

Los Cerritos Wetlands Authority

Date: November 2, 2017

To: Governing Board Members

From: Mark Stanley, Executive Officer

Subject: Item 9: Consideration of resolution to authorize a contract amendment to the Tidal Influence Project Management and Property Services Contract for additional project management services (LCWA16003).

RECOMMENDED ACTION: That the Los Cerritos Wetlands Authority authorize a contract amendment to Tidal Influence Project Management and Property Services Contract for additional project management services (LCWA16003).

BACKGROUND: The LCWA has successfully partnered with Tidal Influence to manage the LCWA properties, implement and administer grants, provide leadership for the Los Cerritos Wetlands Stewardship Program and manage the LCWA's involvement in the Los Cerritos Wetlands Restoration and Oil Consolidation Project. Tidal Influence was selected and awarded a contract in February 2016 (Resolution 2016-05) for the property management, grant administration, management of the Los Cerritos Wetlands Stewardship Program, and on-call specialized services as necessary (LCWA16003). Due to recent personnel changes within the LCWA, staff capacity is severely limited in its ability to provide all levels of the required Project Management services. The LCWA is pursuing the initiation of the next phase in restoration planning for the LCW Complex which will include the optimization of the Conceptual Restoration Plan and a Program EIR. Tidal Influence has been instrumental thus far in preparing the LCWA for this project by writing funding applications, managing competitive bid process, negotiating consultant contract terms, and managing the grants that support LCWA objectives. Tidal Influence's contract amendment would include the following additional project management services for this next phase of restoration planning: Correspondences and Meetings, Work Plan Management (Document Review and Analysis; Public Outreach), Administrative Services, and Grant Management. Tidal Influence staff will represent the interests of the LCWA throughout the project when interacting with the consulting team, agencies and stakeholders.

The current umbrella contract with Tidal Influence engages the Consultant for specialized services including land management for the LCWA properties, stewardship program coordination, and grant management for a total FY 2017-2018 budget \$96,830, with supplemental consultant services on an as needed basis. Additionally, Consultant provides project and contract management for projects such as Tarplant Mitigation, the Los Alamitos Pump Station Restoration, and the Zedler Marsh project, and expenditures for Consultant's services are based on the project's respective budgets. One such budget under the contract, the Los Cerritos Wetlands Restoration and Oil Consolidation Project ("Option Agreement"), authorizes a total annual amount not to exceed \$35,000 for project management services.

In order to adequately support the current project management scope of work and include additional project management services, it is necessary to amend the current contract's scope work and budget. Staff is recommending authorizing a contract amendment to the Tidal Influence Project Management and Property Services Contract (LCWA16003) for the addition of *Task 5* in the scope of work detailed in Exhibit A and budget for the additional \$30,000 attached as Exhibit B. The draft Amendment Three is attached as Exhibit C.

Tidal Influence was founded with a mission of conserving and restoring all of Los Cerritos Wetlands and this consultant has been dedicated to building partnerships and implementing projects in Los Cerritos Wetlands since 2009. Tidal Influence has extensive experience and technical expertise to provide the LCWA with the necessary management services outlined in their proposal, further reducing the exposure of any liabilities. Tidal Influence is a diverse compilation of qualified individuals who are expert in their fields that are able to work collaboratively to meet all of the LCWA requirements. Tidal Influence is well respected in the community and has developed strong relationships with critical LCWA partners, non-profits, stakeholders and community leaders which will benefit the LCWA with continuing to build relationships to aid the LCWA in managing the complex coastal properties.

FISCAL: The LCWA Budget FY 17/18 will be amended to reflect a contract amendment with Tidal Influence Project Management and Property Services for additional expenditures for project management services and ESA contract management for a new total not to exceed amount of \$65,000 per year for the term of the contract. This contract will be paid from the 2017 LCWA lease fees, the Los Cerritos LLC Memorandum of Option Agreement Funds, and Proposition 1 funding from the Rivers and Mountains Conservancy and the State Coastal Conservancy.

