



RESOLUTION NO. _____

BOARD LETTER APPROVAL

ANSELMO G. COLLINS
Senior Assistant General Manager
Water System

Aram Benyamin (Feb 8, 2024 20:42 PST)

ARAM BENYAMIN
Chief Operating Officer

MARTIN L. ADAMS
General Manager and Chief Engineer

DATE: January 29, 2024

SUBJECT: Amendment No. 2 to Agreement Nos. 47528A, 47528B, and 47528C for Engineering Design Services for the Owens Lake Master Project Steps 1 and 2, and Other Projects – CH2M Hill Engineers, Inc.; CDM Smith, Inc.; and Tetra Tech Inc.

SUMMARY

The proposed Amendment No. 2 (Amendment) to Agreement Nos. 47528A, 47528B, and 47528C (Agreements) with CH2M Hill Engineers, Inc. (CH2M Hill), CDM Smith, Inc. (CDM Smith), and Tetra Tech Inc. (Tetra Tech), respectively, for Engineering Design Services for the Owens Lake Master Project Steps 1 and 2, and other projects, will increase the cumulative not-to-exceed amount by \$1.6M, for a total not-to-exceed amount of \$22.6M (budgeted). All other terms and conditions of the Agreements shall remain unchanged.

The Amendment is needed to replenish the budget utilized in response to the historic storm systems and impending flood water that necessitated emergency proclamations at Federal, State, and Local levels. The additional funds will allow the completion of ongoing task orders associated with the development and implementation of regulatory dust control orders, repairs to damage caused by Tropical Storm Hilary, regulatory habitat remediation projects, infrastructure reliability improvements and water conservation plans known as Master Project, the

Owens Lake Asset Management Program, and technical knowledge transfer training modules.

City Council approval is not required.

RECOMMENDATION

It is recommended that the Board of Water and Power Commissioners (Board) adopt the attached Resolution authorizing the approval of the Amendment to the Agreements with CH2M Hill, CDM Smith, and Tetra Tech, respectively.

ALTERNATIVES CONSIDERED

Although there were no feasible alternatives to the emergency response and associated expenditures, the following alternatives for completion of ongoing task order work were considered.

One alternative considered is to develop and advertise a new solicitation for these services. This is not a feasible option as the time required to develop a new Request for Qualifications, advertise, award, design, and execute the project would jeopardize the July 6, 2024, regulatory deadline associated with the Contingency Order Project. In addition, introducing a new design consultant would require additional time and funds to familiarize the consultant with designs started by others, present liability issues, and may impact the quality of the end product.

Another alternative considered was to design the project in-house. Various design scopes of work were offered to the design groups under Water Engineering & Technical Services Division and Water Operations Division. The work was subsequently declined by those respective design groups, citing that although staff has the expertise to perform some or all of the design and engineering work described in the scope of work, these resources have been dedicated to other high-priority projects.

FINANCIAL INFORMATION

The Amendment will increase the cumulative not-to-exceed amount by \$1.6M for a total not-to-exceed amount budgeted. All other terms and conditions of the Agreements shall remain unchanged.

	Amount
Original Period (Three Years)	\$14M
Amendment No. 1 (add Two Years)	\$7M
Amendment No. 2	\$1.6M
Contract Total Not-to-Exceed Amount	\$22.6M

BACKGROUND

Precipitation in Inyo and Mono counties from January through April 2023 exceeded any amount since LADWP began keeping records, and the resulting snowpack reached a historic record of 305 percent of normal. The multiple atmospheric river systems that inundated California established conditions that would result in catastrophic flooding, placing public safety, property, infrastructure, and the environment in extreme peril. In response to the compounding effects of the storm system, on March 14, 2023, the mayor of the City of Los Angeles declared a local emergency. The Board adopted the City Council resolution on March 28, 2023, with Resolution No. 023-182, which suspended the competitive bidding restrictions enumerated in Charter Sections 371 and 372 and Los Angeles Administrative Code Section 10.15 and 10.17.

Though LADWP anticipated further damage to its water gathering and conveyance facilities, including creeks and streams, along the Los Angeles Aqueduct (LAA) system, the dust mitigation facilities at Owens Lake were expected to be hardest hit by impending flood waters. Since 1998, LADWP and its customers have invested over \$2.5 billion in dust mitigation to achieve compliance with National Ambient Air Quality Standards through the installation of 48.6 square miles of dust mitigation whose effectiveness is monitored and enforced by the Great Basin Unified Air Pollution Control District (GBUAPCD) under Health and Safety Code 42316.

Runoff resulting from the historical precipitation and snowpack that exceeded the capacity of the LAA, downstream reservoirs, and spreading basin flowed into Owens Lake. It was forecasted that up to 200,000 acre-feet of excess runoff could potentially make its way onto the Owens Lake Brine Pool and increase the water surface elevation by up to seven feet, inundating approximately 10 to 20 square miles of the existing dust mitigation measures at Owens Lake. The cost of repairing infrastructure and potential violation fines far exceeded the cost of flood mitigation measures.

Therefore, LADWP took immediate steps, including installing defensive measures at and near Owens Lake, to manage the torrent of flood water onto the Owens Lake playa and best protect existing dust mitigation infrastructure. LADWP must also take subsequent steps to repair, replace, and remediate damaged dust mitigation measures at Owens Lake in an expedited manner that incorporates flooding resiliency components to address subsequent flooding. These immediate and prospective measures will fulfill the City's dust mitigation commitments on Owens Lake.

