



Legislation Text

File #: 2017-0578, Version: 1

DATE: February 6, 2018

SUBJECT:

AS-NEEDED CURRENT PLANNING ENVIRONMENTAL REVIEW CONSULTING SERVICES

- A) RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH AECOM TECHNICAL SERVICES INC.; ASCENT ENVIRONMENTAL; CHAMBERS GROUP, INC.; DUDEK; ENVIRONMENTAL SCIENCE ASSOCIATES; HARRIS & ASSOCIATES; HELIX ENVIRONMENTAL PLANNING, INC.; AND ICF JONES & STOKES, INC. FOR AS-NEEDED ENVIRONMENTAL REVIEW CONSULTING SERVICES FOR DISTRICT PROJECTS FOR A TOTAL AGGREGATE AMOUNT PAYABLE UNDER THE AGREEMENTS NOT TO EXCEED \$1,500,000 FOR A PERIOD OF THREE YEARS; FY 2018 EXPENDITURES, IF NEEDED, ARE BUDGETED**
- B) RESOLUTION SELECTING AND ESTABLISHING A LIST OF QUALIFIED CONSULTING FIRMS: AECOM TECHNICAL SERVICES INC.; ASCENT ENVIRONMENTAL; CHAMBERS GROUP, INC.; DUDEK; ENVIRONMENTAL SCIENCE ASSOCIATES; HARRIS & ASSOCIATES; HELIX ENVIRONMENTAL PLANNING, INC.; AND ICF JONES & STOKES, INC. TO POTENTIALLY PROVIDE ENVIRONMENTAL REVIEW CONSULTING SERVICES FOR TENANT-SPONSORED PROJECTS FOR A PERIOD OF THREE YEARS**

EXECUTIVE SUMMARY:

The San Diego Unified Port District's (District) Development Services Department (DSD) reviews District- and tenant-sponsored projects for compliance with the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), as well as the California Coastal Act (Coastal Act). CEQA requires the preparation of environmental documents such as Negative Declarations (ND), Mitigated Negative Declarations (MND), and Environmental Impact Reports (EIR) to analyze discretionary projects. For many years, DSD staff has established as-needed environmental review consulting agreements in order to retain consultants in a more timely manner. The current as-needed agreements began in 2014 and staff would like to establish a new set of as-needed agreements for future projects.

Pursuant to BPC Policy No. 110, District staff issued Request for Qualifications (RFQ) 17-69RH for As-Needed Current Planning Environmental Review Consulting Services on October 4, 2017. The District received 17 responsive proposals. Ten of the firms were selected for interviews. Based on the written proposals, interviews, and a decision analysis process using the criteria stated in the RFQ, staff recommends that the Board select and authorize as-needed agreements in substantial form and compliance with the attached agreements with the eight highest-ranking firms: AECOM Technical Services, Inc. (AECOM); Ascent Environmental (Ascent); Chambers Group, Inc. (Chambers); Dudek;

Environmental Science Associates (ESA); Harris & Associates; HELIX Environmental Planning, Inc. (HELIX); and ICF Jones & Stokes, Inc. (ICF) to provide as-needed environmental review consulting services for District-sponsored projects for a total aggregate amount payable under the agreements not to exceed \$1,500,000 for a period of three years (Attachments A, B, C, D, E, F, G, and H). District staff further recommends that the Board select and establish a list of qualified consulting firms consisting of the same eight firms to potentially provide environmental review consulting services for tenant-sponsored projects for a period of three years.

