



Los Angeles
Department of
Water & Power

RESOLUTION NO. _____

BOARD LETTER APPROVAL

A handwritten signature in blue ink, appearing to read 'Nancy H. Sutley', is written over a horizontal line.

NANCY H. SUTLEY
Chief Sustainability and
Economic Development Officer

A handwritten signature in blue ink, appearing to read 'David H. Wright', is written over a horizontal line.

DAVID H. WRIGHT
General Manager

DATE: February 7, 2017

SUBJECT: Amendment No. 1 to Agreement No. 47325-5 with MBC Applied Environmental Sciences to Add Two, One-Year Extension Options

SUMMARY

The proposed amendment is to include two, one-year options to Agreement No. 47325-5 (Agreement) with MBC Applied Environmental Sciences (MBC) for professional, scientific, technical services and receiving water monitoring in connection with proposed Los Angeles Department of Water and Power (LADWP) projects for a new maximum term of five years. The Agreement maximum amount of \$8,000,000 (budgeted) will remain unchanged.

Additional options to renew are needed to ensure continuity of service while LADWP complies with several Federal and State mandates including renewing the National Pollutant Discharge Elimination System (NPDES) permits for the three coastal generating stations: Harbor (HGS), Haynes (HnGS), and Scattergood (SGS). A longer agreement will ensure that special studies mandated by the California State Water Resources Control Board (SWRCB) can be completed without disruption.

City Council approval is required.

RECOMMENDATION

It is requested that the Board of Water and Power Commissioners adopt the attached Resolution recommending City Council's approval authorizing the Agreement with MBC be amended to allow two, one-year extension options as required in Charter Section 373.

ALTERNATIVES CONSIDERED

A Request for Proposals (RFP) could be issued to obtain a successor contractor before the expiration date of the current contract on June 28, 2018. However, LADWP is in key negotiations with the SWRCB regarding LADWP's compliance with once-through cooling interim mitigation implementation set for December 31, 2020. The services provided by the current contractor, MBC, are crucial to these negotiations and other ongoing regulatory issues that must be completed without disruption. Selecting a successor contractor at this stage is prohibitive because of the risk of disruption during this compliance review process.

Also, issuing a new RFP would require LADWP staff to invest time for development of RFP documents and the contractor selection process. This alternative would detract resources from the regulatory compliance issues that have arisen and must be completed during that same timeframe. Pursuing an extension of two, one-year extensions to this Agreement is a more cost-effective use of internal resources and will assist in regulatory compliance.

FINANCIAL INFORMATION

The contract total of \$8,000,000 not-to-exceed amount will remain unchanged. This amount is calculated based on historic NPDES permit testing required for LADWP operations and on the regulatory requirements to be implemented during the extended agreement period. Expenditures are included in the budget and will be funded by both Water and Power Revenue Funds with an anticipated breakdown of 30 percent from the Water System and 70 percent from the Power System.

BACKGROUND

LADWP operates three coastal generating stations (HGS, HnGS, SGS); and the Castaic Power Plant that discharge coolant water and stormwater into local bodies of waters, defined as "receiving waters," under the auspices of their respective NPDES wastewater discharge permits. The permits, issued under authority of the Federal Water Pollution Control Act Amendments of 1972 Clean Water Act, currently require routine and comprehensive offshore physical, chemical, and biological monitoring of receiving waters.

The consultant's duties include, but are not limited to, the following services: water column monitoring (including taxonomy and marine ichthyology), sediment monitoring (chemical and grain size), fish impingement and mussel bio-accumulation studies, thermal studies, mixing zone studies, and other miscellaneous studies as deemed necessary for regulatory support and compliance.

LADWP has contracted for these services for several years through the RFP process, and currently has the Agreement with MBC, which expires June 28, 2018.

MBC has been awarded the contract for these services previously due to its unique and extensive experience in this field and capacity to partner with contractors that provide required services, which it may not provide directly. As a result of these expert services, LADWP has been able to maintain compliance with its NPDES and Water Discharge Requirement permits.

The Chief Administrative Office report has been reviewed and approved by the Mayor pursuant to Executive Directive 4.

ENVIRONMENTAL DETERMINATION

In accordance with the California Environmental Quality Act (CEQA), it has been determined that the award of a contract for Receiving Water Monitoring Services is exempt pursuant to the General Exemption described in CEQA Section 15061(b)(3). General Exemptions apply in situations where it can be seen with certainty that there is no potential that the activity in question may have a significant effect on the environment.

CITY ATTORNEY

The Office of the City Attorney reviewed and approved the Amendment and Resolution as to form and legality.

ATTACHMENTS

- Procurement Summary
- Resolution
- Amendment
- CAO Report