Exhibit A

**Revised Scope of Work and Contract Term
for the
LCWA16003 Tidal Influence Project Management and Property Services Contract**

The following are revised tasks and services to be provided by Tidal Influence for implementation of this contract amendment:

1. Land Management Services include routine property patrols, semi-monthly property patrol reports, identifying and redirecting non-beneficial uses and activities related to the Los Cerritos Wetlands, excluding the Homeless Relocation Services Contract and as specified per the original contract terms for LCWA16003 Land Management, Grant Management Services and Implementation of the Los Cerritos Wetlands Stewardship Program; and,
2. Provide Program Implementation and Coordination for the Los Cerritos Wetlands Stewardship Program, which will support land management activities and include developing flyers for announcing all public events, coordinating all public events and as specified per the original contract terms for LCWA16003 Land Management, Grant Management Services and Implementation of the Los Cerritos Wetlands Stewardship Program; and,
3. Grant Management and Project Implementation Administrative Services consistent with grants awarded including management of Proposition 1 grant funds, in-lieu-fee programs including the Ascon Southern Tarplant Mitigation and other restoration projects as specified per the original contract terms. Project management of all grant funds to ensure these funds and their associated timelines, tasklists and budgets are completed in a timely manner and as agreed upon with the funding agencies; and
4. Los Cerritos Wetlands Restoration and Oil Consolidation Project Management Services
 - a. LCWA Representative for Correspondences and Meetings
 - Represent the LCWA at all EIR project meetings/calls and brief LCWA staff and consultants on the proceedings
 - Represent the LCWA on all wetlands restoration or mitigation bank project meetings/calls and brief LCWA staff and consultants on the proceedings
 - Provide updates to LCWA on monthly JPA calls
 - Communicate and provide weekly updates to LCWA Staff on all communications in regards to LCWA Partners, Stakeholders, and other representatives
 - Provide the LCWA with monthly and detailed email updates and completed deliverables
 - Represent the LCWA at public meetings regarding LCWA matters
 - Attend field meetings or oversee any field data collection pertaining to LCWA matters

- b. Document Review and Analysis
 - Lead a team of consultants to review documents related to the Los Cerritos Wetlands Restoration and Oil Consolidation Project Restoration Plan but not limited to, restoration plans, Phase 1 and 2 environmental site assessments, Draft EIR, mitigation bank prospectus, bank enabling instrument, and permit applications.
 - Manage the development of the project's PAR analysis to determine the long-term management endowment
 - Review technical documents and provide input to the LCWA
- c. Public Outreach and Administrative Services
 - Provide public outreach services as deemed necessary including stakeholder site tours, presentations, or creation of outreach materials
 - Provide updates at LCWA board meetings pertaining to all projects
 - Post project information on the LCWA website upon request
 - Provide staff to prepare documents for board meetings pertaining to this project
 - Provide staff to take meeting notes pertaining to this project and distribute to LCWA staff

5. LCWA's Los Cerritos Wetlands Restoration Plan Program Environmental Impact Report

- a. Correspondences and Meetings
 - Coordinate bi-weekly conference calls with consultants and/or LCWA steering committee
 - Provide call-in number
 - Manage participant list
 - Create agenda
 - Distribute call notes
 - Coordinate and attend all project meetings and take meeting notes on the proceedings
 - Provide site tours/access to consultants as needed
 - Attend field meetings or oversee any field data collection pertaining to the project
 - Provide the LCWA steering committee with updates as requested
 - Provide briefings to LCWA board members as requested
 - Coordinate with any other LCWA consultants that are involved with the project
- b. Work Plan Management - Document Review and Analysis
 - Review and analyze the optimized Restoration Plan and associated technical documents and provide input to LCWA steering committee and consulting team
 - Review and analyze all technical reports prepared for the project
 - Review and analyze the EIR Project Description
 - Review and analyze the Initial Study/Notice of Preparation (NOP)
 - Prepare the NOP to file with the County Clerk
 - Coordinate and attend the scoping meeting
 - Review and analyze the Administrative DEIR as frequently as needed
 - Review and analyze the final draft of the Draft EIR