RECOMMENDATION:

As-Needed Current Planning Environmental Review Consulting Services:

- A) Adopt a resolution selecting and authorizing agreements with AECOM Technical Services, Inc.; Ascent Environmental; Chambers Group, Inc.; Dudek; Environmental Science Associates; Harris & Associates; HELIX Environmental Planning, Inc.; and ICF Jones & Stokes, Inc. for as-needed environmental review consulting services for District projects for a total aggregate amount payable under the agreements not to exceed \$1,500,000 for a period of three years; FY 2018 expenditures, if needed, are budgeted

- B) Adopt a resolution selecting and establishing a list of qualified consulting firms: AECOM Technical Services, Inc.; Ascent Environmental; Chambers Group, Inc.; Dudek; Environmental Science Associates; Harris & Associates; HELIX Environmental Planning, Inc.; and ICF Jones & Stokes, Inc. to potentially provide environmental review consulting services for tenant-sponsored projects for a period of three years

FISCAL IMPACT:

Funds for the current year of expenditure, if needed, are budgeted for in the FY 2018 Development Services' Professional Services expense account. Funds required for future fiscal years will be budgeted for in the appropriate fiscal years and cost account, subject to Board approval upon adoption of each fiscal year's budget.

As tenant-sponsored projects arise and if environmental review consultant services are needed for a project, the tenant will be solely responsible for the costs of retaining the consultant in accordance with BPC Policy No. 106 - Cost Recovery User Fee Policy.

COMPASS STRATEGIC GOALS:

The Board's authorization for the As-Needed Current Planning Environmental Review Consulting Services agreements (for District-sponsored projects) and establishment of a list of qualified consulting firms (for tenant-sponsored projects) will streamline the solicitation process for retaining consultants to assist the District with its various Current Planning efforts. The agenda item supports the following Strategic Goals.

- A Port that the public understands and trusts.
- A thriving and modern maritime seaport.
- A vibrant waterfront destination where residents and visitors converge.

- A Port with a healthy and sustainable bay and its environment.
- A Port with a comprehensive vision for Port land and water uses integrated to regional plans.
- A financially sustainable Port that drives job creation and regional economic vitality.

DISCUSSION:

Background

DSD reviews District- and tenant-sponsored projects for compliance with CEQA, NEPA, and the Coastal Act. Project analyses required by CEQA may result in the preparation of CEQA documents such as an ND, MND, or EIR. Consistent with the requirements of BPC Policy No. 110, DSD retains consultants for the preparation of environmental review documents and technical studies that meet the mandates of CEQA, NEPA, the Coastal Act, and other relevant local plans, regulations, and procedures as required for both District- and tenant-sponsored projects.

For many years, DSD staff has established as-needed environmental review consulting agreements in order to retain consultants in a more timely manner. The current as-needed agreements began in 2014 and staff would like to establish a new set of as-needed agreements for future projects. Accordingly, pursuant to BPC Policy No. 110, District completed an RFQ process, and eight firms are recommended for as-needed agreements, as more fully described below.

Updating DSD's list of as-needed environmental review consultant services will continue to streamline the solicitation process for retaining consultants to prepare environmental review documents and technical studies. Use of the current list has allowed DSD staff to more efficiently and expeditiously retain environmental review consultants as a project arises, rather than going through a separate RFQ consultant procurement process each time a project is proposed. Staff has also found that retaining as-needed consultants ensures a prompt response and competitive pricing for the requested services. Thus, the Board's approval of the eight as-needed environmental review consultant agreements for District-sponsored projects and list of eight qualified consulting firms for tenant-sponsored projects would facilitate continuance of this practice. The selected consultants may work on technical studies including, but not limited to, the areas of: aesthetics, air quality, biological resources, cultural resources, cumulative effects, geology and soils, greenhouse gas (GHG) emissions, hazards and hazardous materials, hydrology and water quality, land and water use planning, noise, public services, recreation, sea level rise, transportation, traffic and parking, tribal cultural resources, utilities, as well as small to large environmental review documentation such as Categorical Exemptions, NDs, MNDs, and EIRs for District- and tenant-sponsored projects.