Protective measures included:

- Protection of infrastructure at 11 critical low-elevation locations.
- Install 14.5 miles of Rip Rap Berm Armoring at Dust Control Areas (DCAs) T1A-4 Addition, T11, T16, T18 South, T23-5, T25 South, T25 North, T27 South, T27 Addition, T36-3, T37-2a, T37-2c, and T37-d.

- Raise 4.4 miles of existing berms above the projected flood water elevation at DCA. Managed Vegetation Farm, T27 Addition, T27s, and T37-2a.
- Protection of Western High-Density Polyethylene Pipeline.
- Culverts installation at DCAs T27, T29, and T36 berms.
- Installation of monitoring equipment at various locations around the brine pool to provide real-time water surface elevation data and early flood warnings. This will improve future brine pool model projections.

LADWP took subsequent steps to expeditiously remediate damaged facilities at Owens Lake that incorporated flood resilience components to maintain compliance with air quality regulations.

During the time that the emergency declaration was issued, and competitive bidding was suspended, CDM-Smith was mobilized and provided engineering and design services in response to a regulatory dust control order issued for an area in close proximity to the expected flood zone. In consideration of this, it was determined that it was prudent to issue a task order for engineering and design support services to CDM-Smith as they would provide the most expeditious response to the emergency flood mitigation efforts at Owens Lake.

Although approximately \$2.6M was utilized as part of the emergency response, \$1.6M will be required through the remaining duration of the contract. The requested \$1.6M will replenish a portion of the budget impacts incurred during the emergency declaration and allow the consultants to continue work on task orders associated with the development and implementation of: regulatory dust control orders, repairs to damage caused by Tropical Storm Hilary, regulatory habitat remediation projects, infrastructure reliability improvements and water conservation plans known as Master Project, the Owens Lake Asset Management Program, and technical knowledge transfer training modules.

The Amendment to Agreements will provide additional funds necessary to complete the following items:

1. On July 7, 2021, the GBUAPCD issued an Owens Lake Contingency PM₁₀ (particulate matter with a diameter less than 10 micrometers) Control order for a 34-acre area located immediately north of the existing DCA T1A-4. As required per the 2014 Stipulated Judgment; District Rule 433 - Control of Particulate Emissions at Owens Lake; and GBUAPCD Governing Board Order (BO) No. 160413-01, LADWP is now required to implement Best Available Control Measures (BACM) in the 34-acre area within three years of the order date. As such, the regulatory deadline is July 6, 2024. Failure to implement dust control by the ordered deadline will result in regulatory violation fines of up to \$10,000 per day.

The Amendment will provide LADWP continued engineering and design support necessary to design the new dust control order.

2. A main objective of LADWP is to transfer knowledge from experienced and skilled consultants to employees to enhance the effectiveness of the Owens Lake engineering designs and to ensure employees are moving toward self-sufficiency in all Owens Lake engineering design tasks, duties, and day-to-day functions with the ability to pass knowledge and skills to the next generation of employees which in turn supports succession planning.

In support of this important objective, LADWP has issued a task order focused on developing 32 instructor-led training modules related to civil, structural, mechanical, electrical, instrumentation and controls systems, hydraulic modeling, specialized software training, mapping, and geographic information system services. Engineering design training courses include all necessary training materials, reference guides, and calculation tools. All completed training modules are being uploaded to LADWP's Cornerstone internet-based training portal and made accessible to all impacted classifications. Thus far, a total of 28 training modules have been completed and uploaded.

The Amendment will provide continued support necessary for completion of the remaining four training modules, and any others that may be requested by impacted groups.

3. Tillage with BACM Backup (TwB2) is a waterless dust control at Owens Lake that conserves approximately 5,000 to 6,000 acre-feet of water yearly. In order to keep this water conservation method in place, LADWP is required to maintain compliance with Lake Alteration Agreement Notification No. 1600-2014-0155-R6 issued by the California Department of Fish and Wildlife.

In late 2019, habitat value monitoring in TwB2 mitigation ponds demonstrated a decrease in value due to an increase in salinity concentration within DCA T16. In response, LADWP has commenced the TwB2 Habitat Remediation Project with a deadline of August 2024.

The Amendment will provide ongoing engineering and design support during the construction and closeout phases necessary to achieve the regulatory deadline.

4. On August 20, 2023, Tropical Storm Hilary made landfall in the Owens Valley area, which resulted in significant regulatory impacts for the Owens Lake Dust Mitigation Program. Tropical Storm Hilary brought five years of rain in a 24-hour period to the region surrounding Owens Lake, resulting in extreme flooding and mud flow into creeks, canals, and the LAA. Because of mud and debris, the natural courses of several creeks were changed, also causing damage to areas well outside their pathways. This led to road closures lasting far beyond the storm event and immediate aftermath, as the flooding produced potholes, road failures, and sediment

transport that buried several DCAs and put them out of compliance. In some areas, land adjacent to highways remained flooded for months afterward.

This Amendment will allow LADWP to issue a task order for design of repairs to damage caused by Tropical Storm Hilary and enable LADWP to reestablish compliance with regulatory dust mitigation performance standards by the recently granted regulatory variance with a deadline of December 2025.

5. Over the past 23 years, LADWP has installed 48.6 square miles of dust mitigation infrastructure at Owen Lake in areas ordered by the GBUAPCD. Ordered areas must achieve minimum dust control efficiency (MDCE) performance standards established by GBUAPCD and must be operated and maintained without interruption. Interruptions may result in notices of violation (NOV) and associated regulatory fines of up to \$10,000 per day.

