

R-35

August 8, 2023

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager, or designee, to execute all documents necessary to amend Contract No. 34467 with AECOM Technical Services, Inc., of Long Beach, CA, for groundwater monitoring and reporting at former City of Long Beach (City) fuel sites 7 and 17, and to monitor and maintain the landfill gas control system at Davenport Park, to increase the contract amount by \$1,333,715, for a revised total contract amount not to exceed \$3,844,253, and extend the term of the contract to September 30, 2026; and,

Increase appropriation in the Fleet Services Fund Group in the Financial Management Department by \$334,572, offset by funds available generated by revenue collected from user departments through the Fleet Memorandum of Understanding (MOU). (Citywide)

DISCUSSION

City Council approval is requested to amend Contract No. 34467 with AECOM Technical Services, Inc. (AECOM), to increase the contract amount by \$1,333,715, and extend the term of the contract for an additional three years, to continue providing groundwater monitoring and reporting services at former City fuel sites 7 and 17, and to monitor and maintain the landfill gas control system at Davenport Park for a revised total contract amount not to exceed \$3,844,253.

On September 13, 2016, City Council awarded a contract to AECOM as part of its adoption of RES 16-005 to provide services that would result in the accelerated removal of contaminants at closed City fuel sites, as required by the Los Angeles Regional Water Quality Control Board for a period of five years, with the option to renew for two additional one-year periods.

On March 17, 2020, the contract was amended to add \$160,000 for the design and monitoring of a project to control methane landfill gases at Davenport Park. On January 19, 2021, the contract was amended to add \$98,765 at the request of the Department of Public Works to assist with the completion of the construction drawings, help with bid preparation, and construction administration for the Davenport Park Emission Control Project.

On September 13, 2021, the contract was amended to add \$629,393 and extend the term of the contract for an additional two-year period for the continued monitoring of the contaminants at former fuel sites 7, 10, 11, and 17, and the continued monitoring and design plan for control of methane landfill gases at Davenport Park. The cases at former City fuel sites 10 and 11 have been closed after successful remediation of the contaminants at these locations.

HONORABLE MAYOR AND CITY COUNCIL

August 8, 2023

Page 2

The contract extension and additional funds requested are needed for continued groundwater and landfill gas monitoring for Davenport Park, and to complete the remediation, monitoring, and reporting for fuel sites 7 and 17. Continued treatment is needed at the former fuel sites as the biodegradation of the contaminants progressed at a slower rate than initially projected. Groundwater and landfill gas monitoring for Davenport Park is required to maintain compliance with the Water Board and Los Angeles County Department of Public Health.

This matter was reviewed by Deputy City Attorney Taylor M. Anderson on July 19, 2023, Purchasing Agent Michelle Wilson on July 17, 2023, and by Revenue Management Officer Geraldine Alejo on July 20, 2023.

SUSTAINABILITY

Closure of these remaining former fuel sites dramatically lessens the possibility of further contamination to the groundwater. Continued monitoring of the groundwater and landfill gas at these various sites ensures the City remains in compliance with State and local regulations, mitigates environmental risk, and helps to ensure the safety of Davenport Park. The City benefits from these environmentally impactful actions.

TIMING CONSIDERATIONS

City Council action is requested on August 8, 2023, to ensure there is no interruption to services.

LEVINE ACT

This item is subject to the Levine Act. The Mayor, Councilmembers, and Commissioners who have received a contribution of more than \$250 within 12 months prior from a party, participant, or their representatives involved in this proceeding may do either of the following: (1) disclose the contribution on the record and recuse themselves from this proceeding; OR (2) return the portion of the contribution that exceeds \$250 within 30 days from the time the elected official knew or should have known about the contribution and participate in the proceeding.

All parties, participants, and their representatives must disclose on the record of this proceeding any contribution of more than \$250 made to the Mayor or any Councilmembers within 12 months prior to the date of the proceeding. The Mayor, Councilmembers, and Commissioners are prohibited from accepting, soliciting, or directing a contribution of more than \$250 from a party, participant, or their representatives during a proceeding and for 12 months following the date a final decision is rendered.

FISCAL IMPACT

The requested action increases the contract authority with AECOM by \$1,333,715, for a total revised not to exceed amount of \$3,844,253. An appropriation increase of \$334,572 is requested in the Fleet Services Fund Group in the Financial Management Department offset by funds available generated by revenues received from charges to departments as part of the

HONORABLE MAYOR AND CITY COUNCIL

August 8, 2023

Page 3

Fleet Services Memorandum of Understanding (MOU) billing process. If needed, the Financial Management Department will request subsequent years' appropriation as part of the annual budget process. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. This recommendation provides continued support to our economy by assisting in the preservation of employment for 75 full-time employees residing in Long Beach.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



KEVIN RIPER
DIRECTOR
FINANCIAL MANAGEMENT

APPROVED:



THOMAS B. MODICA
CITY MANAGER

LEVINE ACT DISCLOSURE STATEMENT

California Government Code Section 84308, commonly referred to as the "Levine Act," prohibits any Long Beach City Councilmember, the Mayor, and Commissioner ("City Officer") from participating in any action related to a proceeding if they receive any political contributions totaling more than \$250 within the previous twelve months, while a proceeding is pending, and for 12 months following the date a final decision in a proceeding concerning a license, permit, entitlement, franchise or, contract (collectively "license, permit, or contract") has been made, from the person or company awarded the said license or contract. The Levine Act also requires a City Officer that has received such a contribution to disclose the contribution on the record of the proceeding.

City Officers are listed at the following sites:

- The Mayor and Councilmembers - <https://www.longbeach.gov/officials/>
- Harbor Commissioners - <https://polb.com/commission>
- Water Commissioners - <https://lbwater.org/about-us/current-water-commissioners/>
- Planning Commissioners - <https://www.longbeach.gov/mayor/action/commissions/>
- Parks and Recreation Commissioners - <https://www.longbeach.gov/mayor/action/commissions/>
- Board of Examiners, Appeals, and Condemnation - <https://www.longbeach.gov/mayor/action/commissions/>
- Cultural Heritage Commission - <https://www.longbeach.gov/mayor/action/commissions/>
- Long Beach Community Investment Company - <https://www.longbeach.gov/lbds/hn/lbcic/>

Proposers are responsible for accessing these links to review the names prior to answering the following questions.

1. Have you or your company, or any agent on behalf of you or your company, made any political contributions of more than \$250 to any City Officer in the 12 months preceding the date of the submission of your proposals or the anticipated date of any City Council, Board, or Commission action related to this license, permit, or contract?

YES

NO

If yes, please identify the City Officer(s):

2. Do you or your company, or any agency on behalf of you or your company, anticipate or plan to make any political contribution of more than \$250 to any City Officer in the 12 months following any City Council, Board, or Commission action related to this license, permit, or contract?

YES

NO

If yes, please identify the City Officer(s):

Answering yes to either of the two questions above does not preclude the City of Long Beach from awarding a license, permit, or contract to your firm or any taking any subsequent action related to the said license, permit, or contract. It does, however, preclude the identified City Officers from participating in any actions related to this license, permit, or contract.

Date



Signature of authorized individual

Type or write name of authorized individual

Type or write name of company