

FILE NUMBER: 2025-090

DATE: Tuesday, May 6, 2025

SUBJECT: Resolution Increasing Capacity to As-Needed Architectural Services, As-Needed Project Management-Construction Management Services, and As-Needed Civil Engineering Services Agreements, at no Fiscal Impact to the District Budget

DESCRIPTION:

- A.) Resolution Authorizing Amendment No. 3 to Increase the Combined Contract Capacity for the Five-Year As-Needed Architectural Service Agreements with Domusstudio Architecture, LLP, Roesling Nakamura Terada Architects Inc., and Sillman Wright Architects by \$3,000,000, with No Fiscal Impact to the District. This Increase Raises the Aggregate Total for Current and Future Fiscal Years from \$1,150,000 to \$4,150,000, All Funds for Future Fiscal Years will be Budgeted in the Appropriate Fiscal Years, Subject to Board Approval upon Adoption of each Fiscal Year's Budget.**
- B.) Resolution Authorizing Amendment No. 4 to Increase the Combined Contract Capacity for the Five-Year As-Needed Project Management-Construction Management Agreements with AECOM Technical Services, Inc., Arcadis U.S., Inc., Harris & Associates, and HDR Engineering, Inc. by \$4,200,000, with No Fiscal Impact to the District, and Extend the Agreement Term to December 31, 2027. This Increase Raises the Aggregate Total for Current and Future Fiscal Years from \$11,050,000 to \$15,250,000, All Funds for Future Fiscal Years will be Budgeted in the Appropriate Fiscal Years, Subject to Board Approval upon Adoption of each Fiscal Year's Budget, and Further, Extends this Agreement Through December 31, 2027.**
- C.) Resolution Authorizing Amendment No. 1 to Increase the Combined Contract Capacity for the Five-Year As-Needed Civil Engineering Services Agreements with Rick Engineering Company, Nasland Engineering, Michael Baker International, Inc., Harris & Associates, Inc., NV5, Inc., and Psomas by \$3,000,000 with No Fiscal Impact to the District, and Extend the Agreement Term to December 31, 2027. This Increase Raises the Aggregate Total for Current and Future Fiscal Years from \$4,000,000 to \$7,000,000, All Funds for Future Fiscal Years will be Budgeted in the Appropriate Fiscal Years, Subject to Board Approval upon Adoption of each Fiscal Year's Budget, and Further, Extends this Agreement Through December 31, 2027.**

EXECUTIVE SUMMARY:

To ensure continued success in the implementation of projects within our major maintenance and capital infrastructure programs and avoid delays, the following agreement capacity increases are proposed. This adjustment allows staff to proceed with

recently awarded large-scale grant projects including the RAISE (\$10M) and EPA (\$24M) grants. These as-needed professional services agreements will also support the increasing Major Maintenance (MM), Other Capital Projects (OCP), and Balanced Capital Program (BCP) projects.

1. As-Needed Architectural Services: On October 12, 2021, the Board authorized a five-year agreement with Domusstudio Architecture, LLP, Roesling Nakamura Terada Architects, Inc., and Sillman Wright Architects. The initial Board-approved agreement aggregate amount for the As-Needed Architectural Services was \$800,000. The aggregate amount was increased under Amendment No. 1 by \$350,000 as approved at the August 9, 2022, Board meeting to a total cumulative amount of \$1,150,000. The proposed action will increase the aggregate five-year agreement capacity by \$3,000,000 from \$1,150,000 to a total cumulative amount of \$4,150,000.
2. As-Needed Project Management/Construction Management Services: On October 12, 2021, the Board authorized a five-year agreement with AECOM Technical Services, Inc., Arcadis U.S., Inc., Harris & Associates, and HDR Engineering, Inc. The initial Board-approved agreement aggregate amount for the As-Needed Project Management-Construction Management Services was \$2,500,000. The aggregate amount was increased administratively by 30% under Amendment No.1 by \$750,000 as allowed by Board Policy 110, increased by \$800,000 under Amendment No.2 at the August 8, 2023, Board meeting, and increased by \$7,000,000 under Amendment No. 3 at the December 5, 2023, Board meeting to an aggregate amount of \$11,050,000. The proposed action will increase the aggregate five-year agreement capacity by \$4,200,000, from \$11,050,000 to \$15,250,000. Furthermore, the agreement term will be extended to December 31, 2027.
3. As-Needed Civil Engineering Services: On October 12, 2021, the Board authorized a five-year agreement with Rick Engineering Company, Nasland Engineering, Michael Baker International, Inc., Harris & Associates, Inc., NV5, Inc., and Psomas. The initial Board-approved agreement aggregate amount for the As-Needed Civil Engineering Services was \$4,000,000. The proposed action will increase the aggregate five-year agreement capacity by \$3,000,000 from \$4,000,000 to \$7,000,000. Furthermore, the agreement term will be extended to December 31, 2027.

