



## Legislation Details (With Text)

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**Title:** RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH KLEINFELDER, INC., NINYO & MOORE GEOTECHNICAL & ENVIRONMENTAL SCIENCES CONSULTANTS, AND WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS, INC., FOR AS-NEEDED ENVIRONMENTAL INVESTIGATION SERVICES FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$3,000,000 FOR A PERIOD OF THREE YEARS, THROUGH 2023. FY 2020 EXPENDITURES ARE BUDGETED; FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

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**Attachments:** 1. 8. 2020-0050 Attachment A, 2. 8. 2020-0050 Attachment B, 3. 8. 2020-0050 Attachment C, 4. 8. 2020-0050 Draft Resolution

Date	Ver.	Action By	Action	Result
3/10/2020	1	Board of Port Commissioners	adopted	

**DATE:** March 10, 2020

**SUBJECT:**

RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH KLEINFELDER, INC., NINYO & MOORE GEOTECHNICAL & ENVIRONMENTAL SCIENCES CONSULTANTS, AND WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS, INC., FOR AS-NEEDED ENVIRONMENTAL INVESTIGATION SERVICES FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$3,000,000 FOR A PERIOD OF THREE YEARS, THROUGH 2023. FY 2020 EXPENDITURES ARE BUDGETED; FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

**EXECUTIVE SUMMARY:**

Environmental investigation services under this agreement would be used to investigate and address potential contamination within the District's jurisdiction in and around San Diego Bay. These services may be needed in conjunction with a wide variety of actions including but not necessarily limited to major maintenance, capital improvement projects, and to comply with regulatory requirements. These projects can be technically demanding and are best addressed using consultants who have advanced technical skills and approaches to address these issues successfully and cost-effectively.

Pursuant to BPC Policy No. 110, on November 12, 2019, District staff issued a Request for Qualifications (RFQ) seeking qualified firms for As-Needed Environmental Investigation Services. On

December 17, 2019, the District received responsive proposals from eleven firms. Based on an analysis of the proposals, six of the eleven firms were selected as finalists and interviewed by staff. Based on the interviews, the written proposals, and a decision analysis process using the criteria stated in the RFQ, staff recommends the Board of Port Commissioners (Board) select and authorize agreements with Kleinfelder, Inc., Ninyo & Moore Geotechnical & Environmental Sciences Consultants, and Wood Environment & Infrastructure Solutions, Inc. Upon Board approval, Agreements #20-2020MA, #21-2020MA, and #22-2020MA (Attachments A, B, C, respectively) between the District and the three firms would be executed for a period of three years for a total aggregate amount not to exceed \$3,000,000.

### **RECOMMENDATION:**

Adopt a Resolution authorizing agreements with Kleinfelder, Inc., Ninyo & Moore Geotechnical & Environmental Sciences Consultants, and Wood Environment & Infrastructure Solutions, Inc., for As-Needed Environmental Investigation Services for a total aggregate amount not to exceed \$3,000,000 for a period of three years.

### **FISCAL IMPACT:**

Funds for the first year of expenditure, if needed, are budgeted in the FY20 Environmental Protection department's Professional Services expense account (#620100) in the amount of \$610,000, and in the remediation expense account (#660140) in the amount of \$50,000. Services under these agreements for the District's major maintenance or capital improvement programs will be charged to the respective project budgets. Funds required for future fiscal years will be budgeted in the appropriate fiscal year and cost account, subject to Board approval upon adoption of each fiscal year's budget.

### **COMPASS STRATEGIC GOALS:**

Environmental investigation services under this agreement would be used to investigate and address potential contamination within the District's jurisdiction in and around San Diego Bay. This agenda item supports the following Strategic Goals.

- 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.

### **DISCUSSION:**

The District routinely completes environmental investigations and related studies for a wide variety of projects, to comply with regulatory permits and other requirements, and to implement beyond compliance stewardship efforts. These environmental investigations and studies range from routine to highly technical projects that require outside consultant expertise to ensure the most current industry-accepted methods and approaches are used. These investigation services support the District's capital improvement, major maintenance, and environmental protection programs.

The as-needed services agreements allow the District to obtain and rely upon a consultant's technical expertise to assist the District in resolving complex and critical environmental issues. Whenever possible, services under the agreements are reimbursed by cooperative arrangements with tenants or through other cost-sharing agreements.