In order to continue to more efficiently process projects requiring environmental review consulting services, staff proposes establishing two as-needed environmental review consultant lists, one list for District-sponsored projects, and one list for tenant-sponsored projects. Based on past experience, staff anticipates this approach will save approximately 12 weeks of time that would otherwise be spent administering case-by-case RFQs. Nonetheless, the District may still choose to conduct a separate consultant procurement process, rather than use the proposed as-needed environmental review consultant lists, if desired. Staff recommends that the eight highest-ranking firms (AECOM, Ascent, Chambers, Dudek, ESA, Harris & Associates, HELIX, and ICF) be placed on both lists.

District-Sponsored Projects

For District-sponsored projects, staff proposes that the District enter into eight as-needed consultant

agreements (with AECOM, Ascent, Chambers, Dudek, ESA, Harris & Associates, HELIX, and ICF) for a total aggregate amount payable under the agreements not to exceed \$1,500,000 for a period of three years. As a District project arises that requires as-needed environmental review consulting services, staff will select a consultant, and develop a scope of work and negotiate an appropriate fee that will be memorialized in an individual task authorization. Any authorized funds for District projects will be expended, as needed, and based on specific requirements as determined by the District.

Tenant-Sponsored Projects

For tenant-sponsored projects, staff proposes to establish a list of eight qualified as-needed consulting firms, consisting of the same eight firms proposed for District-sponsored projects (AECOM, Ascent, Chambers, Dudek, ESA, Harris & Associates, HELIX, and ICF), to potentially provide environmental review consulting services for tenant-sponsored projects for a period of three years. Since the tenant projects and associated consultant costs are currently unknown, and the applicant would be responsible for compensating the consultant under the District's Three-Party Agreement process, agreements cannot be developed at this time. Instead, as a tenant project arises that requires environmental review, staff will select a consultant from the as-needed list, develop a scope of work, and negotiate an appropriate fee that will be memorialized in a Three-Party Agreement between the District, tenant, and consultant. Under the Three-Party Agreement, the applicant is solely responsible for the costs of retaining the consultant, and the consultant performs the required services under the direction of the District. An example of the District's Three-Party Agreement for tenant-sponsored projects was provided to prospective proposers to review as part of the RFQ process.

Request for Qualifications and Consultant Selection

Pursuant to BPC Policy No. 110, on October 4, 2017, District staff issued RFQ 17-69RH seeking As-Needed Current Planning Environmental Review Consulting Services for the preparation of environmental review documents and technical studies that meet the mandates of CEQA, NEPA, the Coastal Act and other relevant local plans, regulations, and procedures as required for both District- and tenant-sponsored projects. The RFQ described the consulting services required by the District, the agreement terms and conditions, and the competitive process by which the District procures consulting services. The RFQ was electronically mailed directly to approximately 1,300 consulting firms known to offer the necessary services and that have expressed interest in working on projects on District tidelands. An Information Exchange Meeting was held on October 23, 2017. In total, 17 responsive proposals to the RFQ were received by the deadline of November 7, 2017, from the following firms: AECOM; Ascent; Aspen Environmental Group; BRG Consulting, Inc.; Burns & McDonnell Engineering, Inc.; Cardno Inc.; Chambers; Dudek; ESA; Harris and Associates; HDR Engineering, Inc.; HELIX; ICF; LSA Associates, Inc. (LSA); Ramboll Environ US Corporation (Ramboll); RECON Environmental, Inc.; and Rincon Consultants, Inc. The 17 responsive proposals were evaluated by a panel comprised of District staff from DSD, Energy, and Planning & Green Port. Based on the initial review of the written proposals, the following top 10 firms were selected for interviews: AECOM, Ascent, Chambers, Dudek, ESA, Harris & Associates, HELIX, ICF, LSA, and Ramboll. Interviews were conducted on December 13 and 14, 2017. A decision analysis was completed based on the information gathered through the interviews, written proposals, and using the criteria stated in the RFQ. The selection panel evaluated and ranked each firm's experience of proposed staff, approach to the project, capability to perform, as well as fair and reasonable cost. Based on the evaluation process, the panel identified the following eight highest-ranked firms recommended by staff (AECOM, Ascent, Chambers, Dudek, ESA, Harris & Associates, HELIX, and ICF) as further discussed below.

