



Port of Long Beach

Harbor Department
Interim Administrative
Offices
4801 Airport Plaza Drive
Long Beach, CA 90815

Meeting Agenda Harbor Commission

Monday, December 14, 2015

6:00 PM

Board Room

The Port of Long Beach intends to provide reasonable accommodations in accordance with the Americans with Disabilities Act of 1990. This agenda is available in an alternative format by request. If a special accommodation is desired, please call (562) 283-7070, 48 hours prior to the meeting.

I. REPORTS

- 1R. **HD-15-729** Presentation by RJ Lyerly of Carpi & Clay to provide a legislative update on federal issues of interest to the Port. (Government Relations - S. Ashley)
- 2R. **HD-15-787** Update on Port's preparedness for El Nino. (Security – D. Kane)

II. UNFINISHED BUSINESS

- 1UB. [HD-15-760](#) Authorize the Chief Executive Officer to approve the First Amendment to Contract with CGR Management Consultants LLC in the amount of \$300,000 for On-Call IT Services. (Information Management - N. Maiko)

Attachments: [HD-8340A CGR Unsigned Contract](#)

- 2UB. [HD-15-650](#) Authorize the Chief Executive Officer to execute the Fourth Amendment to Contract with PMA Consultants, LLC, in the amount of \$696,805 and extending the term to December 31, 2016, to complete the design & implement high-priority components of the Oracle Unifier program/project management system. (Project Controls - D. Pierson)

Attachments: [4th Amendment PMA HD-8040](#)

III. NEW BUSINESS

Consent Agenda

1. [HD-15-730](#) Approval of Minutes - November 19, 2015. (Commission - S. Ortiz)
- Attachments:** [11192015Minutes](#)
2. [HD-15-739](#) Approve Final Acceptance of Work by Sully-Miller Contracting Company for the Anaheim Street Improvements. (Construction Management - S. Plezia)

3. [HD-15-753](#) Authorize the Chief Executive Officer to Execute the Second Amendment to Contract with KOA Corporation for a time extension only, extending the term to December 31, 2017 for the Pier J Bike and Pedestrian Path Project. (Engineering Design - J. Chun)
- Attachments: [KOA - HD-8153 - Amendment 2](#)
4. [HD-15-756](#) Authorize the Chief Executive to execute the First Amendment to Contract with HDR Engineering for a time extension only, extending the term to December 31, 2017 for Pier B Pump Station Upgrade/North Harbor District Storm Drain Improvements. (Engineering Design - J. Chun)
- Attachments: [HDR Inc. - 1st Amendment HD8520](#)
5. [HD-15-742](#) Receive and file Level I Harbor Development Permits. (Environmental Planning - H. Tomley)
- Attachments: [20151214_BHC Level I map](#)
6. [HD-15-741](#) Approval of Fund Transfer Journals. (Finance - B. Christie)
- Attachments: [Approval of Funds Transfer Journal - 12-14-15](#)
7. [HD-15-772](#) Authorize a refund in the amount of \$11,856.00 to GAC Shipping Inc. for a payment made in error to the Port of Long Beach for an invoice from the Port of Los Angeles. (Finance - B. Christie)
- Attachments: [BOH - Invoice from Port of Los Angeles](#)
[BOH - Copy of Check sent to POLB](#)
[BOH - Email Requesting Refund](#)
8. [HD-15-774](#) Receive and File Unaudited Fiscal Year-End 2015 - Budget versus Actual. (Executive - S. Rubin)
- Attachments: [Attachments A & B](#)
[Fiscal Year 2015 Capital Expenditure Update - Budget vs. Actual Memo - 12-02](#)
9. [HD-15-718](#) Approve First Amendment to Contract with Mercator International LLC., for a time extension only to 2/29/2016 for consulting services for the long term forecast of cargo throughput at the San Pedro Bay (SPB) Ports. (Master Planning - M. Plezia)
- Attachments: [Current Contract Mercator Int'l LLC HD-8429](#)
[Unexecuted Contract Amendment Mercator Int'l HD-8429 Notarized by Consult](#)

Regular Agenda

10. **HD-15-767** Approve additional appropriations for Nicoll, Black & Feig, Dal Soglio & Martens LLP, and Hanson Bridgett each in the amount of \$100,000 for specialized legal services on harbor matters. (City Attorney - C. Gale)

11. [HD-15-732](#) Adopt Resolution and approve First Reading of Ordinance amending Port of Long Beach Tariff No. 4, Item 106 - Redefining Executive Directorto include Chief Executive. (Business Development - D. Snyder)