In 2020, LADWP staff, with support from consultants, conducted a comprehensive condition assessment of the oldest infrastructure areas installed over 20 years ago. These assessments determined that highly corrosive soils combined with extreme environmental conditions have led to the accelerated degradation of dust mitigation infrastructure. This has made achieving regulatory compliance of dust mitigation performance standards more challenging, inefficient, and water-intensive in the most degraded areas.

As such, it has been determined to be prudent to address these infrastructure and operational issues by designing large infrastructure replacement projects, which also enhance operational flexibility, safety, technological innovation, and water conservation, while minimizing impacts to the environment, cultural, and biological resources. These strategic objectives are consistent with Board Resolution Nos. 016 217 and 010 063, which define Owens Lake water use policy and the Master Project development framework.

This Amendment will allow continued development of Owens Lake infrastructure reliability improvement projects under the Master Project framework.

CH2M Hill, CDM Smith, and Tetra Tech have performed satisfactorily under the current Agreements.

ENVIRONMENTAL DETERMINATION

Determine item is exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15269(c). In accordance with Public Resources Code Section 21080(b)(4) and CEQA Guidelines Section 15269(c), it has been determined that the expedited purchasing resolution and the activities authorized there under are exempt as specific actions necessary to prevent or mitigate an emergency. [See also *CalBeach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529.]

CITY ATTORNEY

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

ATTACHMENTS

- Procurement Summary
- Resolution
- Amendment

PROCUREMENT SUMMARY

1.	Recommended Vendor(s): CH2M Hill Engineers, Inc. (CH2M Hill); CDM Smith, Inc. (CDM Smith); and Tetra Tech Inc. (Tetra Tech)
2.	Procurement Type: Amendment
3.	Procurement Details: A. Contract Status: Amendment B. Bid Advertisement Date: N/A C. Pre-Bid Conference Date: N/A D. Bid/Proposal Due Date: N/A E. Number of Downloads of Solicitation: N/A F. Number of Bids/Proposals Received: N/A G. Protest Received: N/A
4.	Buyer Assigned: Jose Carlos
5.	Contract Administrator: Jaime Valenzuela
6.	LADWP System/Division: Water System/Water Operations
7.	Contact Person for Item: Jaime Valenzuela

A. Evaluation Rating Summary of Proposals

Not applicable to the Amendment.

B. Evaluation of Proposal

Not applicable to the Amendment.

C. Procurement History

Service/Item History – Number of Times Item or Service has been Procured					
Contract/ PO No.	Contractor	Term of Contract	Start Date	Ending Date	Contract Amount
47528A-C	CDM Smith, CH2M Hill, and Tetra Tech	5 years	6/26/2018	6/25/2021	\$21,000,000*
47260A-C	CDM Smith, CH2M Hill, and Tetra Tech	4 years	08/29/2014	08/28/2017	\$23,420,000*
47034	Camp Dresser & McKee Inc.	33 months	5/19/2011	2/18/2014	\$9,000,000
47928	Camp Dresser & McKee Inc.	3 years	1/29/2010	1/28/2013	\$5,000,000
47514	Camp Dresser & McKee Inc.	4 years	1/17/2007	1/16/2011	\$11,600,000

*Cumulative amount of the multiple award agreement.

Vendor Experience – Number of Contracts CDM Smith, Inc. had with LADWP During the Past 10 Years					
Contract/ PO No.	Contract Description	Term of Contract	Start Date	Ending Date	Contract Amount
47366C	Professional and Technical Engineering and Architectural Design Services	5 Years, 11 Months	6/17/2016	5/16/2022	\$60,000,000*
47554	2020 Urban Water Management Plan Development Services	2 Years	8/7/2019	8/6/2021	\$486,000
47528B	Engineering Design Services for the Owens Lake Master Project Steps 1 & 2 and Other Projects	5 Years	6/26/2018	6/25/2024	\$21,000,000*
47484B	Professional and Technical Services for Local Water Supply Development	3 Years	6/26/2018	6/25/2021	\$15,720,000*
47260C	Engineering Design Services for the Owens Lake Dust Mitigation Program (OLDMP)	4 Years	8/29/2014	8/28/2017	\$23,420,000*
47233	2015 Urban Water Management Plan Development Services	3 Years	4/24/2014	4/23/2017	\$470,155
47216	Water Conservation Potential Study	3 Years	3/25/2014	3/24/2017	\$918,478
47168	Science, Technology, and Air Quality Regulatory Compliance Services for OLDMP, Owens Valley, and Mono Basin	3 Years	4/4/2013	4/3/2016	\$3,500,000
47097B	Professional and Technical Services for Civil/Structural/ Traffic/Electrical/ Mechanical Engineering and Architectural Design	3 Years	9/12/2012	9/11/2015	\$10,000,000*

*Aggregate amount of the multiple award agreement.

Vendor Experience – Number of Contracts CH2M HILL had with LADWP During the Past 10 Years					
Contract/ PO No.	Contract Description	Term of Contract	Start Date	Ending Date	Contract Amount
47528A	Engineering Design Services for the Owens Lake Master Project Steps 1 & 2 and Other Projects	5 Years	6/26/2018	6/25/2024	\$21,000,000*
47260B	Engineering Design Services for OLDMP.	4 Years	8/29/2014	8/28/2017	\$23,420,000*

*Aggregate amount of the multiple award agreement.

