



**November 2, 2020**

**To:** Regional Planning and Highways Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Agreement for Measure M2 Environmental Mitigation Program  
Interim Biological Preserve Monitoring

### **Overview**

Consultant services are needed to provide biological monitoring of the conservation lands acquired through the Orange County Transportation Authority's Measure M2 Environmental Mitigation Program. Board of Directors' approval is requested to execute an agreement to perform the required work.

### **Recommendations**

- A. Approve the selection of Glenn Lukos Associates, Inc., as the firm to provide biological monitoring of the Orange County Transportation Authority's acquired conservation lands.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2479 between the Orange County Transportation Authority and Glenn Lukos Associates, Inc., in the amount of \$350,000, to provide biological monitoring of the Orange County Transportation Authority's acquired conservation lands for a three-year term.

### **Discussion**

In 2006, Orange County voters approved the renewal of Measure M2 (M2), effectively extending the half-cent sales tax to provide funding for transportation projects and programs in Orange County through 2041. As part of the renewed M2 Program, a portion of the M2 Freeway Program revenues was set aside for the M2 Environmental Mitigation Program (EMP) to provide funding for programmatic mitigation to offset impacts from the 13 freeway projects covered by M2. The Orange County Transportation Authority (OCTA) prepared the M2 Natural Community Conservation Plan/Habitat (NCCP/HCP) Conservation Plan (Conservation Plan) as a mechanism to offset potential project-related effects on threatened and endangered species and their habitats in a comprehensive manner. A key component of the Conservation Plan has

included the identification and acquisition of open space properties to offset habitat impacts. To date, seven OCTA properties (Preserves), totaling approximately 1,300 acres, have been successfully acquired (Attachment A).

The United States Fish and Wildlife Service and the California Department of Fish and Wildlife (CDFW) approved the Conservation Plan and issued permits to OCTA in mid-2017. As required by the Conservation Plan, each Preserve has a completed Resource Management Plan that defines the necessary management activities. OCTA maintains separate contracts to cover the security, maintenance, and biological monitoring needs of the Preserves. The OCTA project manager serves as the Preserve manager and coordinates the activities of the different contractors.

OCTA anticipates that the selected firm will be a resource during the contract term to facilitate the successful completion of various tasks for all seven of the Preserves. The range of tasks includes general biological monitoring, focused species surveys, United States Army Corps of Engineers required monitoring tasks, quantitative vegetation sampling, comprehensive vegetation mapping, and assisting with public outreach events.

The current Preserve monitoring contract is set to expire on August 31, 2021. The frequency of monitoring for these types of contracts is based on Preserve-specific resources and needs. The frequency of monitoring is flexible and dependent on the resources and threats. Due to an increased amount of work performed during the contract period, the budget is anticipated to last through December 2020. During this past contract term, a high amount of rain caused an increase of erosion and non-native weeds on the Preserves. Due to these conditions, the biological monitor was required to spend more time at the Preserves than anticipated. In addition, the high amount of rain created an optimum spring season to document the Conservation Plan listed species. Due to these variables, OCTA increased the monitoring effort, which depleted the budget more quickly than initially anticipated. This work and documentation will enable less monitoring during years of lighter rainfall. The contractor also conducted vegetation mapping of all the cacti on the seven Preserves to help support the development of fire management plans that are underway. This was a significant undertaking that also impacted the budget.

As outlined above, the remaining budget for this contract will not likely support the necessary activities through the end of 2020. Based on the procurement schedule, the new Preserve monitoring contract is anticipated to be executed in December 2020. The new contract would then be used to continue monitoring issues on the Preserves.

***Procurement Approach***

This procurement was handled in accordance with OCTA Board of Directors (Board)-approved procedures for professional and technical services. In addition to cost, many other factors are considered in an award for professional and technical services. Award is recommended to the firm offering the most comprehensive overall proposal considering such factors as project organization and staffing, prior experience with similar projects, work plan, as well as cost and price.

On July 29, 2020, Request for Proposals (RFP) 0-2479 was issued electronically on CAMM NET. The project was advertised in a newspaper of general circulation on July 29 and August 3, 2020. A pre-proposal conference was held on August 4, 2020, with eight attendees representing eight firms. Two addenda were issued to provide a copy of the pre-proposal registration sheet and to respond to questions related to the RFP.