This item requests approval for agreement capacity increases and has no fiscal impact on the District since costs to be assigned to these agreements are funded under approved project budgets within the MM, OCP, and BCP Programs. Work performed under these agreements is administered in accordance with District policies and procedures.

AMENDMENT SUMMARY TABLE:

| <u>As-Needed Agreements</u> | <u>Current Value</u> | <u>Proposed Increase</u> | <u>New Value</u> | <u>Current / Proposed End Date</u> |
|--|---------------------------------|-------------------------------------|-------------------------|---|
| Architectural Services | \$1,150,000 | \$3,000,000 | \$4,150,000 | 12/31/27 / No Change |
| PM / CM Services | \$11,050,000 | \$4,200,000 | \$15,250,000 | 10/31/26 / 12/31/27 |
| Civil Engineering Services | \$4,000,000 | \$3,000,000 | \$7,000,000 | 10/31/26 / 12/31/27 |

RECOMMENDATION:

Adopt a Resolution authorizing Amendment No. 3, to increase the combined contract capacity for the five-year as-needed agreements with Domusstudio Architecture, LLP, Roesling Nakamura Terada Architects Inc., and Sillman Wright Architects for architectural services by \$3,000,000, with no fiscal impact to the district. This increase raises the aggregate total for current and future fiscal years from \$1,150,000 to \$4,150,000, all funds for future fiscal years will be budgeted in the appropriate fiscal years, subject to Board approval upon adoption of each fiscal year's budget.

Adopt a Resolution authorizing Amendment No. 4 to increase the combined contract capacity for the five-year as-needed agreements with AECOM Technical Services, Inc., Arcadis U.S., Inc., Harris & Associates, and HDR Engineering, Inc. for Project Management/Construction Management (PM/CM) services, by \$4,200,000, with no fiscal impact to the district. This increase raises the aggregate total for current and future fiscal years from \$11,050,000 to \$15,250,000, all funds for future fiscal years will be budgeted in the appropriate fiscal years, subject to Board approval upon adoption of each fiscal year's budget. And further, extends this agreement through December 31, 2027.

Adopt a Resolution authorizing Amendment No. 1 to increase the combined contract capacity for the Five-Year As-Needed Agreements with Rick Engineering Company, Nasland Engineering, Michael Baker International, Inc., Harris & Associates, Inc., NV5, Inc., and Psomas for civil engineering services by \$3,000,000 with no fiscal impact to the district. This increase raises the aggregate total for current and future fiscal years from \$4,000,000 to \$7,000,000, all funds for future fiscal years will be budgeted in the appropriate fiscal year, subject to Board approval upon adoption of each fiscal year's budget. And Further, Extends this Agreement Through December 31, 2027.

FISCAL IMPACT:

Approval of this agenda item will have no fiscal impact on the FY2025 budget.

There will be no increase to the District's major program budgets as a result of this resolution. Funds for the current fiscal year are included in the FY 2025 Major Maintenance, FY 2025 Equipment Outlay and Other Capital Projects, and FY 2025

Balanced Capital Programs. Funds required for future fiscal years will be budgeted in the appropriate fiscal year and will be submitted for board approval.

COMPASS STRATEGIC GOALS:

Consultants under the as-needed agreements support the execution of Major Maintenance Projects, Other Capital Projects, and Balanced Capital Projects throughout the Tidelands.

This agenda item supports the following Strategic Goal(s).

- A financially sustainable Port that drives job creation and regional economic vitality.

