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CALIFORNIA



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March 21, 2022

## ELECTRONIC MAIL

To: 24 Pre-Qualified On-Call Contract Consultants of LA Sanitation

## LA SANITATION ON-CALL CONSULTANT SERVICES CONTRACT ISSUANCE OF TOS SN-140 MS4 PERMIT AND WATERSHED MANAGEMENT PROGRAMS COMPLIANCE

LA Sanitation (LASAN) is soliciting responses from 24 Prime Consultants on the Pre-Qualified On-Call List. Attached are details of required services for the Task Order Solicitation (TOS). To be considered responsive, Prime Consultants must attend a **mandatory** virtual pre-proposal meeting to be held on:

Date and Time:	Wednesday, April 6, 2022, from 10:00 A.M. to 11:00 A.M.
Location:	Virtual: <a href="https://meet.google.com/dwh-ybze-ixx">meet.google.com/dwh-ybze-ixx</a>
By Phone:	(US) +1 631-621-7328 (PIN: 696 335 348#)
LABAVN ID:	See LABAVN Opportunity ID: 202220

All questions regarding this TOS before the meeting must be submitted in writing via e-mail to:

- Mr. Kevin Dimzon, [kevin.dimzon@lacity.org](mailto:kevin.dimzon@lacity.org)
- Ms. Taraneh Nik-Khah, [taraneh.nik-khah@lacity.org](mailto:taraneh.nik-khah@lacity.org)
- Ms. Wanda Epps, [san.oncall@lacity.org](mailto:san.oncall@lacity.org)

Please note that inviting your subcontractors to the meeting is optional.

The deadline for proposal submission is Thursday, April 21, 2022, before 2:00 P.M. If your firm is interested in this TOS, please submit a proposal via e-mail by the indicated due date to the following LASAN staff:

- Mr. Kevin Dimzon, [kevin.dimzon@lacity.org](mailto:kevin.dimzon@lacity.org)
- Ms. Taraneh Nik-Khah, [taraneh.nik-khah@lacity.org](mailto:taraneh.nik-khah@lacity.org)
- Ms. Wanda Epps, [san.oncall@lacity.org](mailto:san.oncall@lacity.org)

Thank you for your interest and we look forward to receiving your response to this TOS. Should you decide not to submit a proposal, a **negative response is requested** with a brief explanation of the reason. Your decision to not submit a proposal will not affect your eligibility for future work.

Sincerely,

Nancy Lantin, Sr. Management Analyst II  
On-Call Contracts Representative  
Administration Division  
LA Sanitation and Environment

*zero waste • zero wasted water*

AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER

Recyclable and made from recycled waste



NL:wae

Attachment: Scope of Services

c: Master Files  
Alfredo Magallanes, LASAN  
Jon Ball, LASAN  
Kevin Dimzon, LASAN  
Taraneh Nik-Khah, LASAN

**City of Los Angeles  
LA Sanitation and Environment (LASAN)**

**On-call Consultant Services Contract**

**Task Order Solicitation (TOS) SN-140 for**

**Specialized Regulatory and Technical Services for MS4 Permit and WMPs  
Compliance**

**March 2022**

**1. Introduction**

The Watershed Protection Program (WPP) of LA Sanitation and Environment (LASAN) is charged with compliance with the NPDES Municipal Separate Storm Sewer System Permit (MS4 Permit) through the implementation of six Watershed Management Programs (WMP).

The Clean Water Act requires the development of TMDLs for water bodies that do not meet applicable water quality standards. TMDLs define the allowable load of a specific pollutant or group of pollutants from the MS4 and other sources of pollution that can be discharged to the receiving water body without impacting the beneficial use of that water body. The Los Angeles Water Board has approved 22 TMDLs for the five watersheds that comprise the City of Los Angeles: Santa Monica Bay, Los Angeles River, Ballona Creek, Dominguez Channel, and Marina del Rey. Several TMDLs have final compliance milestones by 2026. Additional TMDLs for the watersheds are anticipated. Following the adoption of a TMDL, TMDLs become enforceable after incorporation into the MS4 Permit.

