



RESOLUTION NO. _____

BOARD LETTER APPROVAL


Aram Benyamin (Sep 11, 2024 18:06 PDT)

ARAM BENYAMIN
Chief Operating Officer



JANISSE QUIÑONES
CEO and Chief Engineer

DATE: July 15, 2024

SUBJECT: Amendment No. 1 to Agreement Nos. 47723A, 47723B, 47723C, 47723D, 47723E, 47723F, 47723G, and 47723H for Environmental Assessment and Air Quality Services will Increase the Not-to-Exceed Amount by \$20,000,000, Expiring August 7, 2027

SUMMARY

The proposed Amendment No. 1 (Amendment) to Agreement Nos. 47723A, 47723B, 47723C, 47723D, 47723E, 47723F, 47723G, and 47723H (Agreements) with Aspen Environmental Group, Stantec Consulting Services Inc, Environmental Science Associates, Inc., AECOM, POWER Engineers, Dudek Inc., SWCA, Inc., Michael Baker International, Inc. (Contractors), respectively, will increase the not-to-exceed amount by \$20,000,000, from \$40,000,000 to a new not-to-exceed amount of \$60,000,000 (budgeted).

This Amendment ensures adequate funding is allocated to meet environmental compliance and monitoring of critical LADWP ongoing projects and to accommodate future projects through contract expiration. Unanticipated environmental requirements for large-scale projects and emergency projects not originally contemplated or budgeted at the time of award have exhausted a significant portion (40 percent) of the original aggregate not-to-exceed amount.

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 execution of the Amendment to the Agreements.

ALTERNATIVES CONSIDERED

There are no feasible alternatives considered at this time. A replacement procurement at this stage would result in the current Agreements funding to be fully expended before successor agreements could be executed, resulting in a lapse in services. There would be insufficient funding for the remaining term of the Agreements, and critical projects, routine maintenance activities, environmental compliance, and future unanticipated projects would be delayed or be unable to comply with regulatory requirements, potentially incurring substantial fines and penalties.

FINANCIAL INFORMATION

The Amendment will increase the amount by \$20,000,000 for a new cumulative not-to-exceed amount of \$60,000,000 (budgeted).

Agreement Nos.	Original Maximum Expenditure	Requested Amendment Amount	Amended Maximum Expenditure
47723A through 47723H	\$40,000,000	\$20,000,000	\$60,000,000

BACKGROUND

The Board approved the multiple award Agreements on August 8, 2022, for a term of five years and an aggregate not-to-exceed amount of \$40,000,000.

Two critical water and power projects are currently undergoing construction and as a result have created a large demand on contract A47723 due to biological and cultural monitoring needs: The Barren Ridge-Haskell Transmission Line 1 Project (BAR-HSK L1) and the North Haiwee Dam No. 2 Project (NHD2). In addition, recent storm outbreaks and weather conditions resulted in an emergency proclamation and immediate action required by LADWP, which involved the need to control flows during a record runoff year and the corresponding requirement for cultural monitors to observe the work.

The NHD2 project consists of the construction of a new earth-filled embankment dam to enhance the seismic reliability of the North Haiwee Reservoir in Owens Valley. The Project addresses the seismic improvements mandated by the California Department of Water Resources, Division of Safety of Dams and, upon completion, will maximize public safety, restore reservoir storage capacity, and reduce the risk of interruptions to the Los Angeles Aqueduct water supply. In May 2023, the Board approved a not-to-exceed amount of \$185,505,555 for the construction contract. The project site is known for many sensitive resources, including tribal cultural resources, archaeological resources, historic properties, and protected or endangered species including desert tortoise, Mohave ground squirrel, and western Joshua tree. Archaeological, biological, paleontological, and tribal monitoring is mandated through the California Environmental Quality Act (CEQA), California Department of Fish and Wildlife, and Bureau of Land Management. NHD2 is anticipated to be completed in August 2026.

The Barren Ridge Renewable Transmission Project (BRRTP), which includes BAR-HSK L1, is in Kern and Los Angeles counties, extending 76 miles from the Barren Ridge Switching Station to the Haskell Switching Station. The budget for the entire BRRTP project was estimated to be \$416.9 million in 2012. In December 2021, the Board approved a contract for the design and construction of BAR-HSK L1, with a not-to-exceed amount of \$186,603,290. Environmental compliance support services and monitoring is required for all affected cultural resources as well as desert tortoise, Mohave ground squirrel, western Joshua tree, and nesting birds.

The 2022-2023 and 2023-2024 winter seasons brought unprecedented rainfall in Southern California and above-average snowfall in the Eastern Sierra, because of multiple atmospheric rivers coming from the Pacific Ocean and making landfall in California. Additionally, Tropical Storm Hilary struck Southern California in August 2023, causing damage to LADWP facilities as it traversed the Mojave Desert and Owens Valley. Necessary preparations were urgently undertaken by LADWP to mitigate damage from excessive runoff in the Owens Valley and on Owens Lake. Archaeological monitoring services were provided during excavation activities to prepare for excessive runoff. Post-runoff monitoring was also implemented in some cases.

LADWP is tasked with many challenging projects in the foreseeable future due to ambitious commitments to clean energy and sustainability (such as renewable energy generation, supply, and transmission, as well as water treatment and recycling). This Amendment ensures adequate funding is allocated to meet ongoing, future, and emergency environmental assessment requirements, facilitate cultural and biological monitoring, and providing quick environmental coverage for emergency projects.

The Contractors have performed satisfactorily in the Agreements.

ENVIRONMENTAL DETERMINATION

Determine item is exempt pursuant to CEQA Guidelines Section 15060 (c)(3). In accordance with this section, an activity is not subject to CEQA if it does not meet the definition of a project. Section 15378 (b)(5) states that organizational or administrative activities that will not result in direct or indirect physical changes in the environment do not meet that definition. Since this Amendment would provide as-needed environmental support services, the proposed action is not subject to CEQA.

CITY ATTORNEY

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

ATTACHMENTS

- Procurement Summary
- Resolution
- Amendment