- Work with consulting team to prepare and submit the response to public comment
 - Work with the consulting team to resolve issues and reduce the number of outstanding tasks that will be carried over to the next phases of restoration planning
 - Review and analyze the next steps report
- c. Work Plan Management - Public Outreach
- Provide the mailing list of all interested parties, organizations, and public agencies for the initial study/NOP
 - Provide and maintain an interested-parties email list for announcements during the planning effort
 - Manage the LCWA's website to provide updates on the project
 - Work with the consulting team to coordinate all community workshops
 - Attend at least 2 study sessions for the project and review consultant presentations
 - Coordinate, schedule and attend any necessary public hearings
 - Organize and attend at least two technical advisory committee meetings
 - Act as liaison to the other governmental departments and agencies
 - Provide public outreach services as deemed necessary including stakeholder site tours, presentations, or creation of outreach materials
 - Provide verbal staff reports at LCWA board meetings upon request
 - Provide staff to prepare documents for board meetings pertaining to this project
 - Provide staff to take notes at all public meetings pertaining to this project and distribute to LCWA staff
- d. Grant Management and Administrative Services
- Manage the work program for the State Coastal Conservancy grant
 - Submit request for disbursements as frequently as monthly and at least quarterly
 - Submit work plan progress report with each disbursement request
 - Manage budget and reconcile expenses with each disbursement request
 - Manage task list timeline
 - Request any amendments as deemed necessary
 - Coordinate with SCC staff representative
 - Manage the work program for the Rivers and Mountains Conservancy grant
 - Submit request for disbursements as frequently as monthly and at least quarterly
 - Submit work plan progress report with each disbursement request
 - Manage budget and reconcile expenses with each disbursement request
 - Manage task list timeline
 - Request any amendments as deemed necessary
 - Coordinate with RMC staff representative
 - Review all invoice packages submitted by the consulting team and provide to LCWA accounting staff for processing
 - Enforce the terms of the consultant's professional services agreement so that both parties meet the terms within their respective timelines
 - Ensure that the consultants carry the required insurance

Exhibit B

TIDAL INFLUENCE FEE ESTIMATE									
LCWA EIR Project Management									
Staff Labor Rate (\$/hr)		Personnel Labor Hours				Other Direct Costs			
		Principal	Associate	Env. Scientist	Outreach Specialist				
		\$100.00	\$75.00	\$50.00	\$50.00				
SCOPE OF WORK							Total Hours	Total Fee Budgeted Per Task	Task No.
No.	Description								
1	LCWA EIR Manangement	115	160	70	60		405	\$30,000	1
1a	Correspondences and Meetings	45	30	20	20			\$8,750	1a
1b	Work Plan Management - Document Review/Analysis	40	60	50	0			\$11,000	1b
1c	Work Plan Management - Public Outreach	10	30	0	40			\$5,250	1c
1d	Grant Management and Administrative Services	20	40	0	0			\$5,000	1d
		115.00	160.00	70.00	60.00		405	\$34,375	
	Labor Total Cost	\$11,500.00	\$12,000.00	\$3,500.00	\$3,000.00	\$30,000	All Labor Costs	\$30,000	
	Other Direct Costs/Expenses	\$0.00				\$0	All ODC/Expenses	\$0	
	Subcontractor and ODC Markup (5%)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	All Markup	\$0.00	
	Contingency	\$0.00	\$0.00	\$0.00	\$0.00	\$0	All Contingency	\$0	
	Total:	\$11,500.00	\$12,000.00	\$3,500.00	\$3,000.00	\$30,000	All Grand Total	\$30,000.00	

**LCWA16003
AGREEMENT FOR CONSULTANT SERVICES OF
TIDAL INFLUENCE FOR LAND MANAGEMENT, GRANT MANAGEMENT SERVICES
AND IMPLEMENTATION OF THE LOS CERRITOS WETLANDS STEWARDSHIP PROGRAM**

AMENDMENT THREE

THIS AGREEMENT made and entered into this **2nd day of November 2017:**

BY AND BETWEEN

Los Cerritos Wetlands Authority (LCWA), a joint power authority between the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC), State Coastal Conservancy (SCC) and Cities of Long Beach and Seal Beach.