The latest MS4 Permit became effective on September 11, 2021, and it differs from previous permits in that it sets stringent requirements such as more robust reporting criteria and lower numerical standards for MS4 discharges into receiving waters. As a result, the City must review and update its WMPs and reporting templates and procedures to comply with these new regulations.

The WMPs were developed with approximately 30 co-permittees in the City's watersheds, environmental organizations, and other stakeholders. The WMPs identify watershed control measures for meeting the requirements the MS4 Permit and TMDLs, and a schedule for implementation to meet the compliance milestones. Voter approval of Measure W (Safe Clean Water Program) on November 6, 2018, provides a revenue source for stormwater projects that will improve water quality and work towards achieving compliance with the water quality priorities within the City's watersheds.

The first revisions of the City's WMPs were submitted in June 2021. These revisions included extensive water quality modeling for the Reasonable Assurance Analysis (RAA) to re-evaluate watershed control measures for compliance, determine impacts and benefits, conduct cost analyses, and prepare funding strategies for the WMPs. Also, in January 2021, the State Water Resources Control Board issued an Order identifying shortcomings in City WMPs and required

additional analyses that would allow most of the Permittees to retain their deemed compliance status. As a result, the Regional Board returned comments to the City's submitted revised WMPs which require further analysis and modeling. This contract will be used to address comments from the Regional Board and State Board to revise the WMP modeling analysis and other WMP shortcomings.

It is also anticipated that with new statewide stormwater permits being issued within the next year (CalTrans permit, Construction permit, Industrial permit), encouraging these entities to join watershed groups to meet their TMDL obligations may require additional WMP updates.

The City has maintained compliance with water quality regulations through the implementation of watershed control measures and the negotiation and implementation of TMDL Time Schedule Orders and Basin Plan Amendments. The increasing number of water quality regulations, the need for RAA modeling support, and time constraints posed by these regulations call for specialized and expert services to ensure that the implementation and compliance requirements will continue to be met. Additionally, such expert services will support LASAN in its efforts to identify and develop innovative and effective solutions and strategies for water quality compliance through site specific studies, compliance planning, tracking, and effective partnership with its communities, environmental groups, regulatory agencies, and other stakeholders. Compliance strategies may include amendments of water quality regulations (TMDLs, MS4 Permit, and Basin Plan), and should address funding by anticipated revenues from Measure W. The regulatory landscape of water quality regulations will face significant changes over the next three years, and the development of a strategy for Time Schedule Orders and other regulations is urgently needed to reduce City's liability for future enforcement actions, penalties, and third-party lawsuits.

To prepare for these changes, LASAN is requesting specialized regulatory services in the following four areas:

- Assist with implementation of the new MS4 Permit, including review of the WMPs to ensure compliance with the new regulations and reporting templates and procedures, and providing support to the City-led Watershed Management Groups.
- Assist with updating the City's WMPs by addressing comments from the Regional Board and State Board to revise the WMP modeling analysis and any other shortcomings in the latest WMP Update, including any required updates to the Reasonable Reassurance Analysis (RAA).
- Provide regulatory support by developing a strategy for Time Schedule Orders with the Los Angeles Water Board to prevent enforcement actions for the approaching deadlines, and to address all of the City's TMDL compliance milestones and deadlines within the MS4 Permit. Assistance is also needed with the increasing number of water quality regulations and new permits that will impact the City Watersheds.
- As-needed support services for related services such as addressing unforeseen regulatory requirements.

## **2. Scope of Services**

LASAN is requesting highly specialized regulatory support from consultants to assist the Watershed Protection Program and Safe Clean Water Implementation Program in three key areas: (1) MS4 Permit and Watershed Management Support, (2) WMP Revisions, and (3) Other Regulations and Permit negotiations with the Regional Board that affect the MS4 Permit.

### **Task 1: MS4 Permit Support**

Consultant support is required for providing reporting templates and procedures to comply with the new regulations of the renewed Los Angeles County NPDES MS4 Storm Water Permit. Additional support is also needed for the City-led Watershed Management Groups.

Anticipated deliverables include but are not limited to:

- a. Prepare technical memos and reports.
- b. Prepare for, facilitate, and attend meetings and workshops with the Los Angeles Water Board and others as directed by WPP.
- c. Prepare agendas, meeting materials, presentations, and meeting minutes for all meetings.