Vendor Experience – Number of Contracts Tetra Tech, Inc. had with LADWP During the Past 10 Years					
Contract/ PO No.	Contract Description	Term of Contract	Start Date	Ending Date	Contract Amount
47528C	Engineering Design Services for the Owens Lake Master Project Steps 1 & 2 and Other Projects	5 Years	6/26/2018	6/25/2024	\$21,000,000*
806	Light Detecting and Ranging (Lidar) Mapping Survey	3 Years	8/9/2017	8/8/2020	\$661,844
47366F	Professional and Technical Engineering and Architectural Design Services	5 Years, 11 Months	6/17/2016	5/16/2022	\$60,000,000*
47260A	Engineering Design Services for OLDMP	4 years	8/29/2014	8/28/2017	\$23,420,000*
47052	Site Investigation and Remediation	3 Years	11/22/2011	11/21/2014	\$2,400,000

*Aggregate amount of the multiple award agreement.

D. Local Business Preference Program

Not applicable to the Amendment.

E. Additional Outreach Efforts Taken

Not applicable to the Amendment.

F. Small Business Enterprises (SBE)/Disabled Veterans Business Enterprises (DVBE)/Minority Business Enterprises (MBE)/Women Business Enterprises (WBE)/Other Business Enterprises (OBE) Participation

The minimum mandatory SBE/DVBE participation requirement set for this contract was 25 percent. The three contractors committed to the following SBE/DVBE participation which will continue to apply to the amended contract amount.

- CH2M Hill committed to an overall SBE/DVBE participation of 25 percent.
- CDM Smith Inc. committed to an overall SBE/DVBE participation of 27 percent.
- Tetra Tech, Inc. committed to an overall SBE/DVBE participation of 26 percent.

Actual subcontractor participation commitments and achievements are provided below:

CH2M Hill

SBE PARTICIPATION		
Name	Original Commitment	Achievement thru October 6, 2023
Air Sciences, Inc.	TBD	0%
Bayez & Patel, Inc. (MBE)	TBD	4.26%
Brown's Construction Service, Inc	0%	0.26%
Chambers Group (MBE/WBE)	TBD	0%
Coast Surveying, Inc. (MBE)	0%	1.45%
DRP Engineering	TBD	11.39%
Formation Environmental	TBD	1.90%
Geo-Advantec	TBD	0.13%
IBRA-RMAC Automation* (MBE)	TBD	1.92%
M2 Resource Consulting (WBE)	TBD	0%
Martini Drilling (MBE)	TBD	0.45%
NUVIS (MBE)	TBD	0.26%
Plan Tierra (WBE)	TBD	0%
Triad/Holmes Associate	TBD	0.32%
Meridian Geometrics	0%	0.43%
V&A Consulting Engineers, Inc.	0%	0%
SBE Totals:	25.00%	22.77%

MBE PARTICIPATION		
Name	Original Commitment	Achievement thru October 6, 2023
Garcia & Associates	TBD	0.00%
Gregg Drilling	0%	0.81%
MBE Totals:		0.81%

OBE PARTICIPATION (Non-Certified Firms)		
Name	Original Commitment	Achievement thru October 6, 2023
Badger Daylighting	0%	0.53%
IBRA-RMAC Automation (a Tetra Tech Company)*	0%	10.39%
OBE Totals:		10.92%

*IBRA-RMAC Automation was acquired by Tetra Tech effective May 1, 2021 changing their status to OBE.

CDM SMITH, INC.

SBE PARTICIPATION		
Name	Original Commitment	Achievement thru October 6, 2023
AP Engineering and Testing, Inc. (MBE)	TBD	0.04%
Beyaz & Patel, Inc.(MBE)	TBD	2.6%
California Watershed Engineering (CWE) (MBE)	TBD	0%
D R Consultants & Designers, Inc. (MBE,WBE)	TBD	0%
IBRA Automation Systems, Inc.(MBE)	TBD	2.39%
Land IQ, LLC (WBE)	TBD	0%
Lee & Ro, Inc. (MBE)	TBD	0.52%
MARRS Services, Inc.	TBD	0%
NUVIS (MBE)	TBD	0%
PlanTierra LLC (WBE)	TBD	0%
N.E. Wilkinson Consulting	0%	0.84%
Diaz Consultants, INC.	0%	0.77%
RF Yeager Engineering Inc.(DVBE)	0%	0.62%
Creative Antics	0%	0%
Yao Engineering Inc	0%	8.86%
V&A Engineering	0%	0.93%
Choice Drilling, Inc.	0%	0%
Dynatech Engineering	0%	0.42%
C Below, Inc.	0%	0.54%
Guida Surveying Inc.(WBE)	0%	0%
SBE Totals:	25%	18.86%

MBE PARTICIPATION		
Name	Original Commitment	Achievement thru October 6, 2023
E2 Consulting & Engineers	TBD	7.11%
MBE Totals:		7.11%

OBE PARTICIPATION (Non-Certified Firms)		
Name	Original Commitment	Achievement thru October 6, 2023
IBRA-RMAC Automation (a Tetra Tech Company)*	0%	0.05%
Arcadis Gen	0%	3.16%
OBE Totals:		3.21%

*IBRA-RMAC Automation was acquired by Tetra Tech effective May 1, 2021 changing their status to OBE.

TETRA TECH, INC.