Pursuant to BPC Policy No. 110, District staff issued RFQ #19-42MA for As-Needed Environmental Investigation Services on November 12, 2019. Electronic solicitation notifications were sent through Planet Bids to 1,884 potential service providers. An information exchange meeting was held on November 20, 2019. On December 17, 2019, the District received responsive proposals from 11 firms listed in the following table in alphabetical order:

<b>Firm</b>	<b>Local Office Location</b>	<b>Average of Fully Burdened Rate Per Hour *</b>
Apex Companies, LLC	6815 Flanders Dr., Ste 155 San Diego, CA 92121	\$165
Dudek	2280 Historic Decatur Road, Suite 200 San Diego, CA 92106	\$173
Farallon Consulting LLC	25 Mauchly, Suite 320 Irvine, CA 92618	\$152
Kleinfelder, Inc.	550 West C Street, Suite 1200 San Diego, CA 92101	\$160
KMEA	2423 Hoover Avenue National City, CA 91950	\$155
Leighton Consulting, Inc.	3934 Murphy Canyon Rd # B205 San Diego, CA 92123	\$148
Ninyo & Moore Geotechnical and Environmental Sciences Consultants	5710 Ruffin Road San Diego, CA 92123	\$136
Rincon Consultants, Inc.	8825 Aero Drive, Suite 120 San Diego, CA 92123	\$130
Tetra Tech, Inc.	1230 Columbia Street, Suite 1000 San Diego, CA 92101	\$133
TRC Solutions, Inc.	4393 Viewridge Ave, Suite A San Diego, CA 92123	\$121
Wood Environment & Infrastructure Solutions, Inc.	9210 Sky Park Court, Suite 200 San Diego, CA 92123	\$144

The proposals were evaluated by a panel comprised of District staff from the Environmental Protection, Real Estate, Engineering, and Procurement departments. Based on the interviews, the written proposals, and a decision analysis process using the criteria stated in the RFQ, six firms were selected for interviews, which were conducted on January 28, 2019. The interviewed firms were: Dudek, Kleinfelder, Inc., Ninyo & Moore Geotechnical & Environmental Sciences Consultants, Tetra Tech, Inc., TRC Solutions, Inc., and Wood Environment & Infrastructure Solutions, Inc.

The evaluation panel analyzed the firms' proposals, presentations, and responses to the interview questions, then ranked the firms based on the criteria established in RFQ #19-42MA. Based on this evaluation process, staff recommends Board approval of as-needed agreements with the three top-scoring firms: Kleinfelder, Inc., Ninyo & Moore Geotechnical & Environmental Sciences Consultants,

and Wood Environment & Infrastructure Solutions, Inc. The interviewed firms are discussed in the sections below.

### **Kleinfelder, Inc.**

Headquartered in San Diego, Kleinfelder is a professional consulting services corporation that provides engineering, planning, scientific, and management services. Kleinfelder has successfully completed numerous environmental investigation projects for the District. Kleinfelder has a large, local office capable of providing appropriate staffing to meet the varied requirements anticipated under this on-call agreement.

The proposed project manager under this agreement is William Golightly. Mr. Golightly is a Professional Engineer with 31 years of experience. Mr. Golightly has expertise and recent experience with large, complex environmental sites with multiple sources of contaminants in soil, groundwater and sediment. Kleinfelder's proposed sediment lead, Mike Johns, is a nationally recognized expert. The strengths of these individuals closely align with the District's needs on our most challenging environmental projects.

Kleinfelder proposes to utilize the following subcontractors under this agreement:

- Environmental Treatment & Technology, Inc., DBA Advanced Technology Laboratories, Signal Hill, California: laboratory analytical services
- Bechtel Tools, Inc., DBA Bechtel Services, San Diego, California: traffic control services
- Belshire Environmental Services, Inc., Foothill Ranch, California: waste hauling and disposal
- Susan E. Booth, PG, San Diego, California: historical environmental land use investigations, litigation support
- Cape Fear Analytical, Wilmington, North Carolina: laboratory analytical services
- Cascade Drilling/ Technical Services, Upland, California: drilling services
- EMSL Analytical, Inc., Cinnaminson, New Jersey: laboratory analytical services
- Enthalpy Analytical, Orange, California: toxicology / water quality
- Eurofins Calscience, LLC, Garden Grove, California: laboratory analytical services
- H&P Mobile Geochemistry, Inc., Carlsbad, California: laboratory analytical services and direct push / mobile
- O'Day Consultants, Inc., Carlsbad, California: permitting and compliance, and survey
- Limited Access Unlimited, Inc., DBA Pacific Drilling Co, San Diego, California: drilling services
- Soclaris Contracting, La Mesa, California: trenching and excavations
- SubSurface Surveys & Associates, Inc., Carlsbad, California: geophysics and utility clearance
- ToxRisk Consulting, LLC, Gig Harbor, Washington: human health risk assessment
- Windward Environmental LLC, Seattle, Washington: marine sediment project management

