



● **Board of Directors**  
***Engineering, Operations, and Technology Committee***

3/14/2023 Board Meeting

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**7-5**

**Subject**

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Authorize on-call agreements with Fugro USA Land, Inc., GeoPentech, Inc., Geosyntec Consultants, Inc., and Kleinfelder West, Inc., in amounts not to exceed \$3 million each, for a maximum of five years for geotechnical engineering services; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

**Executive Summary**

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Staff's strategy for the management of capital and O&M work is to rely on in-house engineering staff to accomplish the base load of projects, while professional services agreements are selectively utilized to handle projects above this base load or where specialized services or equipment are required. This action authorizes four new professional services agreements to provide geotechnical engineering support for capital and O&M projects. The four new agreements will be the on-call type, which are typically used for shorter-term assignments, urgent projects, and projects with specialized technical needs. The recommended maximum amounts of these agreements are \$3 million each for Fugro USA Land, Inc., GeoPentech, Inc., Geosyntec Consultants, Inc., and Kleinfelder West, Inc. The maximum duration of these geotechnical engineering services agreements will be five years.

**Details**

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**Background**

The Capital Investment Plan (CIP) contains the programs and projects necessary for ensuring the reliability of Metropolitan's infrastructure, operating systems, and other assets. Additionally, a variety of technical work is conducted to support routine and urgent O&M activities. Staff's approach for the geotechnical support for capital and O&M projects is to use available in-house staff first, with professional consultant services used only where appropriate. This approach maintains a stable, responsive, and experienced in-house workforce, and is consistent with Metropolitan's succession planning efforts.

When resource needs exceed available in-house staffing or require specialized technical expertise, Metropolitan uses a combination of project-specific and on-call professional services agreements. Over the next several fiscal years, many CIP projects will require geotechnical services beyond the level that can be supported or provided by in-house staff. Supplemental support services will be needed in the areas of: (1) geological reconnaissance and mapping; (2) field exploration and testing; (3) laboratory testing; (4) geologic and seismic hazard evaluations; (5) geotechnical analysis and recommendations; (6) hydrogeological and groundwater evaluations; and (7) geotechnical post-construction instrumentation and monitoring.

In order to be considered for a consulting agreement, firms are competitively evaluated, resulting in a list from which both project-specific and on-call agreements are executed as capital project needs are identified. Project-specific agreements over \$250,000 are approved individually by the Board. By contrast, on-call agreements are multi-year with not-to-exceed amounts and provide a high degree of flexibility to respond to schedule or scope adjustments, allow quicker delivery times, and lower administrative costs for both Metropolitan and the consultants. For these types of agreements, consultants are assigned work only after specific tasks are identified by staff, up to the not-to-exceed amounts of the contracts. These agreements have been relied upon for over 15 years for the efficient execution of capital projects. Typically, Engineering Services has three on-call

agreements for geotechnical engineering services available for use at any one time and has utilized nearly 100 percent of the agreement capacities since inception.

With the approval of the current two-year operating budget, the planned expenditures for the CIP have been increased from \$500 million to \$600 million. At the same time, in-house staff levels available to work on the CIP have been held constant, with no anticipated increases in the current budget cycle. Consequently, staff recommends board authorization of four new multi-year agreements to replace agreements that have already expired or will soon expire in order to ensure the timely execution of the CIP over the next several years.

In support of Metropolitan's goal of increasing business opportunities for Small Business Enterprise (SBE) firms, staff establishes SBE participation levels for the vast majority of professional services agreements for capital projects. The only exceptions are for highly specialized areas of expertise, or for the uncommon occasions when sub-consulting opportunities are limited.

**Agreements for Geotechnical Engineering Services – Fugro USA Land, Inc., GeoPentech, Inc., Geosyntec Consultants, Inc., and Kleinfelder West, Inc.**

Request for Qualifications (RFQ) No. 1316 was issued in April 2022 to establish a pool of qualified consulting firms to support projects related to geotechnical and dam safety engineering services. The RFQ covered services in two categories: geotechnical engineering services and dam safety assessments. The consultants submitted Statements of Qualifications (SOQs) for one or both of these two categories. Twelve firms submitted SOQs, which were then evaluated based on qualifications, key personnel, experience related to planned projects, past performance, environmental sensitivity, and business outreach. Out of 12 firms, 11 firms were prequalified for geotechnical services, and five were prequalified for dam safety services. Prequalified firms will be eligible to submit proposals on project-specific agreements within the categories of work for which they were prequalified.

Planned engineering and technical services to be provided under the resulting agreements were identified in the RFQ and include conceptual assessments, preliminary and final design support for new facilities and rehabilitation of existing facilities; field investigations; planning studies; specialized technical analyses and reviews; cost estimating; and engineering support during bid, advertisement, and construction.