SBE PARTICIPATION		
Name	Original Commitment	Achievement thru October 6, 2023
Beyaz & Patel, Inc. (MBE)	TBD	0%
MLA Green Inc. dba Mia Lehrer + Associates (MBE,WBE)	TBD	0%
NUVIS (MBE)	TBD	0%
Integrated Engineering Management dba IEM (WBE)	TBD	0.18%
UltraSystems Environmental Inc.(WBE)	TBD	0%
PlanTierra LLC (WBE)	TBD	0%
Hushmand Associates, Inc.	TBD	0%
Air Sciences Inc.	TBD	0%
Formation Environmental, LLC	TBD	0%
IBRA-RMAC Automation Systems, Inc. (MBE)	0%	5.60%
GIS Surveyors, Inc (DVBE)	0%	0%
D. H. Charles Engineering	0%	0.44%
SBE Totals:	26%	6.22%

OBE PARTICIPATION (Non-Certified Firms)		
Name	Original Commitment	Achievement thru October 6, 2023
Kleinfelder	TBD	0%
Far Western Anthropological Research Group, Inc.	TBD	0%
Cordoba Corporation	TBD	0%
Santa Fe Winwater	TBD	0%
IBRA-RMAC Automation Systems LLC a Tetra Tech, Inc*	0%	11.47%
OBE Totals:		11.47%

*IBRA-RMAC Automation was acquired by Tetra Tech effective May 1, 2021 changing their status to OBE.

Resolution No. _____

WHEREAS, CH2M Hill Engineers, Inc. (CH2M Hill); CDM Smith, Inc. (CDM Smith); and Tetra Tech Inc. (Tetra Tech) were awarded Agreement Nos. 47528A, 47528B, and 47528C (Agreements) by the Board of Water and Power Commissioners (Board) on August 27, 2019, for Engineering Design Services for the Owens Lake Master Project Steps 1 and 2, and Other Projects; and

WHEREAS, the Agreements were awarded for a term of three years, for an amount not-to-exceed \$14,000,000; and

WHEREAS, on August 4, 2022, Amendment No. 1 was issued for a not-to-exceed amount of \$21,000,000, and a term extension of two years, for a total of five years cumulative; and

WHEREAS, an additional \$1,600,000 is needed to replenish the budget utilized in response to the historic storm systems and impending flood water that necessitated emergency proclamations at Federal, State, and Local levels; and

WHEREAS, additional funds will allow completion of ongoing task orders associated with the Master Project, asset management, geographic information system database, knowledge transfer, and other regulatory and water conservation projects at Owens Lake; and

WHEREAS, the proposed Amendment to the Agreements will increase the not-to-exceed amount by \$1,600,000, for a total not-to-exceed amount of \$22,600,000 (budgeted); and

WHEREAS, all other terms and conditions of the Agreements shall remain unchanged.

NOW, THEREFORE, BE IT RESOLVED that Amendment No. 2 to the Agreements, approved as to form and legality by the City Attorney and on file with the Secretary of the Board, is hereby approved.

BE IT FURTHER RESOLVED that the Chief Accounting Employee of the Los Angeles Department of Water and Power (LADWP), upon proper certification, is authorized and directed to draw demands on the Water Revenue Fund, in accordance with the terms of this Amendment to the Agreements and this Resolution.

BE IT FURTHER RESOLVED that the President or Vice President, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board are hereby authorized and directed to execute said Amendment for and on behalf of LADWP.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of the Resolution adopted by the Board of Water and Power Commissioners of the City of Los Angeles at its meeting held

Secretary

APPROVED AS TO FORM AND LEGALITY
HYDEE FELDSTEIN SOTO, CITY ATTORNEY
December 18, 2023

Mark Reusch

BY

MARK S. REUSCH

**AMENDMENT NO. 2 TO AGREEMENT NO. 47528A BETWEEN
THE LOS ANGELES DEPARTMENT OF WATER AND POWER AND
CH2M HILL ENGINEERS, INC.**

THIS AMENDMENT NO. 2 to Agreement Number 47528A (Agreement) is made and entered into by and between the City of Los Angeles acting by and through the Los Angeles Department of Water and Power (LADWP), a municipal corporation, and CH2M Hill Engineers, Inc. (Consultant) who are referred to under this Amendment as "Party" and collectively as the "Parties".

WITNESSETH

WHEREAS, Consultant was awarded Agreement No. 47528A by the Board of Water and Power Commissioners on August 27, 2019, for a term of three years with a cumulative amount not-to-exceed \$14,000,000 to provide Engineering Design Services for the Owens Lake Master Project Steps 1 and 2, and Other Projects; and

WHEREAS, the Agreement was executed on September 9, 2019, and scheduled to expire on September 8, 2022; and

WHEREAS, LADWP approved Amendment No. 1 to Agreements 47528A, 47528B, and 47528C for an additional \$7,000,000 which resulted in a cumulative amount not-to-exceed \$21,000,000; and

WHEREAS, Amendment No. 1 also granted a two-year extension to Agreements 47528A, 47528B, and 47528C with a new expiration date of September 8, 2024; and

WHEREAS, consecutive severe storm systems resulting from atmospheric river phenomena swept across the State of California in January 2023 through March 2023 bringing record amounts of snow and rain that have exceeded precipitation levels of the 50-year storm events of 1969 and 2017; and

WHEREAS, on March 14, 2023, the Mayor of the City of Los Angeles (City) proclaimed and declared that due to the significant impact on the Los Angeles Aqueduct (LAA) of excessive amounts of precipitation within Inyo and Mono Counties during January through March of 2023, conditions of extreme peril to the safety of public property, infrastructure and the environment have arisen and have already and will continue to impact the LAA, its water gathering facilities, its water delivery facilities and its air quality control facilities located within Mono, Inyo, Kern, and Los Angeles Counties and the City, and that a local emergency exists (Proclamation); and