Attachments: [Attachment 1. Resolution for Item 106](#)
[Attachment 2. Ordinance for Item 106](#)
[Attachment 3. Current Tariff Language for Item 106](#)
[Attachment 4. Proposed Language for Tariff Item 106](#)

12. [HD-15-726](#) Approve the Energy Efficiency Rebate Match Program and Guidelines and approve Expense Work Order HA5222 in the amount of \$500,000 to fund the program. (Environmental Planning - H. Tomley)

Attachments: [EWO HA5222 \(EERM\)](#)
[EERM Program to BHC](#)
[EERM Guidelines Final 11-25-15](#)

13. [HD-15-698](#) Authorize Chief Executive Officer to execute Change Order No. 37 in the amount not to exceed \$2,600,000 and authorize expenditure of \$2,600,000 for the Gerald Desmond Bridge Replacement project; Shimmick/FCC/Impregilo JV. (Capital Programs - D. Kenagy)

Attachments: [Change Order No. 37](#)

14. [HD-15-758](#) Authorize the Chief Executive Officer to execute the Second Amendment to Professional Services Contract with Parsons Brinckerhoff and authorize additional spending for the Gerald Desmond Bridge Replacement project (Capital Programs - D. Kenagy)

Attachments: [Second Amendment to Contract HD-7895](#)

15. [HD-15-773](#) Authorize the Chief Executive Officer to execute the First Amendment to Memorandum of Understanding with The Los Angeles County Metropolitan Transportation Authority to extend the grant lapse date for the Metro Call for Projects funding of \$17.3 million for the Gerald Desmond Bridge Replacement Project. (Transportation Planning - R. Cameron)

Attachments: [BOHC 20120514 GDB Metro MOU Fully Executed Contract Attachment A](#)
[Metro MOU Amendment No. 1 Attachment B](#)

16. [HD-15-752](#) ***WITHDRAWN*** Authorize the Chief Executive to advertise for bids, Contract Specifications HD-S2529, On-Call Diving and Related Services, subject to the approval as to form by the City Attorney.

Attachments: [Notice Inviting Bids - On-call Diving Related Services](#)

17. [HD-15-762](#) Adopt Resolution permitting the Harbor Department to continue using the National Association of State Procurement Officials contract with Verizon Wireless in the not to exceed amount of \$700,000 for a 3 year period for mobile solutions. (Information Management - N. Maiko)
- Attachments:** [Verizon Wireless Resolution \(11.24.15\)](#)
18. [HD-15-768](#) Adopt Resolution permitting the use of the National Association of State Procurement Officials Master Price agreement with Hewlett Packard Company in an amount not to exceed \$600,000 for a period of two years for the purchase of computer hardware and software. (Information Management - N. Maiko)
- Attachments:** [HP Resolution 12-02-15](#)
19. [HD-15-736](#) Authorize the Chief Executive Officer to execute Contracts with APSI Construction Management, CH2M Hill Engineers, Inc., Hill International, Inc., Michael Baker International, Inc., and Simplus Management Corporation in the amount of \$1,000,000 each and for a term of 36 months to provide on-call professional construction management support services. (Construction Management - S. Plezia)
- Attachments:** [Summary of Procurement v2](#)
[Professional Services Contract APSI Construction](#)
[Professional Services Contract CH2M Hill Engineers](#)
[Professional Services Contract Hill International](#)
[Professional Services Contract Michael Baker](#)
[Professional Services Contract Simplus Management](#)
20. **HD-15-735** Approve Final Acceptance of Work by Pyramid Building and Engineering, Inc. for the Pier D Water System Interconnect project; authorize an additional \$171,721 in project spending; and approve an Adjusted Project Budget of \$1,195,000. (Construction Management - S. Plezia)
21. [HD-15-738](#) Ratify Unilateral Change Order No. 73, authorized by the Chief Executive Officer in the amount of \$10,958; ratify Unilateral Change Order No. 74, authorized by the Chief Executive Officer in the amount of \$29,819.77; authorize the Chief Executive Officer to execute Change Order No. 75 in the amount of (\$481,536.97), and Restore the Chief Executive Officer's Change Order authority to \$200,000 for the Middle Harbor - Pier E Terminal Container Yard / Intermodal Railyard Phase 1; Herzog / Reyes, a Joint Venture. (Construction Management - S. Plezia)
- Attachments:** [Change Order No. 73](#)
[Change Order No. 74](#)
[Change Order No. 75](#)

22. [HD-15-737](#) Authorize the Chief Executive Officer to execute Change Order No. 10 in the not-to-exceed amount of \$257,758.24 for the Pier E, Middle Harbor, Terminal Container Yard / Intermodal Railyard Phase 2; Balfour Beatty Infrastructure Inc. (Construction Management - S. Plezia)