Throughout the proposal and interview process, Kleinfelder exhibited a wide range of technical skill and experience on all aspects of the RFQ's scope. Its proposal, presentation, and responses to staff questions demonstrated a clear understanding of the scope and a dedication to high quality. Kleinfelder's approach to the project was well defined, clear, and emphasized key steps to a successful project.

A consultant with Kleinfelder's expertise and capabilities is needed to effectively manage District

projects. Therefore, Kleinfelder is recommended by staff for selection as an as-needed environmental investigation consultant.

### **Ninyo & Moore Geotechnical & Environmental Sciences Consultants**

Headquartered in San Diego, Ninyo & Moore is an environmental services firm with a great deal of experience in environmental investigation services. Ninyo & Moore has successfully completed various environmental investigation projects for the District.

The proposed project manager under this agreement is Marci Richards. Ms. Richards has over 29 years of experience in the environmental field and is a California-licensed Professional Geologist, Qualified Stormwater Pollution Prevention Plan Practitioner/Developer, and Qualified Industrial Stormwater Practitioner.

Ninyo & Moore proposes to utilize the following subconsultants under this agreement:

- Great Ecology, San Diego, California: sediments and wetlands
- D-Max Engineering, Inc., San Diego, California: NPDES permitting and compliance
- Petra Resource Management, San Diego, California: cultural resources and GIS
- GeomorphIS, San Diego, California: GIS and database management
- H&P Mobile Geochemistry, Inc., Carlsbad, California: soil vapor surveys and mobile laboratory services
- ABC Liovin Drilling, Inc., Signal Hill, California: drilling services
- Patriot Environmental Services, San Diego, California: trenching and waste handling
- EMSL Analytical, Inc., San Diego, California: laboratory analytical services
- Advanced Technology Laboratories, Signal Hill, California: laboratory analytical services
- Spectrum Geophysics, Chatsworth, California: utility location and geophysics
- Merkel & Associates Inc., San Diego, California: sediments and wetlands

Throughout the proposal and presentation process, Ninyo & Moore exhibited a wide range of technical skill and experience on all aspects of the agreement scope, particularly in projects relating to redevelopment of the Chula Vista Bayfront. The focus of Ninyo & Moore, as a company, is on public agency clients in California and its team was clear and convincing about how its approach to properly scoping and delivering on projects would provide value to the District. Ninyo & Moore brings a “big picture” vision to its work and appears ready to support District project needs. Therefore, Ninyo & Moore is recommended by staff for selection as an as-needed environmental investigation consultant.

### **Wood Environment & Infrastructure Solutions, Inc.**

Located in San Diego, Wood is an environmental services corporation that provides consulting and engineering services. Wood is considered a national leader among environmental consulting firms and has successfully completed a variety of environmental services for the District. The local office is large, with a diverse staff capable of performing both land and Bayside projects.

The proposed project manager under this agreement is Barry Snyder. Mr. Snyder is well qualified. The proposed sediment lead, Rolf Schottle, is also a nationally recognized expert. The team at Wood is heavily focused on contaminated sediment projects, which are anticipated to be a key component

of work under this agreement.

Wood proposes to utilize the following subconsultants under this agreement:

- ABC Liovin Drilling, Signal Hill, California: drilling, well installation, subsurface soil and groundwater sampling
- Aquatic Blue Environmental, Inc., San Marcos, California: sediment collection and small vessel support
- BC2 Environmental, Orange, California: drilling, well installation, subsurface soil and groundwater sampling
- Belshire Environmental Services, Inc., Foothill Ranch, California: waste transport and disposal
- EMAX Laboratories, Inc., Torrance, California: laboratory analytical services
- Enviromatrix Analytical, Inc., San Diego, California: bacteriological and general chemistry analyses
- FMF Pandion, Encinitas, California: watershed assessment services and pollutant source tracking
- H&P Mobile Geochemistry, Inc., Carlsbad, California: direct push rig, soil vapor sample collection and analysis
- Laboratory Data Consultants, Inc., Carlsbad, California: Analytical data review and validation, and quality assurance report preparation
- Merkel & Associates, Inc., San Diego, California: Caulerpa, eelgrass, EFH, habitat restoration
- Physis Environmental Laboratories, Anaheim, California: Low-level chemical analysis of sediment, tissue, and water samples
- Seaventures, Inc., San Juan Capistrano, California: Vessel operations for sediment collection or other work requiring a large boat
- SubSurface Surveys & Associates, Carlsbad, California: geophysics and utility clearance