WHEREAS, On March 21, 2023, in accordance with the City Charter Section 231 and Los Angeles Administrative Code Section 8.27, the Council of the City ratified the Emergency Declaration and resolved to suspend the competitive bidding restrictions enumerated in Charter Section 371 and 372 and Los Angeles Administrative Code Section 10.15 and 10.17 entered into by LADWP in response to the proclaimed

emergency and mitigation efforts related thereto; and

WHEREAS, the Los Angeles City Council further resolved that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property; that the General Manager of LADWP be authorized to order any action relative to the procurement of construction contracts, equipment, services, and labor necessary to safeguard life, health, or property jeopardized by the proclaimed emergency; and that LADWP report back to Council at specified intervals regarding the status of such actions; and;

WHEREAS, on March 28, 2023, the Board of Water and Power Commissioners (Board), approved the Mayor's Proclamation and a Resolution, authorizing the General Manager to implement the actions set forth in Mayor's Proclamation; and

WHEREAS, LADWP incurred significant costs and continues to incur costs associated with design and engineering support needed to expedite construction of emergency flood mitigation measures to protect dust mitigation infrastructure throughout Owens Lake, which were not included in the original Agreements and Amendment No. 1; and

WHEREAS, an increase of \$1,600,000 in funding is necessary to replenish funds spent to address the proclaimed emergency, which will allow LADWP to complete ongoing work necessary to protect Owens Lake dust mitigation infrastructure and avoid regulatory violation fines of up to \$10,000 per day.; and

WHEREAS, the Consultant has reviewed the services to be incorporated into the Agreement, and represents that it has the qualifications, expertise, skills, and abilities to perform such work; and

WHEREAS, an increase of \$1,600,000 in cumulative funding for Agreements 47528A, 47528B, and 47528C, some of which may be paid to the Consultant will allow the Consultant to complete any of the aforementioned tasks outlined in Agreements which get allocated and/or continue to be allocated to Consultant, toward the implementation of regulatory orders for dust mitigation, and infrastructure resiliency projects; and emergency response

NOW, THEREFORE, the Parties hereby agree to amend the Agreement as follows:

AMENDMENT

Agreement No. 47528A – CH2M Hill Engineers, Inc.

Article IV, Compensation and Payment, 4.1.1, Not-to-Exceed Amount, currently reads:

The total compensation that may be paid to the Consultant by LADWP for complete and satisfactory performance of services under this Agreement along with other Agreements numbered consecutively from 47528A to 47528C shall not exceed twenty-one million dollars (\$21,000,000).

Article IV, Compensation and Payment, 4.1.1, Not-to-Exceed Amount is now amended to read:

The total compensation that may be paid to the Consultant by LADWP for complete and satisfactory performance of services under this Agreement along with other Agreements numbered consecutively from 47528A to 47528C shall not exceed twenty-two million six hundred thousand dollars (\$22,600,000).

Except as herein amended above, all other terms and conditions of Agreement shall remain in full force and effect.

This Amendment No. 2 may be executed in one or more counterparts, and by the parties in separate counterparts, each of which when executed shall be deemed to be an original but all of which taken together shall constitute one and the same amendment. The parties further agree that facsimile signatures or signatures scanned into .pdf (or signatures in another electronic format designated by LADWP) and sent by e-mail shall be deemed original signatures. This Amendment No. 2 consists of three (3) pages

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 2 to Agreement No. 47528A on the date indicated.

DEPARTMENT OF WATER AND POWER
OF THE CITY OF LOS ANGELES BY
BOARD OF WATER AND POWER COMMISSIONERS

By: _____
MARTIN L. ADAMS
General Manager and Chief Engineer

And: _____
CHANTE L. MITCHELL
Board Secretary

APPROVED AS TO FORM AND LEGALITY
HYDEE FELDSTEIN SOTO, CITY ATTORNEY
December 18, 2023

Mark Reusch
BY _____
MARK S. REUSCH

IN WITNESS WHEREOF, each Party hereto has caused Amendment to be executed by their duly authorized representatives.

CH2M HILL ENGINEERS, INC.

By:



RICH NAGEL
Vice President

Date:

12/15/2023

By:



MARIELLE COQUIA
Manager of Projects

Date:

12/15/2023

**AMENDMENT NO. 2 TO AGREEMENT NO. 47528B BETWEEN
THE LOS ANGELES DEPARTMENT OF WATER AND POWER AND
CDM SMITH, INC.**

THIS AMENDMENT NO. 2 to Agreement Number 47528B (Agreement) is made and entered into by and between the City of Los Angeles acting by and through the Los Angeles Department of Water and Power (LADWP), a municipal corporation, and CDM Smith, Inc. (Consultant) who are referred to under this Amendment as "Party" and collectively as the "Parties".

WITNESSETH

WHEREAS, Consultant was awarded Agreement No. 47528B by the Board of Water and Power Commissioners on August 27, 2019, for a term of three years with a cumulative amount not-to-exceed \$14,000,000 to provide Engineering Design Services for the Owens Lake Master Project Steps 1 and 2, and Other Projects; and

WHEREAS, the Agreement was executed on September 9, 2019, and scheduled to expire on September 8, 2022; and

WHEREAS, LADWP approved Amendment No. 1 to Agreements 47528A, 47528B, and 47528C for an additional \$7,000,000 which resulted in a cumulative amount not-to-exceed \$21,000,000; and

WHEREAS, Amendment No. 1 also granted a two-year extension to Agreements 47528A, 47528B, and 47528C with a new expiration date of September 8, 2024; and

WHEREAS, consecutive severe storm systems resulting from atmospheric river phenomena swept across the State of California in January 2023 through March 2023 bringing record amounts of snow and rain that have exceeded precipitation levels of the 50-year storm events of 1969 and 2017; and