AND

Tidal Influence, hereinafter referred to as "Consultant,"

The parties hereto do mutually agree to amend the agreement with respect to Section 6 and 9 only:

6. Consultant's Services

1. Land Management Services include routine property patrols, semi-monthly property patrol reports, identifying and redirecting non-beneficial uses and activities related to the Los Cerritos Wetlands, excluding the Homeless Relocation Services Contract and as specified per the original contract terms for LCWA16003 Land Management, Grant Management Services and Implementation of the Los Cerritos Wetlands Stewardship Program; and,
2. Provide Program Implementation and Coordination for the Los Cerritos Wetlands Stewardship Program, which will support land management activities and include developing flyers for announcing all public events, coordinating all public events and as specified per the original contract terms for LCWA16003 Land Management, Grant Management Services and Implementation of the Los Cerritos Wetlands Stewardship Program; and,
3. Grant Management and Project Implementation Administrative Services consistent with grants awarded including management of Proposition 1 grant funds, in-lieu-fee programs including the Ascon Southern Tarplant Mitigation and other restoration projects as specified per the original contract terms. Project management of all grant funds to ensure these funds and their associated timelines, tasklists and budgets are completed in a timely manner and as agreed upon with the funding agencies; and
4. Los Cerritos Wetlands Restoration and Oil Consolidation Project Management Services
 - a. LCWA Representative for Correspondences and Meetings
 - Represent the LCWA at all EIR project meetings/calls and brief LCWA staff and consultants on the proceedings

- Represent the LCWA on all wetlands restoration or mitigation bank project meetings/calls and brief LCWA staff and consultants on the proceedings
 - Provide updates to LCWA on monthly JPA calls
 - Communicate and provide weekly updates to LCWA Staff on all communications in regards to LCWA Partners, Stakeholders, and other representatives
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 - Represent the LCWA at public meetings regarding LCWA matters
 - Attend field meetings or oversee any field data collection pertaining to LCWA matters
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- Lead a team of consultants to review documents related to the Los Cerritos Wetlands Restoration and Oil Consolidation Project Restoration Plan but not limited to, restoration plans, Phase 1 and 2 environmental site assessments, Draft EIR, mitigation bank prospectus, bank enabling instrument, and permit applications.
 - Manage the development of the project's PAR analysis to determine the long-term management endowment
 - Review technical documents and provide input to the LCWA
- c. Public Outreach and Administrative Services
- Provide public outreach services as deemed necessary including stakeholder site tours, presentations, or creation of outreach materials
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 - Provide staff to prepare documents for board meetings pertaining to this project
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5. *LCWA's Los Cerritos Wetlands Restoration Plan Program Environmental Impact Report*
- a. *Correspondences and Meetings*
- *Coordinate bi-weekly conference calls with consultants and/or LCWA steering committee*
 - *Provide call-in number*
 - *Manage participant list*
 - *Create agenda*
 - *Distribute call notes*
 - *Coordinate and attend all project meetings and take meeting notes on the proceedings*
 - *Provide site tours/access to consultants as needed*
 - *Attend field meetings or oversee any field data collection pertaining to the project*
 - *Provide the LCWA steering committee with updates as requested*
 - *Provide briefings to LCWA board members as requested*
 - *Coordinate with any other LCWA consultants that are involved with the project*
- b. *Work Plan Management - Document Review and Analysis*
- *Review and analyze the optimized Restoration Plan and associated technical documents and provide input to LCWA steering committee and consulting team*
 - *Review and analyze all technical reports prepared for the project*
 - *Review and analyze the EIR Project Description*
 - *Review and analyze the Initial Study/ Notice of Preparation (NOP)*
 - *Prepare the NOP to file with the County Clerk*