### **Task 2: WMP Revisions**

Consultant support is required to address comments from the Regional Board and State Board, which may include revising the WMP Reasonable Assurance Analysis to re-evaluate watershed control measures for compliance and determine impacts and benefits.

Anticipated deliverables include but are not limited to:

- a. Prepare technical memos with recommended strategies for revising the City's WMPs.
- b. Revise the RAAs, as-needed, for inclusion into the revised WMPs.
- c. Prepare for, facilitate, and attend meetings and workshops with the Los Angeles Water Board and others as directed by WPP.
- d. Participate in monthly or bi-monthly Watershed Management Group meetings as directed by WPP.

### **Task 3: Regulatory Support**

Consultant support is required for developing strategies and planning for negotiations of TMDL Time Schedule Orders with the Los Angeles Water Board in order to prevent enforcement actions for the approaching deadlines.

Anticipated deliverables include but are not limited to:

- a. Provide technical support for TMDL development, reopeners, and time extensions.
- b. Prepare technical memos for WPP and LASAN management, including recommendations for special studies in support of regulatory relief.
- c. Prepare for, facilitate, and attend meetings and workshops with the Los Angeles Water Board and others as directed by WPP.

- d. Prepare agendas, meeting materials, presentations, and meeting minutes for all meetings.
- e. Review and prepare comments from the Regional Board.

#### **Task 4: As-Needed Support Services**

Provide As-needed support in order to meet the MS4 Permit requirements for all of the City's EWMPs or address any unforeseen regulatory requirements from the Regional Board.

Anticipated deliverables include but are not limited to:

- a. Assist in the development of some or all sections of the annual watershed form.
- b. Prepare agendas, meeting materials, presentations, and meeting minutes for all meetings.

### **3. Safe Clean Water Municipal and Regional Requirements**

The selected consultant(s) will be required to meet the provisions of the Los Angeles County Flood Control District (LACFCD) Safe Clean Water Municipal Agreement No. 2020MP47 (**Attachment B**, incorporated herein by reference) provisions for this TOS, as outlined below, which is being partially funded with Safe Clean Water Funds. Consultants seeking additional information regarding the requirements of the Municipal Transfer Agreement may visit the LACFCD website at <https://safecleanwaterla.org/>.

Specific SCWP provisions of the Municipal Agreement between LACFCD and City of Los Angeles that apply to this TOS include:

- 1. EXHIBIT A - ANNUAL PLAN CONTENTS A-2; A-4; A-7
- 2. EXHIBIT B - GENERAL TERMS AND CONDITIONS: Section B-10. Compliance with SCW Program ([Chapters 16 and 18 of the Los Angeles County Flood Control District Code](#)); Section B-11. Compliance with Law, Regulations, etc.; Section B-26. Reporting.

### **4. COVID VACCINATION REQUIREMENT FOR CONSULTANTS/CONTRACTORS**

For the purposes of this section the terms contractor and consultant are interchangeable and deemed to have the same meaning; and the terms subcontractor and subconsultant are interchangeable and deemed to have the same meaning.

Employees of Contractor and/or persons working on its behalf, including, but not limited to, subcontractors (collectively, "Contractor Personnel"), while performing services under this Agreement and prior to interacting in person with City employees, contractors, volunteers, or members of the public (collectively, "In-Person Services") must be fully vaccinated against the novel coronavirus 2019 ("COVID-19"). "Fully vaccinated" means that 14 or more days have passed since Contractor Personnel have received the final dose of a two-dose COVID-19 vaccine series (Moderna or Pfizer-BioNTech) or a single dose of a one-dose COVID-19 vaccine (Johnson & Johnson/Janssen) and all booster doses recommended by the Centers for Disease Control and Prevention. Prior to assigning Contractor Personnel to perform In-Person Services,

Contractor shall obtain proof that such Contractor Personnel have been fully vaccinated. Contractor shall retain such proof for the document retention period set forth in this Agreement. Contractor shall grant medical or religious exemptions (“Exemptions”) to Contractor Personnel as required by law. If Contractor wishes to assign Contractor Personnel with Exemptions to perform In-Person Services, Contractor shall require such Contractor Personnel to undergo weekly COVID-19 testing, with the full cost of testing to be borne by Contractor. If Contractor Personnel test positive, they shall not be assigned to perform In-Person Services or, to the extent they have already been performing In-Person Services, shall be immediately removed from those assignments. Furthermore, Contractor shall immediately notify City if Contractor Personnel performing In-Person Services (1) have tested positive for or have been diagnosed with COVID-19, (2) have been informed by a medical professional that they are likely to have COVID-19, or (3) meet the criteria for isolation under applicable government orders.