WHEREAS, on March 14, 2023, the Mayor of the City of Los Angeles (City) proclaimed and declared that due to the significant impact on the Los Angeles Aqueduct (LAA) of excessive amounts of precipitation within Inyo and Mono Counties during January through March of 2023, conditions of extreme peril to the safety of public property, infrastructure and the environment have arisen and have already and will continue to impact the LAA, its water gathering facilities, its water delivery facilities and its air quality control facilities located within Mono, Inyo, Kern, and Los Angeles Counties and the City, and that a local emergency exists (Proclamation); and

WHEREAS, On March 21, 2023, in accordance with the City Charter Section 231 and Los Angeles Administrative Code Section 8.27, the Council of the City ratified the Emergency Declaration and resolved to suspend the competitive bidding restrictions enumerated in Charter Section 371 and 372 and Los Angeles Administrative Code Section 10.15 and 10.17 entered into by LADWP in response to the proclaimed

emergency and mitigation efforts related thereto; and

WHEREAS, the Los Angeles City Council further resolved that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property; that the General Manager of LADWP be authorized to order any action relative to the procurement of construction contracts, equipment, services, and labor necessary to safeguard life, health, or property jeopardized by the proclaimed emergency; and that LADWP report back to Council at specified intervals regarding the status of such actions; and;

WHEREAS, on March 28, 2023, the Board of Water and Power Commissioners (Board), approved the Mayor's Proclamation and a Resolution, authorizing the General Manager to implement the actions set forth in Mayor's Proclamation; and

WHEREAS, LADWP incurred significant costs and continues to incur costs associated with design and engineering support needed to expedite construction of emergency flood mitigation measures to protect dust mitigation infrastructure throughout Owens Lake, which were not included in the original Agreements and Amendment No. 1; and

WHEREAS, an increase of \$1,600,000 in funding is necessary to replenish funds spent to address the proclaimed emergency, which will allow LADWP to complete ongoing work necessary to protect Owens Lake dust mitigation infrastructure and avoid regulatory violation fines of up to \$10,000 per day.; and

WHEREAS, the Consultant has reviewed the services to be incorporated into the Agreement, and represents that it has the qualifications, expertise, skills, and abilities to perform such work; and

WHEREAS, an increase of \$1,600,000 in cumulative funding for Agreements 47528A, 47528B, and 47528C, some of which may be paid to the Consultant will allow the Consultant to complete any of the aforementioned tasks outlined in Agreements which get allocated and/or continue to be allocated to Consultant, toward the implementation of regulatory orders for dust mitigation, and infrastructure resiliency projects; and emergency response

NOW, THEREFORE, the Parties hereby agree to amend the Agreement as follows:

AMENDMENT

Agreement No. 47528B – CDM SMITH, Inc.

Article IV, Compensation and Payment, 4.1.1, Not-to-Exceed Amount, currently reads:

The total compensation that may be paid to the Consultant by LADWP for complete and satisfactory performance of services under this Agreement along with other Agreements numbered consecutively from 47528A to 47528C shall not exceed twenty-one million dollars (\$21,000,000).

Article IV, Compensation and Payment, 4.1.1, Not-to-Exceed Amount is now amended to read:

The total compensation that may be paid to the Consultant by LADWP for complete and satisfactory performance of services under this Agreement along with other Agreements numbered consecutively from 47528A to 47528C shall not exceed twenty-two million six hundred thousand dollars (\$22,600,000).

Except as herein amended above, all other terms and conditions of Agreement shall remain in full force and effect.

This Amendment No. 2 may be executed in one or more counterparts, and by the parties in separate counterparts, each of which when executed shall be deemed to be an original but all of which taken together shall constitute one and the same amendment. The parties further agree that facsimile signatures or signatures scanned into .pdf (or signatures in another electronic format designated by LADWP) and sent by e-mail shall be deemed original signatures. This Amendment No. 2 consists of three (3) pages

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 2 to Agreement No. 47528B on the date indicated.

DEPARTMENT OF WATER AND POWER
OF THE CITY OF LOS ANGELES BY
BOARD OF WATER AND POWER COMMISSIONERS

By: _____
MARTIN L. ADAMS
General Manager and Chief Engineer

And: _____
CHANTE L. MITCHELL
Board Secretary

APPROVED AS TO FORM AND LEGALITY
HYDEE FELDSTEIN SOTO, CITY ATTORNEY
December 18, 2023

Mark Reusch
BY _____
MARK S. REUSCH

IN WITNESS WHEREOF, each Party hereto has caused Amendment to be executed by their duly authorized representatives.

CDM SMITH, INC.



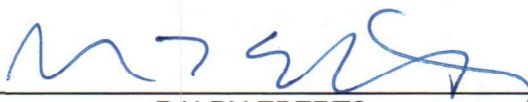
By: _____

DAVID B. EBERSOLD
Vice President/ Client Service Leader

Date: _____

December 14, 2023

By: _____



RALPH EBERTS
Vice President

Date: _____

December 14, 2023

**AMENDMENT NO. 2 TO AGREEMENT NO. 47528C BETWEEN
THE LOS ANGELES DEPARTMENT OF WATER AND POWER AND
TETRA TECH, INC.**

THIS AMENDMENT NO. 2 to Agreement Number 47528C (Agreement) is made and entered into by and between the City of Los Angeles acting by and through the Los Angeles Department of Water and Power (LADWP), a municipal corporation, and Tetra Tech, Inc. (Consultant) who are referred to under this Amendment as "Party" and collectively as the "Parties".