Attachments: [Change Order No. 10](#)

23. [HD-15-725](#) Execute an Access Agreement with Total Terminals International, LLC for West Basin Dredging for the Middle Harbor Redevelopment East Basin Fill Project (Program Management - D. Sereno)

Attachments: [Total Terminals International LLC \(Revised 12.08.15\)](#)
[Vicinity Map \(Revised\)](#)

24. [HD-15-734](#) Approve Conditional Award of Contract with Manson/Connolly JV in the amount of \$66,731,950, and approve additional spending and project budgets for three projects: Pier E Terminal, East Basin Fill; West Basin Approach Borrow; and Inner Harbor Turning Basin Dredging projects. (Program Management - D. Sereno)

Attachments: [Table 1 - Proposed Budget/Spending Authorization Summary by Work Order](#)
[Table 2 - Proposed Budget/Spending Authorization Summary Combined](#)
[Vicinity Map](#)
[Bid Analysis HD-S2377](#)

25. [HD-15-714](#) Authorize the Chief Executive Officer to execute a Contract with PacRim Engineering, Inc., in the amount of \$2,844,344 for a term of three years and authorize additional spending in the amount of \$3,900,000 for the Terminal Island Wye Track Realignment Project. (Program Management - D. Sereno)

Attachments: [Site Location Map for Terminal Island Wye Track Realignment Project](#)
[Professional Services Contract with PacRim Engineering Inc.](#)
[Attachment A Terminal Island Wye Track Realignment Project Selection Proces](#)

26. [HD-15-717](#) Approve Conditional Award of a Contract with Connolly-Pacific in the amount of \$6,499,200 for a term of two years to provide On-Call Construction Services for Rock Dike Repair. (Program Management - D. Sereno)

Attachments: [Analysis of Bids](#)

27. [HD-15-733](#) Declare the bids from Allison Mechanical, Inc., and Los Angeles Air Conditioning, Inc., to be non-responsive; Approve the Conditional Award and authorize the Chief Executive Officer to execute a Contract with ACCO Engineered Systems in the amount of \$1,896,000; Approve additional spending in the amount of \$2,652,900; and Approve a Project Budget in the amount of \$2,902,900 for the Harbor Department Interim Administrative Offices HVAC System Replacement and Roof Maintenance. (Program Management - D. Sereno).

Attachments: [Table 1 – Proposed Budget/Spending Authorization Summary](#)
[Analysis of Bids](#)
[Project Location Map](#)

28. [HD-15-728](#) Second Reading and Adoption of Ordinance approving a Quitclaim Deed (Fee), Quitclaim Deed (Fee II), Quitclaim Deed (Aerial Easement Rights), Aerial Easement Deed and Agreement II, Second Amendment of Demolition, Relocation of Dewatering Wells and Utility Lines and Access Agreement, Relocation of Dewatering Wells and Utility Lines and Access Agreement, Agreement of Purchase and Sale and Joint Escrow Instructions, Temporary Construction Easement Agreement, Relocation and Construction Impact Expense Agreement, Quitclaim Deed, and Easement Agreement; Declaring the urgency thereof; and providing that this Ordinance shall take effect immediately. (Real Estate - K. Adamowicz)

Attachments: [Ordinance - Long Beach Generation LLC-NRG](#)
[Vicinity Map - Long Beach Generation, LLC \(NRG\) Pier S](#)
[NRG - Quitclaim Deed \(Fee\)](#)
[NRG-Aerial Easement Deed and Agreement](#)
[Quitclaim Deed Fee II 0214 001](#)
[NRG- Quitclaim Deed \(AE Rights\)](#)
[Second Amendment 0255 001](#)
[Temporary Construction Easement Agreement](#)
[Quitclaim Deed 0257 001](#)
[Relocation of Dewatering Wells Part A 0216](#)
[Relocation of Dewatering Wells Part B](#)
[NRG- Purchase and Sale Agreement \(Version 3\)](#)
[NRG- Easement Deed \(Permanent Easement Land\) Version 3](#)
[NRG - Relocation and Construction Impact Expense Agreement](#)