## 5. **Term of Engagement and Cost Estimate**

The term of engagement is from the issuance date of the Notice to Proceed (NTP) through July 22, 2024. It is estimated that the cost ceiling for this TOS is \$900,000.

## 6. **Solicitation Schedule (Tentative)**

- Issue Task Order Solicitation .....Date of Cover Letter.
- Receive Solicitation Responses.....As indicated in Cover Letter.
- Conduct Interviews if necessary.....12 weeks after issuance of TOS.
- Select and Negotiate.....14 weeks after issuance of TOS.
- Execute Task Agreement Form.....16 - 24 weeks after issuance of TOS.
- **Estimated Project Start Date: November 2022**

## 7. **Solicitation Response Requirements**

Solicitation Responses shall not exceed twenty (20) pages, exclusive of cover, dividers and resumes. Solicitation Responses shall be submitted to the following LASAN staff via email, no later than **2:00 pm** on the proposal due date indicated in the cover letter:

- Kevin Dimzon, Kevin.Dimzon@lacity.org
- Taraneh Nik-Khah, Taraneh.Nik-Khah@lacity.org
- Wanda Epps, san.oncall@lacity.org

Solicitation Responses shall include:

- Resume demonstrating that the candidate is capable of meeting the requirements of the Scope of Work. Resume shall include work experience history with dates, and references from past employers, owners, and/or organizations.
- Provide a proposed individual cost breakdown by tasks.
- Provide a breakdown of estimated time for completion of task.

- Proposed Billing Salary Rate Summary for the proposed candidate with all respective direct and indirect costs, markups, expenses, overhead rates and profit. (See Attachment A).
- MBE/WBE/SBE/EBE/DVBE/OBE subcontractors utilized and the percent utilization. (See Attachment A)

Note: Department of Public Works only recognizes:

- MBE/WBE certifications certified by City of LA – Bureau of Contract Administration (LABCA), LA County Metropolitan Transportation Authority (MTA), CalTrans, The Southern California Minority Supplier Development Council (SCMSDC), or Women's Business Enterprise National Council (WBENC)-WEST; and any member of California Unified Certification Program (CUCP); and
- SBE/EBE/DVBE certifications certified by LABCA or State of California – Department of General Services (CA-DGS)
- A firm can only be a MBE or WBE (not both) for a pledged amount
- A firm with multiple certifications is acceptable (i.e., a MBE/SBE/EBE/DVBE firm will fulfill 4 of 6 required categories)
- Provide a copy of valid MBE/WBE/SBE/EBE/DVBE Certifications of MBE/WBE/SBE/EBE/DVBE subcontractors utilized.
- If a subconsultant needs to be added to Schedule A, use Mini Outreach Subconsultant Phone Log template uploaded to LABAVN for this TOS.
- Statement pertaining to the candidate's availability.

## **8. Selection Criteria**

The selection team will evaluate the proposals using the following criteria:

### **A. Consultant Qualifications, Experience, and Expertise**

- Knowledge and understanding of LASAN WMP compliance strategies and MS4 Permit and TMDL compliance goals.
- Proven capability in conducting Regional Board negotiations.
- Capability and experience in providing the Scope of Services as demonstrated by the proposal.

### **B. Personnel Qualifications, Experience, and Expertise**

- Knowledge and understanding of LASAN WMP compliance strategies and MS4 Permit and TMDL compliance goals.
- Proven capability in conducting Regional Board negotiations.
- Capability and experience in providing the Scope of Services as demonstrated by the proposal.

### **C. Technical Approach**

- Familiarity and understanding of LASAN compliance goals and objectives.