AECOM - AECOM has been providing land development, planning, and environmental services to numerous public agencies throughout southern California for over 20 years, including San Diego, Long Beach, and Los Angeles. The project team has previously worked on District projects, including managing the Port Master Plan Update as well as preparation of technical studies to support the preparation of the Teledyne Ryan Demolition Project EIR. In addition, AECOM has substantial relevant experience providing similar as-needed environmental review consulting services to other agencies such as the Port of Los Angeles, Port of Long Beach, City of Los Angeles Department of Water & Power, U.S. Navy, City of San Diego, San Diego Association of Governments (SANDAG), Caltrans District 11, and the County of San Diego. Moreover, the Project Manager has relevant experience managing the preparation of CEQA and NEPA documents, including experience providing similar services to other ports. AECOM included three subconsultants to provide technical services, as follows: Linscott Law & Greenspan (LLG) for traffic and parking services, Merkel & Associates (Merkel) for marine biological resources services, and Nordby Biological Services for biological services.

AECOM demonstrated relevant firm experience for other port and agency projects and proposed staff experience providing environmental review consulting services for the District, presented a well thought-out approach, demonstrated a general understanding of the District's issues and needs related to CEQA, identified a rigorous quality assurance and quality control process for work products, and ranked very high in fairness and reasonableness of cost.

Ascent - Ascent's proposed staff has 18 years of professional experience in environmental and community planning in San Diego. The project team has held on-call programs for contract environmental planning services for the City of San Marcos, Napa County Local Agency Formation Commission, Yolo County, and the California Department of Corrections and Rehabilitation. CEQA and NEPA document preparation is their core service and they have led and/or prepared over 1,500 CEQA and NEPA documents and related technical studies. Ascent is currently preparing the guidelines and thresholds of significance for air quality and GHG emissions for the District. In addition, the Ascent project team has successfully worked on environmental projects with the City of San Diego, County of San Diego, and SANDAG. Ascent included six subconsultants to provide technical services, as follows: cbec Ecoengineers for hydrodynamic and sediment transport modeling; Chen Ryan Associates, Inc. (Chen Ryan) for transportation, traffic, and parking; Great Ecology for habitat conservation planning and contract project management; Katz & Associates for public participation and community outreach; Parus Consultants for tribal cultural resources; and Stillwater Sciences for aquatic biological resources.

Ascent demonstrated excellent proposed staff experience by providing environmental review consulting services for District and other agency projects, demonstrated a clear understanding of the District's issues and needs related to CEQA and the Coastal Act, identified a thorough Quality Assurance Plan for work products, and ranked very high in fairness and reasonableness of cost.

Chambers - Chambers' proposed staff has over 35 years of experience of preparing environmental reports and studies for environmental review documents pursuant to CEQA and NEPA, as well as a full range of technical studies and applicable environmental compliance permitting. Chambers has experience providing on-call environmental services to Los Angeles County Department of Public Works, Orange County Department of Public Works, San Diego Gas & Electric (SDG&E), and Los Angeles County Sanitation Districts. Regarding District projects, Chambers' proposed staff worked on

the San Diego Refrigerated Services MND and the Teledyne Ryan Demolition Project EIR. Chambers included six subconsultants to provide technical services, as follows: Blackhawk Environmental, Inc. (Blackhawk) for biological services; Moffatt & Nichol for hydrology, water quality, and sea level rise services; Ninyo & Moore Environmental & Geotechnical Science Consultants (Ninyo & Moore) for geology and soils and hazards and hazardous materials services; Chen Ryan for transportation, traffic, and parking services; Ldn Consulting, Inc., for air quality, noise, and GHG emissions services; and Estrada Land Planning for visual simulations and aesthetics services.

Chambers demonstrated relevant proposed staff experience by providing environmental review consulting services for District and other agency projects, demonstrated a clear understanding of the District's issues and needs related to CEQA and the Coastal Act, identified a thorough Quality Assurance Plan for work products, and ranked very high in fairness and reasonableness of cost.

