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to the waters edge. The primary purpose of the Downtown Waterfront Harbor Project is to promote the Downtown Harbor as a memorable district of cultural, institutional and educational uses with the emphasis of reintegrating Downtown San Pedro with the waterfront. The plan includes extending the harbor towards downtown, preservation and restoration of historic buildings and artifacts which include a new historic fireboat display structure, creating new public spaces, and connecting the downtown with the waterfront. To complement these changes, the Project integrates additional berthing opportunities, cultural uses, educational vessels, and public open spaces. Public open spaces, including a grand waterfront promenade, water feature, and a new town square will link downtown San Pedro with the waterfront. These improvements will transform the Downtown Waterfront Harbor into a gateway to Downtown San Pedro capturing the expression of the downtown, the region's history, and the existing maritime heritage of San Pedro.

The primary purpose of the Salinas de San Pedro Promenade Project is to construct a grand promenade from the existing Cabrillo Marina to Cabrillo Beach. The promenade will be elevated and will provide a public vantage point into the existing salt marsh, a natural wildlife refuge.

## 2. Agreement Scope of Work

The scope of work for this proposed agreement includes preparing plans, specifications, and estimates (PS&Es) (consisting of planning, engineering, architectural, and landscaping design services) to construct new waterways, promenades, a museum building, and berthing facilities for the Downtown Harbor area. The designs in this Project shall be integrated with and complimentary to the recent improvements completed on the San Pedro Waterfront, including, but not limited to, the Waterfront Gateway and Waterfront Enhancements projects surrounding the Downtown Waterfront Harbor.

The scope of work also includes PS&Es (consisting of planning, engineering and landscaping design services) to construct a promenade in the Salinas de San Pedro and Cabrillo Beach Youth Camp area.

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3. Consultant Selection

On September 7, 2007 a Request for Proposals (RFP) was posted on the Department's Contracts Management database "e-DiversityXchange" and also on the Port's website. Six firms submitted the following proposals for the Downtown Waterfront Harbor Project:

FIRM

Tetra Design  
Halcrow/Hargreaves  
EE&K  
Sasaki and Associates  
Nuvis  
Oase

Staff reviewed the proposals and determined that it was in the best interest of the Port to interview five out of six consultant teams. Oase's proposal was only for the waterfeature element and their proposal was deemed non-responsive. The interview panel consisted of the Director of Development, staff from the Department of Recreation and Parks Maritime Museum, Planning, Construction, and Engineering Divisions. Interviews were held on December 13, 2007.

During the interview, each firm responded to a set of questions formulated by the selection committee. The presentations and proposals were then ranked independently by each committee member. Evaluation Criteria, Consultant Selection Summary, and Consultant/Subconsultant listing is transmitted for information.

After the interviews, additional project elements were identified and new scope of work added to the RFP. These project elements include, Ports O' Call Promenade, City Dock No. 1 Promenade, Salinas de San Pedro Promenade, and Program Management services. The Port issued a written request soliciting letters of interest from the five qualified teams for this additional scope of work. The Port received letters of interest on January 29, 2008.

Based on proposal reviews, team interviews, and letters of interest, the evaluators determined that Tetra Design was the most qualified team for the Downtown Harbor (original RFP) as well as the added project element, Salinas de San Pedro Promenade Project. Tetra Design, Inc. ranked highest overall in the following areas:

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- Background and experience in the design of Waterfront and Harbor projects
- Experience in museum building design and public open space
- Understanding of the project scope of work and technical approach required
- Project management approach demonstrating ability to control costs and schedule
- Subconsultant support team

Staff recommends selection of Tetra Design, Inc. for the agreement with a final negotiated amount as follow:

- |                                  |                    |
|----------------------------------|--------------------|
| • Downtown Waterfront Harbor     | \$7,680,010        |
| • Salinas de San Pedro Promenade | <u>\$1,306,402</u> |

Total \$8,986,412

Staff will be making recommendations in the near future for selection of consultants from this solicitation for the Ports O' Call Promenade, City Dock No. 1 Promenade, and Program Management services.