DISCUSSION:

To ensure continued success in the implementation of projects within our major maintenance and capital infrastructure programs and avoid delays, the following agreement capacity increases are proposed. This adjustment allows staff to proceed with recently awarded large-scale grant projects including the RAISE (\$10M) and EPA (\$24M) grants. These as-needed professional services agreements will also support the increasing project portfolio of Major Maintenance (MM), Other Capital Projects (OCP), and Balanced Capital Program (BCP) projects.

On October 12, 2021, the Board authorized a five-year agreement with Domusstudio Architecture, LLP, Roesling Nakamura Terada Architects Inc., and Sillman Wright Architects for Architecture services; with AECOM Technical Services, Inc., Arcadis U.S., Inc., Harris & Associates, and HDR Engineering, Inc. for Project Management/Construction Management services; and with Rick Engineering Company, Nasland Engineering, Michael Baker International, Inc., Harris & Associates, Inc., NV5, Inc., and Psomas for Civil Engineering services to support the implementation of the District Major Maintenance (MM), Other Capital Projects (OCP), and Balanced Capital Program (BCP) budgets.

The current aggregate capacity of the three architectural service agreements is a not-to-exceed amount of \$1,150,000 over a period of 6 years. This total is based on the initial approved amount of \$800,000 and Amendment No. 1 increase of \$350,000 approved at the August 9, 2022, Board meeting. The necessity for additional and immediate architectural services is due to the recent start of the Broadway Pier Port Pavilion Enhancements, the continuing design efforts on the B Street Pier Cruise Ship terminal, and upcoming facility improvement projects.

The District has committed or obligated approximately \$977,810 of the current agreement capacity as of February 28, 2024, which is 40 months into the 6-year/74-month agreement. An increase of \$3,000,000 to the aggregate agreement capacity is requested to support the continued implementation of the District's MM, OCP, and BCP projects over the remaining term of the agreement.

The current aggregate capacity of the four Project Management/Construction Management service agreements is a not-to-exceed amount of \$11,050,000 over a period of 5 years. This total was based on the initial approved amount of \$2,500,000, Amendment No. 1 increase of \$750,000 as allowed by Board policy 110, Amendment No. 2 increase of \$800,000 as approved at the August 8, 2023, Board meeting, and Amendment No. 3 increase of \$7,000,000 as approved at the December 5, 2023, Board meeting. The necessity for additional and immediate PM/CM services is due to the recent start of the \$10M RAISE grant TAMT Redevelopment Phase II Planning and Design project, the TAMT Clean Ports Program Infrastructure Upgrades under the recently awarded EPA grant, and also support the increasing project portfolio of Major Maintenance (MM), Other Capital Projects (OCP), and Balanced Capital Program (BCP) projects.

The District has committed or obligated approximately \$7,621,159 of the current agreement capacity as of February 28, 2024, which is 40 months into the 5-year/60-month agreement. An increase of \$4,200,000 to the aggregate agreement capacity is requested to support the continued implementation of the District's budgeted projects over the remaining term of the agreement. Furthermore, a 5-year agreement extension of 14 months will allow the current project obligations to be completed before the end of the as-needed agreements.

The current aggregate capacity of the six civil engineering service agreements is a not-to-exceed amount of \$4,000,000 over a period of 5 years. This total is the original not-to-exceed amount from the original agreements. The necessity for additional and immediate civil engineering services is due to the anticipation of exhausting the available capacity within the next 60 days. Approximately \$3,552,146 of the \$4,000,000 agreement capacity has been committed as of February 28, 2024, which is 40 months into the 5-year/60-month agreement. An increase of \$3,000,000 to the aggregate agreement capacity is requested to support the continued implementation of the District's approved projects over the remaining term of the agreements.

Since costs associated with work done under these agreements are funded under approved project budgets within the MM, OCP, and BCP Programs, there is no fiscal impact associated with the proposed action.

Board authorization of this agenda will increase the total agreement capacity by \$3,000,000 for a new, not-to-exceed total of \$4,150,000 for architectural services, by \$4,200,000 for a new, not-to-exceed total of \$15,250,000 for PM/CM Services, and by \$3,000,000 for a new, not-to-exceed total of \$7,000,000 for civil engineering services. This action increases the overall capacity of these agreements, which may or may not be fully obligated should engineering construction face unforeseen project or funding delays. Additionally, authorization extends the PM/CM and Civil Engineering services agreements by 14 months.