- *Coordinate and attend the scoping meeting*
- *Review and analyze the Administrative DEIR as frequently as needed*
- *Review and analyze the final draft of the Draft EIR*
- *Work with consulting team to prepare and submit the response to public comment*
- *Work with the consulting team to resolve issues and reduce the number of outstanding tasks that will be carried over to the next phases of restoration planning*
- *Review and analyze the next steps report*
- c. *Work Plan Management - Public Outreach*
 - *Provide the mailing list of all interested parties, organizations, and public agencies for the initial study/NOP*
 - *Provide and maintain an interested-parties email list for announcements during the planning effort*
 - *Manage the LCWA's website to provide updates on the project*
 - *Work with the consulting team to coordinate all community workshops*
 - *Attend at least 2 study sessions for the project and review consultant presentations*
 - *Coordinate, schedule and attend any necessary public hearings*
 - *Organize and attend at least two technical advisory committee meetings*
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 - *Manage task list timeline*
 - *Request any amendments as deemed necessary*
 - *Coordinate with SCC staff representative*
 - *Manage the work program for the Rivers and Mountains Conservancy grant*
 - *Submit request for disbursements no more often than monthly and at least quarterly*
 - *Submit work plan progress report with each disbursement request*
 - *Manage budget and reconcile expenses with each disbursement request*
 - *Manage task list timeline*
 - *Request any amendments as deemed necessary*
 - *Coordinate with RMC staff representative*
 - *Review all invoice packages submitted by the consulting team and provide to LCWA accounting staff for processing*
 - *Enforce the terms of the consultant's professional services agreement so that both parties meet the terms within their respective timelines*
 - *Ensure the consultants carry the required insurance(s)*

9. Terms and Termination

The terms of this Agreement shall commence on the date stipulated in the Notice to Proceed, and unless otherwise modified, shall terminate September 30, 2018, unless otherwise extended. This contract may be eligible for a two-year extension to be negotiated prior to the termination date.

The LCWA will review the consultant's performance to determine if the work performed is satisfactory and indeed eligible for the two-year extension. Although the timelines for the LCWA Grant Agreements may exceed this contract agreement the Consultant agrees to maintain and ensure these funds and their associated timelines, tasklists and budgets through September 30, 2020 and if necessary transfer these files to the subsequent Consultant in order to complete the LCWA Grant Agreements in a timely manner and on budget as agreed upon with the funding agencies.

LCWA may, at its sole option and discretion, cancel or terminate this Agreement, without any liability other than payment for work already performed, up to the date of termination by giving seven days written notice of such termination to the Consultant. Consultant shall be paid the reasonable value of the services rendered. In the event of any such termination by LCWA, Consultant shall provide to LCWA a termination report consisting of all drawings, specifications, reports, and data accumulated to the date of such termination in a form capable of assimilation for use by LCWA.

All other terms remain the same.

LCWA

By _____
Mark Stanley
Executive Officer

Tidal Influence

By _____
Eric Zahn
Principal

November 2, 2017 – Item 9

RESOLUTION 2017 – 07

RESOLUTION OF THE LOS CERRITOS WETLANDS AUTHORITY TO
AUTHORIZE A CONTRACT AMENDMENT TO TIDAL INFLUENCE
PROJECT MANAGEMENT AND PROPERTY SERVICES CONTRACT
FOR ADDITIONAL PROJECT MANAGEMENT SERVICES
(LCWA16003).

WHEREAS, the Los Cerritos Wetlands Authority has been established between the Coastal Conservancy, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the City of Seal Beach and the City of Long Beach to facilitate the acquisition, protection, conservation, restoration, maintenance and operation an environmental enhancement of the Los Cerritos Wetlands; and

WHEREAS, the LCWA has further been established to focus on projects which will provide open space, habitat restoration, and watershed improvement projects within the Los Cerritos Wetlands; and

WHEREAS, this action will authorize a contract amendment to Tidal Influence Project Management and Property Services Contract for additional management services (LCWA16003); and,

WHEREAS, this action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); and

NOW *Therefore, be it resolved that* the LCWA hereby:

1. FINDS that the actions contemplated by this resolution are exempt from requirements of the California Environmental Quality Act.
2. FINDS that this action is consistent with the purposes and objectives of the LCWA.
3. The Los Cerritos Wetlands Authority adopts the staff report dated November 2, 2017.
4. Authorizes a contract amendment to Tidal Influence Project Management and Property Services Contract for additional management services (LCWA16003) for an additional amount not to exceed \$30,000 per year for the term of the contract, and the LCWA FY 2017/18 budget will be amended accordingly.

~ End of Resolution ~

Passed and Adopted by the Board of the
LOS CERRITOS WETLANDS AUTHORITY ON November 2, 2017.

ATTEST:

David Edsall
Deputy Attorney General

Suzie Price
LCWA Board Chair