29. [HD-15-751](#) Adopt Resolution approving a Assignment, Assumption, Consent, and First Amendment of Revocable Permit HD-6128 between ARCO Terminal Services Corporation, Tesoro Logistics Operations LLC, and the Port of Long Beach and make the determination that this action is categorically exempt pursuant to the California Environmental Quality Act.
- Attachments:** [ARCO Revocable Permit HD-6128](#)
[Vicinity Map - ARCO - Revocable Permit HD-6128](#)
[ARCO Resolution-HD-6128](#)
30. [HD-15-757](#) Adopt Resolution approving a Revocable Permit with Petro-Diamond Terminal Company for the use of a truck queuing lane and make the determination that this action is Categorical Exempt pursuant to the California Environmental Quality Act. (Real Estate - K. Adamowicz)
- Attachments:** [Petro Diamond Revocable Permit](#)
[Petro-Diamond Resolution](#)
[Port Map East-Petro Diamond](#)
31. [HD-15-748](#) Adopt Resolution approving an Assignment, Assumption, Consent, and Second Amendment of Pipeline License HD-5318-236 between ARCO Terminal Services Corporation, Tesoro SoCal Pipeline Company LLC, and the Port of Long Beach and make the determination that this action is categorically exempt pursuant to the California Environmental Quality Act. (Real Estate - K. Adamowicz)
- Attachments:** [ARCO Assignment License HD-5318-236](#)
[Vicinity Map - ARCO - Pipeline Pier A HD-5318-236](#)
[Resolution- ARCO HD-5318-236](#)
32. [HD-15-743](#) Approve First Reading of Ordinance approving Sixth Amendment to Lease with Ultramar, Inc. and make the determination that this action is categorically exempt pursuant to the California Environmental Quality Act. (Real Estate - K. Adamowicz)
- Attachments:** [Ultramar 6th Amd to Lease HD 6406](#)
[Ordinance for Ultramar HD6406](#)
[Vicinity Map Ultramar HD-6406](#)

33. [HD-15-750](#) Approve First Reading of Ordinance approving an Assignment, Assumption, Consent, and First Amendment of Right of Entry Agreement between ARCO Terminal Services Corporation, Tesoro Logistics Operations LLC, and the Port of Long Beach, and make the determination that this action is categorically exempt pursuant to the California Environmental Quality Act. (Real Estate - K. Adamowicz)
- Attachments:** [Right of Entry Agreement HD-7509](#)
[Map - Right of Entry Pier C, HD-7509](#)
[Ordinance HD-7509](#)
34. [HD-15-754](#) Approve First Reading of Ordinance approving an Assignment, Assumption, Consent, and First Amendment of Pipeline Permit No. 85-8 between Atlantic Richfield Company, Tesoro SoCal Pipeline Company LLC, and the Port of Long Beach, and make the determination that this action is categorically exempt pursuant to the California Environmental Quality Act. (Real Estate - K. Adamowicz)
- Attachments:** [Atlantic Richfield First Amendment Permit 85-8](#)
[Ordinance Atlantic Richfield PP-85-8](#)
[Map Atlantic Richfield- PP-85-8](#)
35. [HD-15-759](#) Approve First Reading of Ordinance approving an Assignment, Assumption, Consent, and First Amendment of Pipeline License Number 05-04 between ARCO Terminal Services Corporation, Tesoro SoCal Pipeline Company LLC, and the Port of Long Beach and make the determination that action is categorically exempt pursuant to the California Environmental Quality Act. (Real Estate - K. Adamowicz)
- Attachments:** [Ordinance ARCO 05-04](#)
[Tesoro Assignment First Amendment 05-04](#)
[Arco Terminal Map -Exhibit A](#)
36. [HD-15-776](#) Approve First Amendment to Contract with CMOE/The International Center for Management and Organizational Effectiveness in the amount of \$218,000 to provide key instruction and learning for the Port Leadership Institute. (Executive - L. Gutierrez)
- Attachments:** [CMOE Contract Amendment #1 - ONE](#)

SUPPLEMENTAL

37. [HD-15-740](#) Authorize the Chief Executive Officer to execute Change Order No. 31 in the lump sum amount of \$6,500,000; and authorize Release of Retention in the amount of \$2,933,175.35 for Middle Harbor Redevelopment Berth E26 Wharf & Backlands Phase 1, Stage 2; Manson/Connolly Joint Venture. (Construction Management - S. Plezia)

Attachments: [HD-15-740 HD-S2272 CO 31 MCJV Signed](#)

38. [HD-15-700](#) Authorize the Chief Executive Officer to execute Change Order No. 36 in the lump sum credit amount of (\$100,130.52), authorize the Chief Executive Officer to execute Change Order No. 37 in the lump sum amount of \$3,600,000; authorize the Third Amendment to Contract HD-8077; and release \$1,617,561.02 currently withheld in retention for the Pier E Terminal Redevelopment (Middle Harbor), Slip No. 1 Fill and Wharf D28 Demolition; Manson/Connolly Joint Venture. (Construction Management - S. Plezia)

