

**Los Cerritos Wetlands Authority**

**Date:** August 17, 2022

**To:** Governing Board Members

**From:** Sally Gee, Project Manager

**Through:** Mark Stanley, Executive Officer

**Subject:** Item 11: Consideration of a resolution approving a contract budget increase to Tidal Influence for Project Management Services to support an expanded level of effort for implementation of Los Cerritos Wetlands restoration plans

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**RECOMMENDATION:** That the Los Cerritos Wetlands Authority (LCWA) approve a contract budget increase to Tidal Influence for Project Management Services (LCWA 20502) to support an expanded level of effort for implementation of Los Cerritos Wetlands restoration plans by \$15,000 annually.

**PROJECT DESCRIPTION:** The LCWA has found it a matter of public convenience and necessity to contract services for land management, stewardship programming, and project management since 2010, due to limited staff availability of the LCWA. The LCWA current contracts these services from Tidal Influence, and these services have been critical to advancing LCWA's goals for restoration of the Los Cerritos Wetlands.

The LCWA is currently developing 65% restoration designs for the Southern Los Cerritos Wetlands Restoration Project (SLCWRP) to advance previous restoration plans for the Los Cerritos Wetlands, including the Los Cerritos Wetlands Conceptual Restoration Plan (2015), Los Cerritos Wetlands Restoration Program Environmental Impact Report (2021), and Los Cerritos Wetlands Habitat Restoration Plan (2021). Since October 2020, the LCWA has been utilizing Tidal Influence's services to implement several state and private grants to complete 65% restoration designs for the SLCWRP. The LCWA recognizes that this large-scale restoration project is complex. Careful consideration of biological resources, tribal cultural resources, hazardous materials, permitting, environmental compliance, public outreach, and other tasks is needed to develop the SLCWRP restoration design. As a result, the LCWA often utilizes Tidal Influence's technical expertise and experience in wetlands restoration to manage the contract with Moffatt and Nichol and participate in stakeholder/regulatory agency meetings. It is foreseen that additional budget for project management and coordination is need for continued support from Tidal Influence to achieve LCWA's restoration goals in this fiscal year, as demonstrated in Exhibit A: budget request letter, and in future years for all grant funded restoration efforts.

If approved, compensation for this scope of work would be increased by \$15,000 annually and amended as follows:

Task 3 – Implementation of the Los Cerritos Wetlands Restoration Plan: costs to be billed according to the contractor's fee schedule, with an annual not to exceed total of \$59,400.

All other terms and costs remain the same.

**BACKGROUND:** The LCWA has contracted with Tidal Influence to implement multiple contracts, grants, land management and stewardship programming with their technical expertise (LCWA Board Resolution 2020-03). Tidal Influence was selected through a Request for Proposals (RFP) process open from August 8, 2020 through August 25, 2020. 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 since 2009. The team is led by a well-qualified Principal and a staff with years of experience conducting projects and programming in the LCW. This team is qualified to work collaboratively to meet all of the LCWA requirements in the RFP.

**FISCAL:** The consultant Tidal Influence was originally contracted to perform Task 3 – Project Management Services for implementation of Los Cerritos Wetlands restoration plans for an annual not to exceed amount of \$44,400. The budget increase of \$15,000 annually for Task 3 for the duration of the contract through September 30, 2023 with options for two 1 year extensions will amend their budget for Task 3 to an amount not to exceed \$59,400 annually.

The LCWA Board currently approved contract scope is detailed as follows:

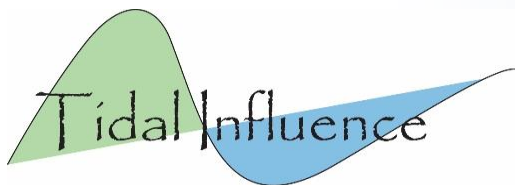
1. Land management: \$1,000 per month
2. Stewardship Program implementation: \$1,000 per month
3. Contract and Grant Management: scope and costs will be billed according to various contract/grant agreements, and costs will not exceed the agreed upon budget.
4. Implementation of the Los Cerritos Wetlands Restoration Plan: costs to be billed according to the contractor's fee schedule, with an annual not to exceed total of \$44,400.
5. Additional as needed services will be negotiated and billed according to the contractor's fee schedule.

