

DEPARTMENT OF PUBLIC WORKS
BUREAU OF SANITATION
BUREAU OF CONTRACT ADMINISTRATION
JOINT BOARD REPORT NO. 1
JULY 26, 2024

ADOPTED BY THE BOARD
PUBLIC WORKS OF THE CITY
of Los Angeles California

JUL 26 2024


Executive Officer
Board of Public Works

CD: ALL

AUTHORITY TO DISTRIBUTE A REQUEST FOR PROPOSALS AND NEGOTIATE
CONTRACT(S) FOR THE HYPERION WATER RECLAMATION PLANT OUTFALLS
INSPECTIONS (W.O. #S10FPURC)

RECOMMENDATIONS

Authorize the Director and General Manager of the LA Sanitation and Environment (LASAN) or her designee to:

1. Distribute and advertise the transmitted Request for Proposals (RFP) for The Hyperion Water Reclamation Plant (HWRP) Outfalls Inspections.
2. Evaluate the proposals and based on the established rating criteria, select and interview the most qualified proposer(s).
3. Negotiate a contract(s) with the most responsive proposer(s).
4. Return to the Board of Public Works (Board) for authority to award and execute any contract(s), subject to Mayor and City Council approval prior to contract execution.

TRANSMITTALS

1. Copy of the RFP for The HWRP Outfalls Inspections.

DISCUSSION

Request for Proposals (RFP)

This RFP is a solicitation for proposals from experienced contractors to provide services for and related to the annual inspection of HWRP's outfalls, including removal of marine growth on the outfall diffuser ports, as-needed repair and cleaning of the outfalls, preparation of written reports based on the inspections, and other as-needed diving services for HWRP. The selected contractor(s) will provide professional divers and/or remote vehicle(s) to perform annual surveys and inspections of the 1-Mile Outfall, the 5-Mile Outfall, and the 1-Mile Outfall Diversion Structure and Surge Chamber. The selected contractor(s) will also provide other diving services requested by the City, including surveys and inspections of the 7-Mile Outfall and internal inspections of the 1-Mile and 5-Mile Outfall on an as-needed basis, in accordance with the rate schedule set forth in the contract.

Each year after completing the inspections, the contractor shall provide final inspection reports, presentations, and video documentation of the inspections to LASAN. The inspections and surveys of the outfalls will provide City staff with a comprehensive analysis of the current condition of each outfall, including all components and sections.

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Background

LASAN operates and maintains three (3) submarine outfalls in the Santa Monica Bay to dispose of treated wastewater from HWRP: the 1-Mile Outfall, the 5-Mile Outfall, and the 7-Mile Outfall. The 5-Mile Outfall is the principal disposal means for HWRP effluent. The 1-Mile Outfall is used solely during emergencies (i.e., when the Hyperion Effluent Pumping Plant experiences power outages and discharge flow exceeds the 5-Mile Outfall gravity flow capacity), or during planned maintenance of the 5-Mile Outfall. The 7-Mile Outfall ceased discharging digested sludge and became inactive as of November, 1987. Although not currently used, the 7-Mile Outfall is listed in HWRP's existing Los Angeles Regional Water Quality Control Board (LARWQCB) National Pollutant Discharge Elimination System (NPDES) Permit Number CA0109991, and is an irreplaceable asset for LASAN.

Both the U.S. Environmental Protection Agency (USEPA), Region IX, and the California Regional Water Quality Control Board (LARWQCB) require, as part of HWRP's NPDES permit, annual surveys and inspections of the 1-Mile Outfall, 5-Mile Outfall and the 1-Mile Surge Chamber and Diversion Structure. These inspections and surveys will also assist City staff in determining the structural integrity of the outfalls, flow distribution through the outfall diffuser ports, and the impact of treated plant effluent on marine life. The inspections will also help City staff determine the need for cleaning and repair of the outfalls.

The professional diving and undersea video recording services provided by the contractor are of an expert and technical nature. The current service contract (C-132310) with Ballard Marine Construction Inc. for these services will expire on June 30, 2025. LASAN aims to retain a contractor to provide the outfalls inspection services and maintain compliance with USEPA and LARWQCB after C-132310 expires.

Proposed Term of Contract

The contract(s) will be for a term of five (5) years with one (1), five (5)-year renewal option.