Attachments: [Third Amendment to Contract HD-8077](#)
[HD-15-700 HD-S2376 CO 36 MCJV Signed](#)
[HD-15-700 HD-S2376 CO 37 MCJV Signed](#)

39. [HD-15-731](#) Authorize the Chief Executive Officer to execute the Third Amendment to Contract with URS Corporation/AECOM for a time extension only to June 30, 2016, and for Assignment, Assumption and Consent by AECOM Technical Services, Inc for projects in the Pier G Terminal Phase 1 Program of the Pier G Redevelopment Program. (Program Management - D. Sereno)

Attachments: [Third Amendment to Professional Services Contract HD-7479 with URS Corpor:](#)

40. [HD-15-749](#) Authorize the Chief Executive to Approve First Amendment to Contract with Marsh Risk and Insurance Services in the amount of \$1,716,666 for additional premium for Gerald Desmond Bridge Buillder's Risk Insurance. (Risk Management - R. Baratta)

Attachments: [Marsh USA, Inc. 1st Amendment HD-8505](#)

41. [HD-15-783](#) Authorize the Chief Executive Officer to execute Contract with West Coast Packer and Port Services, LLC in an amount not to exceed \$677,600 for a period of one-year for cargo packaging and re-crating work. (Risk Management - R. Baratta)

Attachments: [West Coast Packer & Port Services, LLC Contract](#)

42. [HD-15-780](#) Approval of Appointments of Maurina Lee to the position of Acting Director, Finance, Carlo Luzzi to the position of Manager, Intermodal Operations, Kiran Vohra to the position of Senior Program Manager, John Litzinger to the position of Senior Civil Engineer, Hayden Beckman to the position of Environmental Specialist Assistant, Cedric Banks to the position of Carpenter, and Martin Inchaurregui to the position of Administrative Intern. (Human Resources - M. Huebner)

IV. REPORTS FROM EX OFFICIO APPOINTEES

- [HD-15-727](#) Reports, if any, from board members serving on external board, commissions and committees requiring representation of the board pursuant to Article V.B of the Bylaws, including the Intermodal Container Transfer Facility, the Alameda Corridor Transportation Authority, the Interstate 710 Project Committee, Gateway Cities Council of Governments, Southern California Leadership Council and the Los Angeles Area Chamber of Commerce.

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS

VI. ANNOUNCEMENTS

VII. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

- 1CS. HD-15-769 Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 of the Government Code (two cases).
- 2CS. [HD-15-766](#) Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (2) of subdivision (e) of Section 54956.9 of the Government Code (two cases regarding the leasehold interests at Pier D, Berths D48-D54 involving leaseholds held by Foss Maritime Company and Crescent Warehouse Company, Ltd.).

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

- 3CS. HD-15-771 Closed session pursuant to Section 54956.8 of the Government Code for conference with Harbor Department negotiator Karl Adamowicz to discuss terms and conditions as regards the Preferential Assignment Agreement between the City and OOCL LLC for the Middle Harbor Container Terminal.
- 4CS. HD-15-763 Closed session pursuant to Section 54956.8 of the Government Code for conference with real property negotiator Karl Adamowicz to discuss new lease terms (both price and terms of payment) for cement terminal at Berth F208. The negotiating party is MCC Terminals, Inc.

- 5CS.** [HD-15-765](#) Closed session pursuant to Section 54956.8 of the Government Code for conference with real property negotiator Steve Rubin to discuss leasehold interests at Pier D, Berths D48-D54. The negotiating parties are Foss Maritime Company and Crescent Warehouse Company, Ltd. The area of the leaseholds, price and terms of payment are under negotiation.
- 6CS.** [HD-15-764](#) Closed session pursuant to Section 54956.8 of the Government Code for conference with Harbor Department negotiator Jon Slingerup to discuss price and terms of payment of the proposed Civic Center project. The City's negotiating party is Plenary-Edgemoor.
- 7CS.** [HD-15-779](#) Closed session pursuant to Section 54956.8 of the Government Code for conference with negotiator Duane Kenagy to discuss price and terms of the proposed design-build contract for the Gerald Desmond Bridge Replacement Project and subsequent conveyance of the bridge to the State of California. The negotiating party is Shimmick Construction Company, Inc./FCC Construction S.A./Impregilo S.p.A., a joint venture.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION AND CONFERENCE WITH LABOR NEGOTIATOR

- 8CS.** **HD-15-786** Closed session pursuant to Section 54957.6 of the Government Code to hear from and give instructions to designated representatives, Richard Jordan and Lori Ann Guzmán regarding salary negotiations for an unrepresented employee, Commission Administrative Officer.

Adjournment