Additional needed services that have been executed by the Executive Officer as part of this contract include:

1. Biological Surveys and Jurisdictional Wetlands Report for SLCWRP: \$29,975 funded by state grants
2. Coordination and Monitoring for the Seal Beach Waterline Relining Project: as needed up to \$1,910 weekly, funded through a Memorandum of Understanding with the City of Seal Beach
3. Biological Monitoring and Compliance for the SLCWRP Geotechnical Borings: \$10,000 funded by state grants

This increase will be paid through current and future awarded state and private grant funds for various restoration planning and implementation projects through the life of the contract. Current funding sources include:

<b>Funding Source</b>	<b>Status</b>
California Department of Fish and Wildlife	Awarded
State Coastal Conservancy	Awarded
Orange County Community Fund	Awarded
Rivers and Mountains Conservancy	Awarded
AES Corporation	Awarded



June 17, 2022

Sally Gee  
Los Cerritos Wetlands Authority  
100 Old San Gabriel River Canyon Road  
Azusa, CA 91702

**Re: Change Order Proposal for Project Management Services on the Southern Los Cerritos Wetlands Restoration Project**

Dear Ms. Sally Gee,

We are pleased to submit the following proposal to the Los Cerritos Wetlands Authority for a contract change order to allow us to continue providing project management services for the LCWA's Southern Los Cerritos Wetlands Restoration Project (SLCWRP) planning effort. While we have an agreed upon annual budget of \$44,400.00 per year to perform project management services for the SLCWRP and a few other smaller planning efforts, unforeseen tasks have arisen this year that have resulted in numerous additional hours being spent towards to project. Right now, it is clear that we will run out of budget before the end of the LCWA's fiscal year on September 30<sup>th</sup>, 2022. Since the start of this fiscal year, we have averaged approximately \$5,000.00 a month in billings and currently anticipate running out of budget in early July 2022.

The main contributor to our budget overrun has been the pursuit of a Coastal Development Permit for the geotechnical investigations as part of the SLCWRP. This process was way more involved than anyone could have predicted as it included numerous meetings and regular coordination with Coastal Staff, meetings with stakeholder groups and tribal representatives, revisions to the application, attendance at the hearing, preparation of mailings, and additional field documentation.

Based on our previous months, we estimate the need for an additional \$15,000.00 to ensure we can continue to provide the full suite of project management services to the LCWA through the end of this fiscal year. We anticipate that over the next 3 months the consulting team will be producing a number of technical documents that require our input and review. We also anticipate that the CEQA and permitting processes will get underway and that the 65% design process will also be initiated swiftly. Additionally, there will be an LCWA board meeting in August that we want to fully support per usual. Our team of qualified staff are available at the following rates that are consistent with Attachment C of our current contract:

Principal Restoration Ecologist	\$120.00/hour
Associate Restoration Ecologist	\$80.00/hour

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Zahn".

Eric Zahn, M.S.  
Principal and Owner  
Tidal Influence, LLC

*For questions, please contact Mr. Eric Zahn: Email: eric@tidalinfluence.com*

August 17, 2022 - Item 11

RESOLUTION 2022-08

RESOLUTION OF THE LOS CERRITOS WETLANDS AUTHORITY (LCWA)  
APPROVING A CONTRACT BUDGET INCREASE TO TIDAL INFLUENCE  
FOR PROJECT MANAGEMENT SERVICES TO SUPPORT AN  
EXPANDED LEVEL OF EFFORT FOR IMPLEMENTATION OF  
LOS CERRITOS WETLANDS RESTORATION PLANS

WHEREAS, the Los Cerritos Wetlands Authority (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, a contract to Tidal Influence was previously authorized for services related to coordination and implementation of the Los Cerritos Wetlands restoration plans; and

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

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

1. FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
2. FINDS that this action is consistent with the purposes and objectives of the LCWA.
3. ADOPTS the staff report dated August 17, 2022.
4. APPROVES a contract budget increase to Tidal Influence for Project Management Services (LCWA 20502) to support an expanded level of effort for implementation of Los Cerritos Wetlands restoration plans by \$15,000 annually, for a total not to exceed amount of \$59,400 annually.

*~ End of Resolution ~*

Passed and Adopted by the Board of the LOS CERRITOS WETLANDS AUTHORITY  
on August 17, 2022.

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Joe Kalmick, Vice Chair

ATTEST:

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Elizabeth St. John  
Deputy Attorney General