#### 5. Agreement Requirements

Throughout the term of the agreement, the consultant will maintain compliance with the City's contracting requirements. The consultant's Small Business Enterprise (SBE) participation is 25% or \$1,884,587 of the total agreement price.

This approval includes a 15% contingency and that is based on a qualitative review of project specific risks including schedule constraints and potential unforeseens that may arise during the project design phase.

This agreement is in conformance with both the City of Los Angeles Service Contract Worker Retention and Living Wage Ordinances.

#### **ENVIRONMENTAL ASSESSMENT**

The proposed action is a contract between the City of Los Angeles and Tetra Design Inc. for engineering, architectural, and landscape design services. Tetra Design Inc will

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provide design services including draft plans to support the San Pedro Waterfront Program. No physical modifications will be conducted until the activity is assessed in accordance with the California Environmental Quality Act (CEQA). As such, the Director of Environmental Management has determined that the proposed action is exempt from the requirements of CEQA under Article II, Section 2(f) and 2(d) of the Los Angeles City CEQA guidelines.

**ECONOMIC BENEFITS**

Spending under this agreement will support the equivalent of 177 one-year full time jobs in the 5-county region, with peak employment of 88 one-year full time jobs in FY08/09, the period of peak spending.

**FINANCIAL IMPACT**

Funds for the current fiscal year have been budgeted in Account No. 54220, Center Nos. 1169, 1183, 1001, 1168, and Program Nos. 000, 624, in the amount of \$450,000. Funds for future fiscal years will be requested to be budgeted as part of the annual budget adoption process. It is anticipated that funds for this agreement will be expended as follows:

	Downtown Harbor	R.J. Scott Fireboat	Maritime Museum	Salinas Promenade	Project Total
Work Order No.	24655	24762	24763	24948	
Center #/Program #	1169/624	1183/624	1001/000	1168/624	
FY 2007/2008	\$310,000	\$70,000	\$20,000	\$50,000	\$450,000
FY 2008/2009	\$3,100,000	\$700,000	\$180,000	\$500,000	\$4,480,000
FY 2009/2010	\$1,800,000	\$420,000	\$110,000	\$300,000	\$2,630,000
FY 2010/2011	<u>\$787,202</u>	<u>\$147,872</u>	<u>\$34,938</u>	<u>\$456,400</u>	<u>\$1,426,412</u>
Total	\$5,997,202	\$1,337,872	\$344,938	\$1,306,400	\$8,986,412

Although the consultant is not obligated to perform any work under the agreement in any fiscal year in which no appropriation for the agreement has been made, the consultant agrees to resume performance of the work required by the agreement on the same terms and conditions for a period of 60-days after the end of the fiscal year if an appropriation therefore is approved by the Board within that 60 day period. The consultant is responsible for maintaining all insurance and bonds during this 60 day

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period. The time for performance shall be extended during this period until the appropriation is made, however, such extension of time is not compensable.

If in any subsequent fiscal year funds are not appropriated by the Board for the work required by the agreement, the agreement shall be terminated. However, such termination shall not relieve the parties of liability for any obligation previously incurred.

**CITY ATTORNEY**

The Office of the City Attorney has reviewed and approved the transmitted draft agreement in substantial form.

**TRANSMITTALS**

1. Site Map of project(s)
2. Consultant Evaluation Criteria
3. Consultant Selection and Cost Summary
4. Consultant/Subconsultant Listing
5. Agreement between the City of Los Angeles and Tetra Design, Inc.



ANTONIO V. GIOIELLO  
Chief Harbor Engineer



MICHAEL R. CHRISTENSEN  
Deputy Executive Director

JC:lg  
24655b01  
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APPROVED:



GERALDINE KNATZ, Ph.D  
Executive Director