The team at Wood has the most San Diego Bay monitoring experience of all the teams proposing. Its landside lead is also very experienced. The project manager demonstrated a strong sense of District needs and clearly enumerated an approach to project delivery focused on the goals. Having Wood available to perform environmental services will be an asset for the District. Therefore, Wood is recommended by staff for selection as an as-needed environmental investigation consultant.

## **Dudek**

Located in San Diego, Dudek is an environmental consulting firm with broad capabilities. Dudek has completed various environmental projects for the District.

The proposed project manager under this agreement is Nicole Peacock. Ms. Peacock is a California-licensed Professional Engineer, Professional Geologist, and Certified Hydrogeologist with 20 years of experience.

Dudek proposes to utilize the following subconsultants under this agreement:

- Aurora Industrial Hygiene, San Diego, California: asbestos and lead
- Belshire, Foothill Ranch, California: waste management
- Calvada, Corona, California: land surveyor



- Cascade, Upland, California: driller
- Soclaris Contracting, La Mesa, California: remedial excavation and waste management
- H&P, Carlsbad, California: driller, mobile laboratory
- Mission Environmental: marine sediment consulting and sampling
- Marine Taxonomic Services, San Marcos, California: marine sediment consulting and sampling
- Pi Environmental, San Marcos, California: marine sediment consulting and sampling
- SunStar Laboratories, Lake Forest, California: laboratory analytical services
- Eurofins Calscience, Garden Grove, California: laboratory analytical services
- Enthalpy Analytical, Orange, California: laboratory analytical services
- ULS Services Corporation, Santee, California: utility surveyor

Dudek's proposed team has less experience than the recommended proposers. The proposed sediment team lacks relevant experience and it was not clear that there was an on-staff leader with the requisite sediment experience to effectively manage the sediment contractors. In the interview, some responses did not reflect a good understanding of the District's priorities. Dudek proposed the highest rates of any team that was interviewed but did not demonstrate commensurate experience and expertise. Therefore, Dudek is not recommended by staff for selection as an as-needed environmental investigation consultant.

### **Tetra Tech, Inc.**

Located in San Diego and headquartered in Pasadena, Tetra Tech is a multidisciplinary engineering firm with a great deal of experience in environmental investigation. Tetra Tech is considered a national leader among environmental consulting firms and they have performed numerous environmental investigation projects for the District.

The proposed project manager under this agreement is Steve Bradley. Mr. Bradley has 41 years of experience and is a California-licensed Professional Geologist and Certified Engineering Geologist. He has worked on many complex sites involving multiple contaminants and diverse stakeholders.

Tetra Tech proposes to utilize the following subconsultants under this agreement:

- IO Environmental and Infrastructure, Inc., San Diego, California: environmental remediation, soil transportation and disposal, and wetlands mitigation
- Merkel & Associates Inc., San Diego, California: terrestrial/aquatic ecology, biology, oceanographic GIS services
- Weston Solutions, Carlsbad, California: benthic sediment investigation
- Enthalpy Analytical, San Diego, California: toxicity and microbiology laboratory for wastewater, stormwater, and drinking water
- Tri-County Drilling, San Diego, California: drilling
- H&P Mobile Geochemistry, Inc., Carlsbad, California: drilling, soil gas sampling, mobile and fixed analytical laboratories
- Asset Laboratories, Cerritos, California: laboratory analytical services

Tetra Tech has significant experience in and around San Diego Bay. The proposed sediment team has more of an emphasis on biology and lacks experience on major contaminated sediment projects.

While the presentation was strong and demonstrated a clear understanding of District projects, its proposed approach to addressing difficult problems, as described during the interview, was not practical. Therefore, Tetra Tech is not recommended by staff for selection as an as-needed environmental investigation consultant.

### **TRC Solutions, Inc.**

Located in San Diego, TRC is an environmental consulting company with extensive experience. TRC has completed various environmental projects for the District.