### **D. Project Management Approach**

- Ability to effectively meet deadlines and to respond quickly to LASAN's needs.

### **E. Competitive Fees and Costs**



- The value offered to the City considering cost in comparison to capabilities and experience of the candidates.
- Direct and indirect costs, markups, expenses, overhead rates and profit will be considered.

## **9. Suggested MBE/WBE/SBE/EBE/DVBE/OBE Participation Levels**

The City has set anticipated participation levels (APLs) for sub-consultants as follows: 18% MBE, 4% WBE, 25% SBE, 8% EBE, and 3% DVBE. Minority, women, small, emerging, disabled veteran owned and controlled businesses must be considered along with other business enterprises whenever possible as sources of subconsulting services.

**Note: Sub-consultants that are not listed on Consultant's current Schedule A - LIST OF POTENTIAL MBE/WBE/SBE/EBE/DVBE/OBE SUBCONSULTANTS (which includes any previously approved mini outreach) cannot be included in a proposal and/or utilized without the performance of a mini outreach and approval of said outreach by LASAN. A Request to Add Sub(s) should be made at least 10 business days prior to proposal due date. If a consultant needs to add a sub to their Schedule A, please see the Mini Outreach Phone Log and Instructions to Add Sub document associated with this TOS and available for download within the Los Angeles Business Assistance Virtual Network (LABAVN). When a CONSULTANT receives from LASAN an approved Request to Add Sub(s), approved sub(s) then may be included in the proposal.**

## **10. Task Order Manager**

LASAN On-Call Contracts Representative: Nancy Lantin, Sr. Management Analyst II, On-Call Contracts Representative, Administration Division, (213) 440-8237, [nancy.lantin@lacity.org](mailto:nancy.lantin@lacity.org).

Designated Task Managers for this TOS:

- Kevin Dimzon, Water Biologist II, Watershed Protection Program, (323) 342-1581, [kevin.dimzon@lacity.org](mailto:kevin.dimzon@lacity.org)
- Taraneh Nik-Khah, Acting Environmental Supervisor II, Watershed Protection Program, (213) 393-1645, [taraneh.nik-khah@lacity.org](mailto:taraneh.nik-khah@lacity.org)

## **11. Disclaimer**

The City may or may not decide to award any or part of this task order based on its sole convenience and shall not be responsible for any solicitation response costs.

ATTACHMENT A

COST REIMBURSEMENT - BILLING SALARY RATE BASIS										
Firm Name	Status	Last Name	First Name	Position	Raw Rate (\$/hr)	Approved Overhead Rate	Profit	Billing Rate (\$/hr)	Effective Date	Note
Prime Firm	Prime									
Prime Firm	Prime									
Prime Firm	Prime									
Subcontracting Firm Name 1	MBE/SBE/EBE									
Subcontracting Firm Name 2	WBE/SBE/EBE									
Subcontracting Firm Name 3	MBE/SBE									
Subcontracting Firm Name 4	WBE/SBE									
Subcontracting Firm Name 4	SBE/EBE/DVBE									
Subcontracting Firm Name 5	SBE/EBE									
Subcontracting Firm Name 6	OBE									
<b>SUMMARY</b>										
Firm Name	Status	Fee	%Fee							
Prime										
Subcontracting Firm Name 1	MBE/SBE/EBE									
Subcontracting Firm Name 2	WBE/SBE/EBE									
Subcontracting Firm Name 3	MBE/SBE									
Subcontracting Firm Name 4	WBE/SBE									
Subcontracting Firm Name 4	SBE/EBE/DVBE									
Subcontracting Firm Name 5	SBE/EBE									
Subcontracting Firm Name 6	OBE									
<b>Total Direct Labor Cost of the Prime</b>										
<b>Total Subcontract Expenses</b>										
<b>5% Administrative Fee (markup)</b>										
<b>Other Direct Costs (with no markup)</b>										
<b>Total Task Order Amount</b>										
<b>Total Subconsultant Participation</b>										
Pledged	MBE	WBE	SBE	EBE	DVBE	OBE				
% of Total Task Order	%	%	%	%	%	%				
\$ Amount	\$	\$	\$	\$	\$	\$				