

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: March 26, 2013

CAO File No. 0150-09935-0000
Council File No. 11-1593-S6
Council District: All

To: The Mayor
The Council

From: Miguel A. Santana, City Administrative Officer

MAS
MS

Reference: Community Development Department Transmittal dated February 3, 2013; Referred to Housing, Community and Economic Development Committee on February 6, 2013

Subject: **REQUEST FOR APPROVAL TO EXECUTE A CONTRACT WITH ICF JONES AND STOKES, INC. FOR HISTORIC PRESERVATION REVIEW SERVICES AND RELATED ACTIONS**

SUMMARY

The Community Development Department (CDD) and Los Angeles Housing Department (LAHD) request authority to negotiate and execute a joint contract with ICF Jones and Stokes, Inc. (Jones & Stokes) pursuant to a Request for Proposal (RFP) issued in July 2012 for historic preservation review services. The proposed contract term is one year, from April 1, 2013 through March 31, 2014, with an option to renew for two additional one-year terms. The proposed contract amount is \$300,000. Funding is available within the U.S. Department of Housing and Urban Development (HUD) Consolidated Plan (CP) from the Community Development Block Grant and the HOME Investment Partnership Program and from other grants such as the Affordable Housing Trust Fund (AHF). We recommend approval for CDD and LAHD to negotiate and execute a contract with Jones and Stokes that is substantially in conformance with the scope of services of the RFP and in compliance with federal regulations and City contracting requirements and subject to the review and approval of the City Attorney as to form and legality.

The Commission on Community and Family Services approved Jones and Stokes as the selected contractor and recommends Council and Mayor approval for this contractor to provide historic review services.

The City is required to maintain a Historical Preservation Consultant (HPC) pursuant to a Programmatic Agreement for Historic Reviews (PA) with the California State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (Advisory Council) regarding historic properties affected by use of federal funds. The CDD and LAHD propose the use of Jones and Stokes as the HPC. The selected contractor is also subject to the approval of SHPO. The CDD and LAHD will request approval from SHPO after Council and Mayor approval of this report.

The CDD and LAHD are required to conduct environmental reviews for federally funded projects that involve structures or housing. The Departments are subject to regulations under the National Historic Preservation Act, the National Environmental Policy Act and the California Environmental Quality Act. This includes compliance with Section 106 of the National Historic Preservation Act (Section 106) which requires that grant recipients consult with HUD to ensure that rehabilitation projects identify historic

properties, assess any potential effects and seek ways to avoid, minimize or mitigate any adverse impact on these properties. Projects funded through the CP and other grants include single and multi-family housing rehabilitation, commercial building rehabilitation, neighborhood and public facility improvements and housing production programs. The selected contractor will work with CDD and LAHD to review these projects to determine the possible impact on historical resources and ensure the protection of properties of historic importance. If necessary, Jones and Stokes, CDD and LAHD will consult with the responsible parties to develop action plans and agreements outlining the specific tasks that will prevent adverse effects of the projects on historically significant properties.

The LAHD states that the historic preservation contractor will be utilized to review approximately 1,100 projects funded by AHF, the Lead Grant and Healthy Homes Programs and other federally funded sources annually. This report includes Controller Instructions for LAHD to use the Housing Production Revolving Fund (HPR) as the initial funding source for projects. The LAHD will transfer expenditures for each project from HPR to the appropriate grant fund based on its determination of the administrative or program costs of the project.

The CDD anticipates that the Jones and Stokes contract will be required for CDD projects in the future. CDD will process amendments to the contract as necessary when details on these projects and funding become available.

BACKGROUND

Request for Proposals

The CDD and LAHD issued a RFP to secure professional services from a qualified HPC to advise and assist the Departments, conduct research and prepare all federal and state required documentation on the extent, condition and status of historically significant properties. The CDD released the HPC RFP on July 16, 2012 with a submission deadline of August 17, 2012 at 11:59 p.m. The RFP was posted on CDD's website and on the Los Angeles Business Virtual Network website. Technical assistance was provided at a Proposers Conference held on July 25, 2012. In addition, CDD posted an addendum to the RFP and all questions and answers received at the conference and through email on the CDD website. The RFP included details on the requirements for eligible proposers, the scope of work, available funding, the appeals process and the City's contracting requirements.

Scope of Work

The scope of work for the proposed contract will include historic review of projects (Section 106 review), technical assistance and monitoring.

The historic review component will require the contractor to identify and evaluate properties approved for federally funded construction, reconstruction, clearance, demolition, or modification and complete assessments of compliance with federal regulations. The contractor will also identify properties that may be considered for inclusion in the National Register of Historic Places. In addition, the contractor will assist the City to comply with requirements of the PA regarding any properties that are 50 years or older. The PA requires the City to provide a PA Compliance Report every six months. The contractor will also coordinate with SHPO, HUD, Advisory Council, CDD, LAHD and other stakeholders to fulfill the purposes of Section 106. The contractor will also work with the state and local agencies for review and concurrence with recommendations.