Four new on-call agreements for geotechnical engineering services are recommended to be awarded at this time based on staff's current assessment of technical resources needed for providing geotechnical support to CIP projects over the next several fiscal years. New agreements are recommended with Fugro USA Land, Inc., GeoPentech, Inc., Geosyntec Consultants, Inc., and Kleinfelder West, Inc. These firms received the highest evaluation scores based on the criteria described above. In December 2022, Metropolitan's Board awarded three agreements for dam engineering safety services.

This action authorizes on-call agreements with Fugro USA Land, Inc., GeoPentech, Inc., Geosyntec Consultants, Inc., and Kleinfelder West, Inc., each in an amount not to exceed \$3 million per agreement. The maximum duration of each agreement will be five years. Staff will return to the Board in the future to authorize additional agreements if a need for such work is identified.

Funding for the work to be assigned to the consultants under on-call agreements is available within Metropolitan's capital expenditure plan or O&M budget. No work is guaranteed to the consultants under these agreements. For each of the agreements, Metropolitan has established an SBE participation level of 25 percent of the amount of the agreement. All prequalified firms have committed to meet this level of participation.

**Alternatives Considered**

Alternatives considered for addressing geotechnical engineering included assessing the availability and capability of in-house Metropolitan staff to conduct this work. Metropolitan's staffing strategy for utilizing consultants and in house Metropolitan staff has been: (1) to assess current work assignments for in-house staff to determine the potential availability of staff to conduct this work; and (2) to utilize consultants when resource needs exceed available in-house staffing or require specialized technical expertise.

This strategy relies on the assumption that in-house engineering staff will handle the baseload of work on capital projects, while professional services agreements are selectively utilized to handle projects above this baseload or where specialized needs are required. Execution of the currently planned projects requires the support of external specialized engineering expertise and equipment, in addition to Metropolitan staff. External support is needed for

performing geological reconnaissance and mapping, field exploration and laboratory testing, geologic and seismic hazard evaluations, geotechnical analysis, hydrogeological and groundwater evaluations, and geotechnical post-construction instrumentation.

### Summary

This action authorizes on-call agreements for engineering services with Fugro USA Land, Inc., GeoPentech, Inc., Geosyntec Consultants, Inc., and Kleinfelder West, Inc. in an amount not to exceed \$3 million each per contract for a maximum duration of five years.

### Policy

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Metropolitan Water District Administrative Code Section 8121: General Authority of the General Manager to Enter Contracts

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

By Minute Item 52778, dated April 12, 2022, the Board appropriated a total of \$600 million for projects identified in the Capital Investment Plan for Fiscal Years 2022/23 and 2023/24.

### California Environmental Quality Act (CEQA)

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#### CEQA determination for Option #1:

The proposed action is not subject to CEQA because it involves other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment (Section 15378(b)(4) of the State of CEQA Guidelines). In addition, the proposed action is not subject to CEQA because it involves organizational or administrative activities of governments that would not result in a direct or indirect physical change to the environment (Section 15378(b)(5) of the State of CEQA Guidelines).

#### CEQA determination for Option #2:

None required

### Board Options

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#### Option #1

Authorize on-call agreements with Fugro USA Land, Inc., GeoPentech, Inc., Geosyntec Consultants, Inc., and Kleinfelder West, Inc., in amounts not to exceed \$3 million each, for a maximum period of five years for geotechnical engineering services.

**Fiscal Impact:** None; funding for the work to be assigned to the consultants under on-call agreements and performed this biennium has been previously authorized. Future costs will be accounted for and appropriated under subsequent biennial budgets. In addition, no work is guaranteed to the consultants under these agreements.

**Business Analysis:** Contracting with multiple firms provides flexibility and an efficient means for Metropolitan to obtain needed technical services and to complete capital projects in accordance with board-adopted schedules.

#### Option #2

Do not authorize the consulting agreements at this time.

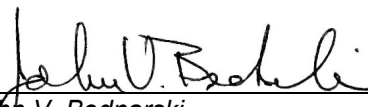
**Fiscal Impact:** None

**Business Analysis:** Under this option, Metropolitan staff would perform the engineering activities, or would request board authorization for agreements on a project-specific basis. This option would forego an opportunity to reduce administrative costs or address urgent projects promptly.

**Staff Recommendation**

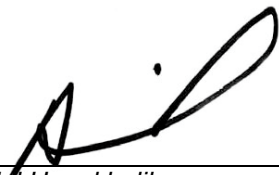
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Option #1

  
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John V. Bednarski  
Chief Engineer/Manager  
Engineering Services Group

2/21/2023

*Date*

  
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Adel Hagekhalil  
General Manager

2/27/2023

*Date*

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