Rationale for Using an RFP

The RFP process is being used to solicit the best available services at the most competitive price. A proposal review committee of City staff will evaluate all proposals in order to determine which proposal(s) will bring the greatest benefits to the City.

Selection Process and Evaluation Criteria

The proposal review committee consisting of City staff will evaluate and rate all proposals. Based upon the evaluation panel's final report, the LASAN will submit a report to the Board, containing a recommendation to award and execute a contract(s) with the selected Proposer(s). Contract(s) will then be submitted to the Board, the Mayor, and the City Council for approval.

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The criteria for the selection of the respondents are outlined in the RFP and are summarized as follows (See Article 4.2 in Transmittal 1 for details):

TABLE 1

Evaluation Criteria	Percentage
Technical Qualifications and Past Experience	35%
Cost Control	35%
Record of Past Performance	20%
Approach to Work	10%
Total	100%

RFP Posting Requirement

The RFP will be posted on the City's Regional Alliance Marketplace for Procurement (RAMP) website in compliance with City Council motion 95-1060S2. RAMP is the centralized portal to access City's contracting opportunities. The RFP, addenda, and all other related documents will be available for download on <https://www.rampla.org/s/>.

Notification of Intent to Contract

The Notification of Intent to Contract (NOI) was filed with the Office of the City Administrative Officer (CAO) Clearinghouse on 8/23/2023.

Charter Section 1022

The CAO made a Charter 1022 determination on 08/29/2023 and found that the proposed services can be performed more feasibly and economically by a contractor rather than by City employees.

Business Inclusion Program (BIP)

The Business Inclusion Program (BIP) will be in compliance with the Mayor's Executive Directive No. 14. LASAN has established anticipated participation levels of 18 percent Minority Business Enterprise (MBE), 4 percent Women Business Enterprise (WBE), 25 percent Small Business Enterprise (SBE), 8 percent Emerging Business Enterprise (EBE), and 3 percent Disabled Veteran Business Enterprise (DVBE), and 0 percent (LGBTBE) Lesbian, Gay, Bi-sexual, Transgender Business Enterprise (for statistical tracking purposes).

Proposers submitting a proposal in response to this RFP are required to perform a BIP Outreach using the Regional Alliance Marketplace for Procurement (RAMP). Failure to comply with the City's BIP Outreach requirements will render the proposal non-responsive.

In addition to the BIP Outreach, the Proposers are required to complete and submit the MBE/WBE/SBE/EBE/DVBE/LGBTBE/OBE Subcontractors Information Form (Schedule A). The Schedule A must be submitted with the Proposer's RFP response. Additionally, during the term of the contract, the Proposer must submit the MBE/WBE/SBE/EBE/DVBE/LGBTBE/OBE Utilization Profile (Schedule B) when submitting an invoice to the City.

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For BIP waivers:

The inspection services involve conducting underwater video recording and inspections of the 1-Mile and 5-Mile Outfalls on an annual basis, utilizing scuba divers and/or custom-built, one-person or remote diving submarines. The outfall inspections are highly specialized and conducted primarily by one-man or remotely operated submarine, which does not lend itself to subcontracting opportunities. The BIP outreach requirements were waived by the Mayor's office on 10/25/2023, RAMP ID No.210933.

Community Level Contracting

As part of the City's Community-Level Contracting (CLC) initiative led by the Department of Public Works (DPW), LASAN seeks to help make City contracting more accessible and equitable by providing small contractors the opportunity to work directly with the City as Prime contractors on smaller, more manageable projects. LASAN staff evaluated the scope of work to be performed for this RFP and determined that, due to the highly specialized nature of the inspection work, the RFP is not suitable for a CLC opportunity. The required work includes being able to conduct ocean outfall inspections, perform outfall port marine growth removal, complete necessary outfall repair and other as-needed diving services on an as-needed basis.

Compliance with Board RFP Policy

As per Board policy, this RFP was delivered to the Secretary of the Board prior to Board consideration thereof.