Dudek - Dudek's proposed staff has more than 20 years of professional experience in project management, environmental policy, and data analysis, including 15 years of experience working on various District projects. The Dudek project team also has experience working on projects for the Port of Los Angeles and the County of San Diego. The project team previously prepared and completed environmental review for various District projects, including the America's Cup Harbor Redevelopment and Port Master Plan Amendment (PMPA) EIR, Palm and Carnation Street Ends Improvement EIR, South Bay Boatyard MND, Woodfin Suites Hotel EIR, Chula Vista Bayfront Master Plan EIR, and the Second Addendum to the America's Cup Harbor Redevelopment PMPA EIR. Additionally, the project team recently managed the preparation of the Portside Pier MND, the San Diego Bay and Imperial Beach Oceanfront Fireworks Display EIR, and the Bayside Performance Park Project and PMPA EIR. Currently, the project team is managing the preparation of the Fifth Avenue Landing Project and PMPA EIR and the Mitsubishi Cement Corporation at Warehouse C EIR. In total, the project team has participated in approximately 30 projects for the District over the past 15 years. Moreover, Dudek provides additional depth and continuity by including two former District planning employees as part of the proposed team. Dudek included five subconsultants to provide technical services, as follows: Balk Biological to provide biological services, Chen Ryan to provide traffic and transportation services; iLanco Environmental, LLC. to provide air quality and GHG emissions services; Kearns & West to provide public involvement and stakeholder facilitation services; and Ninyo & Moore to provide geotechnical services.

Dudek demonstrated strong proposed staff experience by providing environmental review consulting services for the District and other agency projects, demonstrated a clear understanding of the District's issues and needs related to CEQA and the Coastal Act, identified a thorough Quality Assurance Plan for work products, and ranked very high in fairness and reasonableness of cost.

ESA - ESA's proposed staff has over 25 years of experience preparing environmental and CEQA documents. The project team has held on-call contracts for the San Diego County Department of Public Works, Los Angeles Department of Water and Power, Los Angeles Department of Public Works, Orange County Public Works, and the California Department of Water Resources. Furthermore, ESA has experience working with other west coast ports, including the Ports of Seattle, Portland, San Francisco, Oakland, Redwood City, Los Angeles, and Long Beach. For the District, ESA worked on the Chula Vista Bayfront Sea Level Rise Analysis, Pond 20 Mitigation Banking Design, Kellogg Beach Coastal Access Feasibility Study, and wind wave monitoring data and wave monitoring for the Living Shorelines Oyster Reef Project. ESA has included eight subconsultants to provide technical services, as follows: Blackhawk for biological resources and

regulatory permitting services; Great Ecology for biological services and regulatory permitting services; Kearns & West for community outreach and stakeholder facilitation services; LLG for traffic engineering and transportation planning services; Merkel for marine biology services; Ninyo & Moore for geotechnical engineering and environmental hazards services; Red Tail Monitoring & Research, Inc. for native American monitoring and archaeological support services; and VisionScape Imagery, Inc. for visual simulations and aesthetics services.

ESA demonstrated relevant proposed staff experience by providing environmental review consulting services for District and other agency projects, demonstrated a clear understanding of the District's issues and needs related to CEQA and the Coastal Act, identified a thorough Quality Assurance Plan for work products, and ranked very high in fairness and reasonableness of cost.