WITNESSETH

WHEREAS, Consultant was awarded Agreement No. 47528C by the Board of Water and Power Commissioners on August 27, 2019, for a term of three years with a cumulative amount not-to-exceed \$14,000,000 to provide Engineering Design Services for the Owens Lake Master Project Steps 1 and 2, and Other Projects; and

WHEREAS, the Agreement was executed on September 9, 2019, and scheduled to expire on September 8, 2022; and

WHEREAS, LADWP approved Amendment No. 1 to Agreements 47528A, 47528B, and 47528C for an additional \$7,000,000 which resulted in a cumulative amount not-to-exceed \$21,000,000; and

WHEREAS, Amendment No. 1 also granted a two-year extension to Agreements 47528A, 47528B, and 47528C with a new expiration date of September 8, 2024; and

WHEREAS, consecutive severe storm systems resulting from atmospheric river phenomena swept across the State of California in January 2023 through March 2023 bringing record amounts of snow and rain that have exceeded precipitation levels of the 50-year storm events of 1969 and 2017; and

WHEREAS, on March 14, 2023, the Mayor of the City of Los Angeles (City) proclaimed and declared that due to the significant impact on the Los Angeles Aqueduct (LAA) of excessive amounts of precipitation within Inyo and Mono Counties during January through March of 2023, conditions of extreme peril to the safety of public property, infrastructure and the environment have arisen and have already and will continue to impact the LAA, its water gathering facilities, its water delivery facilities and its air quality control facilities located within Mono, Inyo, Kern, and Los Angeles Counties and the City, and that a local emergency exists (Proclamation); and

WHEREAS, On March 21, 2023, in accordance with the City Charter Section 231 and Los Angeles Administrative Code Section 8.27, the Council of the City ratified the Emergency Declaration and resolved to suspend the competitive bidding restrictions enumerated in Charter Section 371 and 372 and Los Angeles Administrative Code Section 10.15 and 10.17 entered into by LADWP in response to the proclaimed

emergency and mitigation efforts related thereto; and

WHEREAS, the Los Angeles City Council further resolved that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property; that the General Manager of LADWP be authorized to order any action relative to the procurement of construction contracts, equipment, services, and labor necessary to safeguard life, health, or property jeopardized by the proclaimed emergency; and that LADWP report back to Council at specified intervals regarding the status of such actions; and;

WHEREAS, on March 28, 2023, the Board of Water and Power Commissioners (Board), approved the Mayor's Proclamation and a Resolution, authorizing the General Manager to implement the actions set forth in Mayor's Proclamation; and

WHEREAS, LADWP incurred significant costs and continues to incur costs associated with design and engineering support needed to expedite construction of emergency flood mitigation measures to protect dust mitigation infrastructure throughout Owens Lake, which were not included in the original Agreements and Amendment No. 1; and

WHEREAS, an increase of \$1,600,000 in funding is necessary to replenish funds spent to address the proclaimed emergency, which will allow LADWP to complete ongoing work necessary to protect Owens Lake dust mitigation infrastructure and avoid regulatory violation fines of up to \$10,000 per day.; and

WHEREAS, the Consultant has reviewed the services to be incorporated into the Agreement, and represents that it has the qualifications, expertise, skills, and abilities to perform such work; and

WHEREAS, an increase of \$1,600,000 in cumulative funding for Agreements 47528A, 47528B, and 47528C, some of which may be paid to the Consultant will allow the Consultant to complete any of the aforementioned tasks outlined in Agreements which get allocated and/or continue to be allocated to Consultant, toward the implementation of regulatory orders for dust mitigation, and infrastructure resiliency projects; and emergency response

NOW, THEREFORE, the Parties hereby agree to amend the Agreement as follows:

AMENDMENT

Agreement No. 47528C – Tetra Tech, Inc.

Article IV, Compensation and Payment, 4.1.1, Not-to-Exceed Amount, currently reads:

The total compensation that may be paid to the Consultant by LADWP for complete and satisfactory performance of services under this Agreement along with other Agreements numbered consecutively from 47528A to 47528C shall not exceed twenty-one million dollars (\$21,000,000).

Article IV, Compensation and Payment, 4.1.1, Not-to-Exceed Amount is now amended to read:

The total compensation that may be paid to the Consultant by LADWP for complete and satisfactory performance of services under this Agreement along with other Agreements numbered consecutively from 47528A to 47528C shall not exceed twenty-two million six hundred thousand dollars (\$22,600,000).

Except as herein amended above, all other terms and conditions of Agreement shall remain in full force and effect.

This Amendment No. 2 may be executed in one or more counterparts, and by the parties in separate counterparts, each of which when executed shall be deemed to be an original but all of which taken together shall constitute one and the same amendment. The parties further agree that facsimile signatures or signatures scanned into .pdf (or signatures in another electronic format designated by LADWP) and sent by e-mail shall be deemed original signatures. This Amendment No. 2 consists of three (3) pages

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 2 to Agreement No. 47528C on the date indicated.

DEPARTMENT OF WATER AND POWER
OF THE CITY OF LOS ANGELES BY
BOARD OF WATER AND POWER COMMISSIONERS

By: _____
MARTIN L. ADAMS
General Manager and Chief Engineer

And: _____
CHANTE L. MITCHELL
Board Secretary

APPROVED AS TO FORM AND LEGALITY
HYDEE FELDSTEIN SOTO, CITY ATTORNEY
December 18, 2023

Mark Reusch
BY _____
MARK S. REUSCH

IN WITNESS WHEREOF, each Party hereto has caused Amendment to be executed by their duly authorized representatives.

TETRA TECH, INC.

By: 
WILLIAM R. BROWNLIE, PHD, PE
Senior Vice President and Chief Engineer

Date: December 14, 2023

By: 
MOLLY MELL, PE
Vice President

Date: December 14, 2023