The proposed project manager under this agreement is Gary McCue. Mr. McCue is a California-licensed Professional Geologist and Certified Hydrogeologist with over 30 years' experience.

TRC proposes to utilize the following subconsultants under this agreement:

- Transpo-Environmental Consulting, Inc., Winnetka, California: engineering consulting
- Pi Environmental, San Marcos, California: marine sediment investigation and consulting
- Coastal Monitoring Associates, LLC, San Diego, California: marine sediment investigation and consulting
- Cordoba Corporation, Los Angeles, California: marine sediment investigation and consulting
- Ocean Blue Environmental Services, Inc, San Diego, California: waste transport/disposal, hazmat response
- Advanced Technology Laboratories, Signal Hill, California: laboratory analytical services
- J&H Drilling Company, Inc., Buena Park, California: drilling

TRC's team has extensive national experience, but much of that is focused on private clients and specifically energy sector clients. It was not clear that TRC would understand and anticipate the concerns of a public agency like the District. The sediment team demonstrated a lack of familiarity with the environmental conditions in and around San Diego Bay. Their presentation did not clearly present a persuasive project approach. The reliance on national sediment staff raised questions about their ability to deliver on local projects. Therefore, TRC is not recommended by staff for selection as an as-needed environmental investigation consultant.

### **Conclusion:**

Of the firms that responded to the RFQ and were interviewed, Kleinfelder, Ninyo & Moore, and Wood demonstrated the most relevant experience and effective approach to meeting the scope of work described in the RFQ. These firms have excellent records resolving complex environmental projects similar to many of those the District is engaged in. All three firms are locally established and have the ability to respond in a timely manner. Staff recommends adopting a resolution selecting and authorizing agreements with Kleinfelder, Inc., Ninyo & Moore Geotechnical & Environmental Sciences Consultants, and Wood Environment & Infrastructure Solutions, Inc., in an aggregate amount not-to-exceed \$3,000,000 for a period of three years.

### **General Counsel's Comments:**

The Office of the General Counsel reviewed this agenda and approved the proposed agreements as presented to it as to form and legality.



## **Environmental Review:**

This Board item is Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities), 15304 (Minor Alterations to Land), 15306 (Information Collection), and/or 15308 (Actions Taken by Regulatory Agency for Protection of the Environment) and Sections 3.a, 3.d, 3.f, and/or 3.h of the District's Guidelines for Compliance with CEQA because the proposed project involves the approval of agreements that authorize continued environmental investigation services to address environmental impairments related to pollution, sediment contamination, and hazardous materials that would involve no expansion of use beyond that previously existing and would not result in a significant cumulative impact due to the continuation of the existing use, would result in no permanent effects on the environment, would not involve the removal of mature, scenic trees, would be for the purpose of basic data collection and resource evaluation activities which would not result in a serious or major disturbance to an environmental resource, and would include actions taken by regulatory agencies where the regulatory process involves procedures for protection of the environment. The District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2) because the project is not located in an area that would impact an environmental resource of hazardous or critical concern, would not have cumulative impact of successive projects of the same type in the same place, would not have a significant effect on the environment due to unusual circumstances, is not within a highway officially designated as a state scenic highway, is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code, and would not cause a substantial adverse change in the significance of a historical resource.

This Board item complies with Section 87 of the Port Act, which allows for the establishment, improvement, and conduct of small boat harbors, marinas, aquatic playgrounds, and similar recreational facilities, and for the construction, reconstruction, repair, maintenance, and operation of all works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient for the promotion and accommodation of any of those uses. The Port Act was established by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed project is consistent with the Public Trust Doctrine.

Finally, this Board item is considered an "excluded development" pursuant to Sections 8.a (Existing Facilities), 8.d (Minor Alterations to Land), 8.e (Information Collection), and/or 8.f. (Inspections); therefore, issuance of a Coastal Development Permit is not required.

## **Equal Opportunity Program:**

Due to limited known sub opportunities, no SBE goal was established for this agreement. All three recommended firms identified SBEs are part of their team.

## **PREPARED BY:**

George Liddle  
Senior Environmental Specialist, Environmental Protection

Attachment(s):

Attachment A: Agreement with Kleinfelder

Attachment B: Agreement with Ninyo & Moore Geotechnical & Environmental Sciences Consultants

Attachment C: Agreement with Wood Environment & Infrastructure, Inc.