Harris & Associates - Harris & Associates' proposed staff has 35 years of experience in preparation of environmental documents for as-needed environmental consulting services, including 10 CEQA documents for the District. Harris & Associates proposed staff has also held on-call environmental contracts with San Diego County Department of Public Works, University of California, San Diego, and the Sweetwater Authority. Examples of their District project experience include: South Embarcadero Redevelopment Program 1 EIR, North Embarcadero Alliance Visionary Plan Preliminary Draft Master EIR, and Old Police Headquarters and Park Project EIR. Harris & Associates has included eight subconsultants to provide technical services, as follows: Ascent for air quality, GHG, health risk assessment, and CEQA support services; ASM Affiliates, Inc. (ASM) for cultural resource and tribal cultural resources, and architectural history services; Chen Ryan for traffic and transportation services; Katz & Associates for public outreach services; Merkel for marine biological resources services; Ninyo & Moore for geology and soils and hazards and hazardous materials services; Rick Engineering Company (Rick) for aesthetics, land use planning, hydrology/water quality, and public service services; and TerraCosta Consulting Group, Inc. for sea level rise services.

Harris & Associates demonstrated excellent proposed staff experience by providing relevant environmental review consulting services for District and other agency projects, presented a clear and concise approach, identified a thorough Quality Assurance Plan for work products, and ranked very high in fairness and reasonableness of cost.

HELIX - HELIX proposed staff has over 30 years of experience providing environmental consulting services to public and private sector clients in San Diego County. HELIX has previously provided environmental review consulting services for District projects such as the San Diego Marriott Marquis & Marina Facilities Improvement Project and PMPA EIR; Coronado Island Marriott Resort Ballroom, Spa, and Renovation Project MND; and the Kona Kai Resort MND. Furthermore, HELIX is currently preparing the New Restaurant at Ferry Landing Supplemental EIR for the District. The HELIX project team also has significant relevant experience providing similar as-needed environmental review consulting services to the District with the following agencies: U.S. Navy, Caltrans District 11, City of San Diego, and SANDAG. HELIX included six subconsultants to provide technical services, as follows: ASM for historic resources and architectural history services; Coastal Environments, Inc. for sea level rise services; LLG for traffic and parking services; Marine Taxonomic Services, Ltd. (MTS) for biological resources and marine environment services; Ninyo & Moore for geology and soils and hazards and hazardous materials services; and Rick for hydrology and water quality, stormwater, and utilities.

HELIX demonstrated excellent relevant firm and proposed staff experience providing environmental review consulting services for District and other agency projects, demonstrated a clear understanding of the District's issues and needs related to CEQA and the Coastal Act, identified a thorough Quality Assurance Plan for work products, and ranked very high in fairness and reasonableness of cost.

ICF - ICF's proposed staff has been providing environmental review consulting services in San Diego County for over 35 years, including 25 years of experience working directly with the District. ICF has also held as-needed CEQA and NEPA and project management contracts with the Ports of Los Angeles and Long Beach for over a decade. ICF has previously provided environmental review consulting services for District projects such as the San Diego Bay and Imperial Beach Oceanfront Fireworks Display Events EIR, Tenth Avenue Marine Terminal Redevelopment Plan and Demolition and Initial Rail Component EIR, National City Marine Terminal Tank Farm Paving and Street Closures Project and PMPA EIR, Dole Fresh Fruit Refrigerated Rack Improvement EIR, San Diego Convention Center Phase III Expansion and Expansion Hotel and PMPA EIR, and the Coronado Yacht Club Redevelopment and PMPA EIR. ICF is also currently providing environmental review consulting services for the District's Port Master Plan Update EIR, Fifth Avenue Landing Project and PMPA EIR, and the Port-wide Air Inventory. ICF has significant relevant experience providing similar as-needed environmental review consulting services to the District as well as the following agencies: Port of Los Angeles, Port of Long Beach, SDG&E, San Diego Unified School District, and Civic San Diego. In addition, the proposed Project Manager has significant relevant experience providing similar services to other ports, has previously completed several CEQA documents for the District, and is currently managing the preparation of two CEQA documents for the District. ICF included seven subconsultants to provide technical services, as follows: Amec Foster Wheeler Environment & Infrastructure for aquatic sciences; Chen Ryan for transportation, traffic, and parking services; Geosyntec Consultants for stormwater and watershed management services; MTS for marine biological resource services; Ninyo & Moore for geology and soils and hazards and hazardous materials services; San Diego Natural History Museum for paleontology services; and Windward Environmental, LLC. for sediment assessment and remediation services.