Staff recommends that the Board adopt a resolution authorizing Amendment No. 3 to increase the combined amount of the as-needed agreements by \$3,000,000 for Domusstudio Architecture, LLP, Sillman Wright Architects, and Roesling Nakamura Terada Architects, Inc. for architectural services, increasing the aggregate total of the

agreements from \$1,150,000 to \$4,150,000, Amendment No. 4 to increase the combined amount of the as-needed agreements by \$4,200,000 for AECOM Technical Services, Inc., Arcadis U.S., Inc., Harris & Associates, and HDR Engineering, Inc for PM/CM services, increasing the aggregate total of the agreements from \$11,050,000 to \$15,250,000 and Amendment No. 1 to increase the combined amount of the as-needed agreements by \$3,000,000 for Rick Engineering Company, Nasland Engineering, Michael Baker International, Inc., Harris & Associates, Inc., NV5, Inc., and Psomas for civil engineering services, increasing the aggregate total of the agreements from \$4,000,000 to \$7,000,000, and extending these agreements by 14 months.

General Counsel's Comments:

The Office of the General Counsel has reviewed and approved this agenda, proposed amendments, and resolution, as presented, as to form and legality.

Environmental Review:

The proposed Board action, including without limitation a resolution increasing capacity to various as-needed architectural, project and construction management, and civil engineering services agreements, does not constitute a project under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Sections 15352 and 15378 because no direct or indirect changes to the physical environment would occur. CEQA requires that the District adequately assess the environmental impacts of projects and reasonably foreseeable activities that may result from projects prior to the approval of the same. Any project developed as a result of the resolution and requiring the District or the Board's discretionary approval resulting in a physical change to the environment would be analyzed in accordance with CEQA prior to such approval. CEQA review may result in the District, in its sole and absolute discretion, requiring implementation of mitigation measures, adopting an alternative, including without limitation, a "no project alternative" or adopting a Statement of Overriding Consideration, if required. The exercise of this discretion is in no way limited by this proposed Board action. Therefore, no further CEQA review is required.

The proposed Board action complies with Sections 21 and 35 of the Port Act, which allow for the Board to pass resolutions and to do all acts necessary and convenient for the exercise of its powers. 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.

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 (CDP) Regulations because there will not be, without limitation, a physical change, change in use or increase in intensity of uses. Therefore, issuance of a Coastal Development Permit or exclusion is not required. However, development within the District requires processing under the District's CDP Regulations. Future development would remain subject to its own independent review pursuant to the District's certified CDP Regulations, Port Master Plan (PMP), and the relevant chapter(s)

of the Coastal Act. The exercise of the District's discretion under the District's CDP Regulations is in no way limited by the proposed Board action.

Diversity, Equity and Inclusion Program:

This agenda sheet has no direct impact on District workforce or contract reporting at this time.

PREPARED BY:

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Associate Engineer, Engineering - Construction

Attachment(s):

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| Attachment A: | Proposed Amendment No. 3 to Sillman Architects / Budget Increase |
| Attachment B: | Proposed Amendment No. 3 to RNT Architects Inc. / Budget Increase |
| Attachment C: | Proposed Amendment No. 3 to Domusstudio LLP / Budget Increase |
| Attachment D: | Proposed Amendment No. 4 to HDR Engineering, Inc. / Term Extension & Budget Increase |
| Attachment E: | Proposed Amendment No. 4 to AECOM / Term Extension & Budget Increase |
| Attachment F: | Proposed Amendment No. 4 to Harris and Associates, Inc. / Term Extension & Budget Increase |
| Attachment G: | Proposed Amendment No. 4 to Arcadis U.S., Inc. / Term Extension & Budget Increase |
| Attachment H: | Proposed Amendment No. 1 to Harris and Associates, Inc. / Term Extension & Budget Increase |
| Attachment I: | Proposed Amendment No. 1 to Michael Baker Intl. Inc. / Term Extension & Budget Increase |
| Attachment J: | Proposed Amendment No. 1 to NV5 Inc. / Term Extension & Budget Increase |
| Attachment K: | Proposed Amendment No. 1 to Psomas / Term Extension & Budget Increase |
| Attachment L: | Proposed Amendment No. 1 to Rick Engineering Co. / Term Extension & Budget Increase |
| Attachment M: | Proposed Amendment No. 1 to Nasland Engineering / Term Extension & Budget Increase |