

EXECUTIVE SUMMARY SHEET
CITY OF SAN DIEGO

DATE ISSUED: June 7, 2010
ATTENTION: Natural Resources & Culture Committee
Agenda of June 16, 2010
ORIGINATING DEPARTMENT: Public Utilities
SUBJECT: Amendment No. 1, As-Needed Environmental Services
Contract 2008-2011 – Helix Environmental Planning, Inc.
COUNCIL DISTRICT(S): Citywide
STAFF CONTACT: Dirk Smith (858) 614-5722
Mike Elling (858) 292-6477

REQUESTED ACTION:

Authorize the Mayor or his designee to execute Amendment No.1 to the As-Needed Environmental Services Contract 2008-2011 with Helix Environmental Planning Inc. to extend the contract for two additional years and increase the contract value by \$250,000.

STAFF RECOMMENDATION:

Adopt the resolution.

EXECUTIVE SUMMARY:

Per Resolution No. 303082, adopted on October 16, 2007 the Public Utilities Department awarded an As-Needed Environmental Services Contract to Helix Environmental Planning, Inc. on November 16, 2007 with a maximum contract value of \$500,000 and a maximum contract term of thirty-six (36) months. To date, Public Utilities staff has issued nineteen (19) task orders committing funds in the amount of \$433,165.92.

The As-Needed Environmental Services Contract expires on November 17, 2010. Helix has provided above standard services and has expertise in the areas of biological analysis, acoustical analysis, CEQA/NEPA analysis, resource agency permitting, resource monitoring, biological restoration, and GIS mapping. As part of their biological analysis expertise they hold special permits to perform sensitive species surveys, many of which are on state and federal endangered species lists. They produce high-quality reports that are submitted in a timely manner and their staff is responsive to Public Utilities requests.

Public Utilities is recommending that the contract be extended for two additional years, with an increase in contract value of \$250,000 which will bring the maximum contract value to \$750,000. This action will allow Public Utilities to continue to support implementation of the City's sewer inspection, cleaning, and maintenance program to comply with the United States Environmental Protection Agencies' Consent Decree; the City's water system construction and maintenance program; and to satisfy reporting requirements of local, state, and federal resource and permitting agencies.

EQUAL OPPORTUNITY CONTRACTING:

This Agreement is subject to the City's Equal Opportunity Contracting (San Diego Ordinance No. 18173, Section 22.2701 through 22.2702) and Non-Discrimination in Contracting Ordinance (San Diego Municipal Code Section 22.3501 through 22.3517).

Funding Agency: City of San Diego – Prevailing wages do not apply to this contract.

Other: Workforce Report submitted -- Equal Opportunity required.
Staff will monitor adherence to the Non-Discrimination in Contracting Ordinance.

FISCAL CONSIDERATIONS:

The execution of this Amendment requires additional funding in the amount of \$250,000. Funds are available in Sewer Funds 700000 and 700001, and Water Fund 700011.

PREVIOUS COUNCIL/COMMITTEE ACTION:

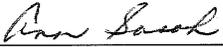
City Council previously approved Resolution No. 303082 for the As-Needed Environmental Services Contract 2008-2011 Helix Environmental Planning Inc. on October 16, 2007.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

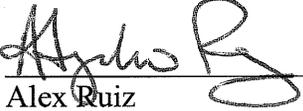
City staff will work with the community during the performance of these projects.

KEY STAKEHOLDERS:

Citywide



Ann Sasaki
Assistant Public Utilities Director



Alex Ruiz
Interim Director of Public Utilities

**CITY OF SAN DIEGO
PUBLIC UTILITIES DEPARTMENT**

**AGREEMENT BETWEEN THE
THE CITY OF SAN DIEGO**

AND

HELIX ENVIRONMENTAL PLANNING, INC.

FOR AS-NEEDED ENVIRONMENTAL SERVICES 2008-2011

AMENDMENT NO. 1

WHEREAS, on November 16, 2007 the CITY entered into an agreement with Helix Environmental Planning, Inc. (“CONSULTANT”) to provide as-needed environmental services (“AGREEMENT”), the original of which is on file in the Office of the City Clerk as Document No. RR-303082;

WHEREAS, the CITY and the CONSULTANT mutually desire to further amend the AGREEMENT to extend the period of performance and increase the funding;

NOW THEREFORE, the CITY and the CONSULTANT agree to amend the AGREEMENT thereto as follows:

1. REVISIONS TO AGREEMENT TITLE PAGE:

Replace as follows:

From: “Metropolitan Wastewater Department (MWWD)”

To: “Public Utilities Department”

Note: All additional references within the Agreement to Metropolitan Wastewater Department/MWWD are hereby replaced by Public Utilities Department.

From: “As-Needed Environmental Services 2008-2011”

To: “As-Needed Environmental Services 2008 -2013”

2. SECTION 2 – CONSULTANT TO PERFORM A SPECIFIC SCOPE OF WORK:

Paragraph 2.2, Schedule of Work:

From: 2.2.1 This AGREEMENT shall be effective for issuing “new” Task Orders for no more than thirty six (36) months following the date of its execution by the CITY, unless said period is modified in writing by an amendment to this AGREEMENT. “Active” Task Orders, which are not complete at the time of Agreement duration expiration, shall continue or be amended as required to accomplish completion.

To: 2.2.1 This AGREEMENT shall be effective on the date it is executed by the last Party to sign the Agreement. The duration of the AGREEMENT shall be from November 16, 2007, and effective for five (5) consecutive years thereafter, or until all funds authorized under this AGREEMENT have been expended whichever occurs first.