ICF demonstrated the most extensive and relevant proposed staff experience providing environmental review consulting services for District and other port and agency projects; demonstrated a clear understanding of the District's issues and needs related to CEQA, NEPA, Coastal Act, Port Master Plan, and other related laws and regulations; identified a rigorous quality control process for work products; and ranked very high in fairness and reasonableness of cost.

Firms Not Recommended

The two remaining firms selected for interviews, LSA and Ramboll, were not recommended by the selection panel because they did not demonstrate that their proposed staff have substantial relevant or similar experience providing environmental review consulting services to other ports or similar agencies. More specifically, the proposed teams identified by these firms did not demonstrate a comprehensive understanding and/or experience preparing the type of CEQA and NEPA environmental review documents requested by the District as identified in the RFQ. Furthermore, the proposed teams did not demonstrate a clear understanding of the services requested by the District and did not present an organized, clear, and concise approach to providing such services. In addition, these firms were not recommended by the selection panel for one or more of the following reasons: the proposed Project Manager did not demonstrate a comprehensive understanding and/or experience preparing the type of CEQA and NEPA environmental review documents requested by the District; the firms did not demonstrate an understanding of the District's issues and needs related

to CEQA, NEPA, and other local plans, regulations, and procedures; they did not identify a clear quality control process; and/or they did not propose a fair and reasonable cost.

Conclusion

The recommended firms (AECOM, Ascent, Chambers, Dudek, ESA, Harris & Associates, HELIX, and ICF) ranked in the top eight due to the firms' demonstration of the most relevant staff experience, thorough and well thought-out approach, understanding of the District's issues and needs related to CEQA, as well as fair and reasonable cost. District staff therefore recommends that the Board select and authorize as-needed agreements with AECOM, Ascent, Chambers, Dudek, ESA, Harris & Associates, HELIX, and ICF to provide as-needed environmental review consulting services for District-sponsored projects for a total aggregate amount payable under the agreements not to exceed \$1,500,000 for a period of three years (Attachments A, B, C, D, E, F, G, and H). District staff further recommends that the Board select and establish a list of qualified consulting firms consisting of the same eight firms to potentially provide environmental review consulting services for tenant-sponsored projects for a period of three years.

General Counsel's Comments:

The Office of the General Counsel has reviewed the agreements for each of the recommended firms and approves as to form and legality.

Environmental Review:

The proposed Board actions do not constitute a "project" under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because they will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA. No further action under CEQA is required.

In addition, the proposed Board actions allow for the District to implement its obligations under Sections 81, 83, and 87 of the Port Act, which supports: the use of funds for expenses of conducting the District; the use of funds for acquisition and maintenance of improvements, works, and facilities; and for commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. This proposed Board action furthers these requirements. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

Finally, the proposed Board action does not allow for "development," as defined in Section 30106 of the California Coastal Act, or "new development," pursuant to Section 1.a. of the District's Coastal Development Permit Regulations. Therefore, issuance of a Coastal Development Permit or exclusion is not required.

Equal Opportunity Program:

Due to limited known sub opportunities, no SBE goal was established for this agreement.

PREPARED BY:

Dana Sclar
Senior Planner, Development Services

Attachments:

- Attachment A: Draft Agreement 11-2018RH with AECOM Technical Services, Inc.
- Attachment B: Draft Agreement 07-2018RH with Ascent Environmental, Inc.
- Attachment C: Draft Agreement 09-2018RH with Chambers Group, Inc.
- Attachment D: Draft Agreement 06-2018RH with Dudek
- Attachment E: Draft Agreement 08-2018RH with Environmental Science Associates
- Attachment F: Draft Agreement 05-2018RH with Harris & Associates
- Attachment G: Draft Agreement 10-2018RH with HELIX Environmental Planning, Inc.
- Attachment H: Draft Agreement 04-2018RH with ICF Jones & Stokes, Inc.