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Other City Policies and Requirements

The proposers shall be required to comply with the City's policies and requirements including the following:

- Nondiscrimination/Equal Employment Practices/Affirmative Action Program
- Equal Benefits Ordinance
- Living Wage and Worker Retention Ordinances
- Slavery Disclosure Ordinance and Disclosure of Border Wall Contracting Ordinance
- Americans with Disabilities Act
- Child Support Obligations Policy
- Los Angeles Residence Information
- Non-Collusion Affidavit
- Performance Bond and Insurance requirements
- Business Tax Registration Certificate
- City of Los Angeles Contract History
- First Source Hiring Ordinance
- Contract Bidder Campaign Contribution and Fundraising Restrictions
- Municipal Lobbying Ordinance
- Iran Contracting Act of 2010 Compliance Affidavit
- City Contractor's Use of Criminal History for Consideration of Employment Applications Ordinance
- COVID-19 Requirements
- Contractor Data Reporting

Attachments and forms pertaining to these requirements are included in the RFP and on the RAMP.

Local Business Preference (LBP) Program

Los Angeles Administrative Code Division 10, Chapter 1, Article 4, Section 10.25 adopted the Local Business Preference (LBP) Program which was designed to increase local employment and expenditures in the local private sector. Businesses that qualify as a Local Business Enterprise (LBE) may be granted an 8 percent increase of the total possible evaluation points to a proposer's evaluation score. If the LBE is also a Local Small Business (LSB) and/or Local Transitional Employer (LTE), they may be granted an additional 2 percent added to their evaluation score for each of those certifications, up to a total of 12 percent. Additionally, all non-LBE Proposers may be granted an additional percent, up to a total of 5 percent, of the total possible evaluations points added to their evaluation score for each of those certifications, for every 10 percent of their proposal that is to be performed by a LBE, LSB, and/or LTE subconsultant.

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Contractor Responsibility Ordinance

All contractors participating in this project are subject to compliance with the requirements specified in the City of Los Angeles' Contractor Responsibility Ordinance #173677, [Article 14, Chapter 1, Division 10, L.A.A.C.]. Failure to comply with all requirements specified in the Ordinance will render the proposer's contract subject to termination pursuant to the conditions expressed therein.

Contractor Performance Evaluation

In accordance with Article 13, Chapter 1, Division 10 of the City of Los Angeles Administrative Code, the appropriate City personnel responsible for the quality control of this personal services contract shall submit Contractor Performance Evaluation Reports to the Department of Public Works, Bureau of Contract Administration upon completion of this contract.

Contract Administration

Responsibility for the administration and management of this contract will rest with the Hyperion Water Reclamation Plant, LASAN.

PROJECT REVIEW BY DIRECTOR (PRD) APPROVAL

The project budget was approved by PRD on December 16, 2020 in the amount of \$1,891,540 for the contract term, including renewal term.

STATUS OF FINANCING

There is no impact to the General Fund. The total funding for this project is not to exceed \$1,891,540. No funding is required this fiscal year. Funding sources may include, but are not limited to, the Fund No. 760, Sewer Operations and Maintenance Fund.

Future appropriations may change based on available cash balances. Therefore, funds and appropriations will be determined by the Director and General Manager of LASAN.

The City's liability under this contract shall only be to the extent of the present City appropriation to fund the contract. However, if the City shall appropriate funds for any succeeding years, the City's liability shall be extended to the extent of such appropriation, subject to the terms and conditions of the contract.

FUTURE ACTIONS

Upon authorization by the Board, the RFP and attachments will be posted on <https://www.rampla.org>.

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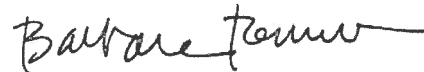
A review committee will evaluate the proposals. The most qualified proposer(s), who submitted the best proposal(s) in response to the RFP, will be interviewed, ranked, and selected. LASAN will then negotiate a personal services contract with the highest rated firm to provide the required services. Subsequent to the negotiation of the contract, LASAN will request the Board for authority to award and execute a contract with the selected proposer.

(Signature page follows)

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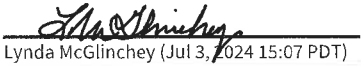
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Respectfully submitted,



BARBARA ROMERO
Director and General Manager
Bureau of Sanitation

COMPLIANCE REVIEW PERFORMED
AND APPROVED BY:


Lynda McGlinchey (Jul 3, 2024 15:07 PDT)

LYNDA McGLINCHEY, Program Manager II
Office of Contract Compliance
Bureau of Contract Administration



JOHN L. REAMER, JR.
Inspector of Public Works
Bureau of Contract Administration

REVIEWED AND APPROVED BY:


Sarai Bhaga (Jun 14, 2024 10:10 PDT)

SARAI BHAGA, Chief Financial Officer
Bureau of Sanitation
Date: _____

Prepared by:
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