


M E M O

Alameda Corridor Transportation Authority

To: Governing Board

Meeting Date: April 6, 2023

From: Michael C. Leue, Chief Executive Officer 

Subject: APPROVE Amendment No. 2 to Agreement No. C0868 with Tetra Tech, Inc. for Environmental Site Assessment & Restoration Services

Recommendation:

Approve the proposed second amendment to Agreement No. C0868 with Tetra Tech, Inc. for environmental site assessment and restoration services to extend the term of the Agreement for three years through June 30, 2026 and decrease the total compensation amount to \$50,000; and authorize the Chief Executive Officer or his designee to execute said amendment.

Discussion:


Following a competitive solicitation process, and Board approval in September 2017, ACTA entered into Agreement No. C0868 (“Agreement”) with Tetra Tech, Inc. (“Tetra Tech”) for environmental site assessment and restoration services. The Agreement had an initial three-year term to June 30, 2020, with a three-year extension option which was utilized, extending the Agreement to 2023.

This Agreement is a task order based contract and ACTA has not issued any task orders to Tetra Tech since the inception of the contract, other than a recent \$3,000 passthrough task to provide water sample testing. While ACTA needs to have these professional services available at all times, there has been no need for Tetra Tech services in the past six years.

Tetra Tech is not a certified small business enterprise (SBE), but did commit to utilizing small businesses as subconsultants for certain services. The original Request for Proposals (RFP) required that an average 15% of the contract value go to small businesses. Tetra Tech’s proposal had an average 36% of the work going to small businesses, depending upon the type of service required.

The initial contract value, including the first amendment, was for \$150,000, through June 30, 2023. Due to the limited need for the services over the past six years, the second amendment also decreases the contract value to \$50,000. Tetra Tech has requested that the hourly labor rates, daily equipment rates, and miscellaneous other direct cost items match those provided for in similar agreements with the Port of Los Angeles and the Port of Long Beach – both of which were obtained through competitive selection procedures. As a result, the new rates for the next three years of the Agreement will be higher than the current rates; in addition, those rates will increase 3% each calendar year beginning July 1, 2023.

ACTA’s Chief Executive Officer recommends that the Board approve the proposed amendment to Agreement No. C0868, extending the Agreement for three years through June 30, 2026, increasing the rates and decreasing the contract value.



Budget Impact:

There is no net impact to the ACTA Program Budget. These costs are included in the ACTA Program Budget under Professional Services. Depending on the nature of the specific task, ACTA will use appropriate funds and seek reimbursement from the responsible party, if applicable.

Co-General Counsel:

ACTA's Co-General Counsel has reviewed and approved the proposed amendment as to form.

Transmittal:

Transmittal 1 – Amendment No. 2 to Tetra Tech Agreement No. C0868