The technical assistance component will require that the contractor provide technical assistance to CDD and LAHD staff members and the affected communities on historical issues and relevant regulations. The monitoring component will require the contractor to perform site inspections at 50 percent and 100 percent completion stages of work, unless additional inspections are required by the City.

Contractor Selection Process

Five proposals were received by the RFP submission deadline of August 17, 2012 from Jones and Stokes, SWCA Environmental Consultants, Galvin Preservation Associates, Inc., Chattel Architecture, Planning, Inc. and ASM Affiliates. The CDD and LAHD assembled a Review Panel to evaluate the proposals. The proposals were scored based on the following categories and points: Qualification, Experience and demonstrated Ability – 50 points; Cost Reasonableness, Appropriateness, and Necessity – 50 Points; Local Business Preference Ordinance – Eight Points; and, Interview – 10 Points.

Jones and Stokes received the highest score (104 points). On October 24, 2012, the non-selected proposers were informed of the RFP results and of their right to appeal. No appeals were received. Jones and Stokes is the current contractor to LAHD and CDD for historic review services (C-1154147). The current contract will expire on March 31, 2013.

The proposed terms and services are provided in Attachment A of this report. Additional information on the historic review services RFP and contractor selection is provided in a transmittal from CDD, dated February 1, 2013 and is available on the City's Internet site at www.cityclerk.lacity.org/Council File Management System (C.F. 11-1593-S6). The recommendations in this report are in compliance with the City's Financial Policies in that funding is available from federal grants.

RECOMMENDATIONS

That the Council, subject to the approval of the Mayor:

1. Approve the results of a Request For Proposals (RFP) issued on July 6, 2012 and the selection of ICF Jones and Stokes, Inc. (Jones and Stokes) to provide historic review services for City projects, in compliance with federal regulations for an amount not to exceed \$300,000;
2. Authorize the General Managers, Community Development Department (CDD) and Los Angeles Housing Department (LAHD), or designees, to negotiate and execute a contract with Jones and Stokes to provide historic review services that are substantially similar to the specifications of the RFP and the terms and services listed in Attachment A of this report, for a term of one year from April 1, 2013 to March 31, 2014, with options to renew for two additional one-year terms, subject to the approval of the City Attorney as to form, funding availability and compliance with the City's contracting requirements;
3. Authorize the Controller to:
 - a) Establish and appropriate a new account within the Housing Production Revolving Fund No 240, Department 43 as follows:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
43K368	Historical Preservation	\$300,000

- b) Expend an amount not to exceed \$300,000 upon proper demand by the General Manager, LAHD, or designee, for historic review services; and

4. Authorize the General Managers, CDD and LAHD, or designees, to prepare Controller instructions and make technical adjustments that may be required and are consistent with this action, subject to the approval of the City Administrative Officer and instruct the Controller to implement these instructions.

FISCAL IMPACT STATEMENT

There is no General Fund impact. Approval of the recommendations in this report will allow the City to negotiate and execute a contract with ICF Jones and Stokes, Inc. to provide environmental and historic review services on City projects in an amount not to exceed \$300,000. The recommendations comply with the City's Financial Policies in that funding is available grant funds. All funding is subject to the availability of grant funds and funding determinations by the Mayor and Council.

MAS:BLT:02130091

Attachment

**TERM AND SERVICES
PROFESSIONAL SERVICES AGREEMENT
FOR HISTORIC REVIEW SERVICES**

Contractor: ICF Jones and Stokes, Inc.

Title: Consultant Services for Historic Preservation for U.S. Department of Housing and Urban Development and other federally funded Projects

Time of Performance:

Effective from April 1, 2013 to March 31, 2014, with options to renew for two additional one-year terms, subject to the approval of the City Attorney as to form, funding availability and compliance with the City's contracting requirements. The term is subject to the provisions of the contract. Performance shall not commence until the Contractor has obtained the City's approval of the insurance and other contracting requirements.

Services to be Provided:

The Contractor shall provide contractual services that are supported by the work task schedule identified in the contract. All work is subject to prior City approval. The services include but are not limited to the following:

1. Conduct field review of properties to determine historic status. The Contractor will be required to determine:
 - a. Eligibility of properties for inclusion in the National Register Area of Potential Effect studies and archeological surveys, which will be submitted to the California State Historic Preservation Officer for review and concurrence;
 - b. Eligibility for listing properties in the National Register of Historic Places;
 - c. Compliance with Section 106 of the National Historic Preservation Act for clearance to proceed with planned construction work; and,
 - d. Clearance and approval from the State Office of Historic Preservation.
2. Prepare historical documents. The Contractor will assist the Community Development Department (CDD) and the Los Angeles Housing Department (LAHD) in preparing appropriate responses and action plans on a site-specific basis.
3. Provide technical assistance and monitoring. The Contractor will advise the City on historic preservation issues and provide technical assistance regarding the Secretary of the Interior's Standards for Rehabilitation and appropriate guidelines. The Contractor will assist in the monitoring process of historic projects for that are funded by grants provided to CDD and LAHD.