3. SECTION 4-COMPENSATION & PAYMENTS:

Paragraph 4.1 Compensation:

From: 4.1.2 The total Not-to-Exceed (NTE) amount of five hundred thousand (\$500,000) dollars has been established for the thirty-six (36) month duration of this AGREEMENT. Expenditures against the NTE total will be authorized within the individual Task Order release.

To: 4.1.2 The total Not-to-Exceed (NTE) amount of seven hundred fifty thousand (\$750,000.00) dollars has been established for the sixty (60) month duration of this AGREEMENT. Expenditures against the NTE total will be authorized within the individual Task Order release.

THIS AMENDMENT NO. 1 to the AGREEMENT shall affect only the page(s), paragraph(s), and/or terms and conditions referred to herein. All other page(s), paragraph(s), and/or terms and conditions of the AGREEMENT shall remain in full force and effect.

(Signatures on following page)

IN WITNESS WHEREOF, this AMENDMENT is executed by the City of San Diego, acting by and through its Mayor or his designee, pursuant to San Diego City Council Resolution No. R-_____ authorizing such execution, and by the CONSULTANT.

HELIX ENVIRONMENTAL PLANNING, INC.

THE CITY OF SAN DIEGO

A Municipal Corporation

By: 
Michael Schwerin, CEO

By: _____

Date: May 17, 2010

Date: _____

I HEREBY APPROVE the form and legality of the foregoing AMENDMENT this _____ day of _____, 2010.

JAN I. GOLDSMITH, City Attorney

By: _____

10/16
Rosa S.
901A

(R-2008-221)

RESOLUTION NUMBER R- 303082

DATE OF FINAL PASSAGE NOV 05 2007

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AN AGREEMENT WITH HELIX ENVIRONMENTAL PLANNING, INC. FOR AS-NEEDED CONSULTING SERVICES TO THE METRO WASTEWATER DEPARTMENT; AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR SUCH AGREEMENT.

WHEREAS, the City issued a request for proposals regarding as-needed environmental consulting services to the Metropolitan Wastewater Department and Helix Environmental Planning, Inc. was selected as the most qualified proposal; NOW, THEREFORE;

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is authorized to execute, for and on behalf of the City, an agreement with Helix Environmental Services for as-needed consulting services to the Metropolitan Wastewater Department 2007-2010, under the terms and conditions set forth in the Agreement, on file in the office of the City Clerk as Document No. RR- 303082.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$500,000 from Fund No. 41506 is authorized, solely and exclusively to provide funds for the above Agreement.

BE IT FURTHER RESOLVED, that this activity is not subject to the California Environmental Quality Act pursuant to CEQA Guidelines section 15378(b)(4) as this activity is a governmental fiscal activity, which is not committed to a specific project that may have a significant impact on the environment.

(R-2008-221)

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

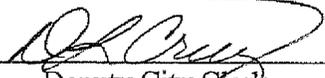
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
James W. Lancaster
Deputy City Attorney

JWL:mb:ca
10/01/07
Aud.Cert:2800241
Or.Dept:MWWD
MWD-8035
R-2008-221

I hereby certify that the foregoing resolution was passed by the Council of the City of San Diego, at its meeting of OCT 16 2007.

ELIZABETH S. MALAND, City Clerk

By 
Deputy City Clerk

Approved: 11-5-07
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor



City of San Diego
EQUAL OPPORTUNITY CONTRACTING (EOC)
 1010 Second Avenue • Suite 500 • San Diego, CA 92101
 Phone: (619) 533-4464 • Fax: (619) 533-4474

ATTACHMENT AA

WORK FORCE REPORT

ADMINISTRATIVE

The objective of the *Equal Employment Opportunity Outreach Program*, San Diego Municipal Code Sections 22.3501 through 22.3517, is to ensure that contractors doing business with the City, or receiving funds from the City, do not engage in unlawful discriminatory employment practices prohibited by State and Federal law. Such employment practices include, but are not limited to unlawful discrimination in the following: employment, promotion or upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rate of pay or other forms of compensation, and selection for training, including apprenticeship. Contractors are required to provide a completed *Work Force Report (WFR)*.

CONTRACTOR IDENTIFICATION

Type of Contractor: Construction Vendor/Supplier Financial Institution Lessee/Lessor
 Consultant Grant Recipient Insurance Company Other

Name of Company: HELIX Environmental Planning, Inc.

AKA/DBA: _____

Address (Corporate Headquarters, where applicable): 7578 El Cajon Blvd., Suite 200

City: La Mesa County: San Diego State: CA Zip: 91942

Telephone Number: (619) 462-1515 FAX Number: (619) 462-0552

Name of Company CEO: Michael Schwerin, CEO

Address(es), phone and fax number(s) of company facilities located in San Diego County (if different from above):

Address: _____

City: _____ County: _____ State: _____ Zip: _____

Telephone Number: () _____ - _____ FAX Number: () _____ - _____

Type of Business: Environmental Consulting Firm Type of License: Business

The Company has appointed: Mylaine Copper

as its Equal Employment Opportunity Officer (EEOO). The EEOO has been given authority to establish, disseminate and enforce equal employment and affirmative action policies of this company. The EEOO may be contacted at:

Address: 7578 El Cajon Blvd., Suite 200, La Mesa, CA 91942

Telephone Number: (619) 462-1515 FAX Number: (619) 462-0552

- One San Diego County (or Most local County) Work Force – Mandatory
 Branch Work Force*
 Managing Office Work Force

Check the box above that applies to this WFR.

**Submit a separate Work Force Report for all participating branches, Combine WFRs if more than one branch per county.*

I, the undersigned representative of HELIX Environmental Planning, Inc.

(Firm Name)

San Diego, California hereby certify that information provided
 (County) (State)

herein is true and correct. This document was executed on this 19th day of April, 2010.



 (Authorized Signature)

Michael Scherwin, CEO

 (Print Authorized Signature Name)