On August 26, 2020, six proposals were received. An evaluation committee consisting of OCTA staff from Contracts Administration and Materials Management, Project Development and Public Outreach departments, as well as an external representative from the CDFW met to review all proposals received. The proposals were evaluated based on the following evaluation criteria and weightings:

- |                                     |            |
|-------------------------------------|------------|
| • Qualifications of the Firm        | 30 percent |
| • Staffing and Project Organization | 30 percent |
| • Work Plan                         | 20 percent |
| • Cost and Price                    | 20 percent |

Several factors were considered in developing the criteria weightings. Qualifications of the firm was weighted at 30 percent. The higher weighting in this category emphasized that the firm had to demonstrate relevant experience monitoring similar biological resources, as well as Preserve management. Staffing and project organization was weighted at 30 percent to ensure the proposed project team had the required skills and expertise needed to perform the work. Work plan was weighted at 20 percent as the proposing firm had to demonstrate its understanding of the habitats and species in the Preserves and discuss its approach to monitoring the Preserves. Cost and price was also weighted at 20 percent to ensure the services would be provided at competitive rates.

On September 9, 2020, the evaluation committee reviewed all proposals received based on the evaluation criteria and short-listed the three most qualified firms. The three short-listed firms are listed below in alphabetical order:

Firm and Location

Glenn Lukos Associates, Inc. (Glenn Lukos)  
Santa Ana, California

Land IQ, LLC (Land IQ)  
Sacramento, California

RECON Environmental, Inc. (RECON)  
San Diego, California

On September 15, 2020, the evaluation committee interviewed the three short-listed firms. The interviews consisted of a presentation to demonstrate the firms' understanding of OCTA's requirements for this project. Specifically, the firms were requested to describe their approach to monitoring the Preserves including identifying the greatest threats and/or stressors, such as physical disturbances, biological diversity and recreation, and any recommendations to help remedy these threats and/or stressors.

The firms' project managers and key team members had an opportunity to present qualifications and respond to the evaluation committee's questions. Questions were asked relative to the firms' experience performing similar services, recommendation for monitoring specific species, enhancements to the scope of work, and quality control procedures.

After considering the responses to the questions asked during the interviews, the evaluation committee reviewed the preliminary rankings and made adjustments to individual scores. The overall ranking of the firms did not change as a result of the interviews.

Based on the evaluation of the written proposals' information obtained from the interviews and cost and price, the evaluation committee recommends Glenn Lukos for consideration of the award. The following is a brief summary of the proposal evaluation results.

#### Qualifications of the Firm

The short-listed firms are all qualified and demonstrated experience in monitoring biological resources within Southern California, which has specific and unique habitat and species.

Glenn Lukos is located in the City of Santa Ana and has been providing environmental services since 1989. The firm employs 22 environmental professionals. The firm has extensive experience with Preserve management, specifically within Orange County as the firm has worked with many public and private entities. Experience includes the City of Laguna Niguel, where they conducted and prepared biological surveys and reports on the Crown Valley Community Park project. Since 1994, the firm has performed various biological and regulatory services for the City of Laguna Beach. They have also provided various biological monitoring and regulatory services for the Irvine Company, as well as Rancho Mission Viejo. The work performed was consistent with the Conservation Plan requirements. The firm has also provided support for OCTA on the 55-acre Aliso Creek restoration project and currently performs biological monitoring services for the OCTA Preserves.

Founded in 1972, RECON has 89 employees and has provided environmental services for many public agencies in Southern California, such as the City of Chula Vista, San Diego Gas and Electric, and the United States (U.S.) Army Corps of Engineers. RECON is familiar with OCTA's Preserves as the firm currently provides on-call maintenance support for the OCTA M2 EMP Preserves. The firm has experience working on similar projects, including the Otay Ranch Preserve, Rolling Hills Ranch Preserve, Central City Preserve, El Cajon Mountain Reserve, and several U.S. Fish and Wildlife Service preserves.

Land IQ was founded in 2012 and has 33 employees. The firm has provided biological monitoring and restoration services to Puente Hills Habitat Preservation Authority, a habitat restoration and enhancement plan for the County of Orange Central and Coastal Subregion NCCP/HCP, and preserve management service for the Transportation Corridor Agencies.

#### Staffing and Project Organization

Each firm proposed experienced and knowledgeable project teams that met personnel requirements specified for this project.

Glenn Lukos proposed a qualified team with over ten years of experience for each team member. Additionally, the project team includes task leads and support staff to provide flexible scheduling. The firm's proposal demonstrated staff's knowledge of sensitive wildlife, plant species, and vegetation communities

in the foothills and coastline, as well as applicable technical skills. The proposed project team has handled restoration projects, sensitive species surveys, vegetation mapping, plant surveys, and other environmental services throughout Orange County. The proposed project manager has 15 years of experience with proposed availability at 70 percent to commit to this project and demonstrated knowledge of the entire Preserve system in Orange County. During the interview, the project team responded to the evaluation committee's questions.

RECON proposed an experienced team. The proposed project manager has ten years of experience and proposed 50 percent availability to this project. The project manager has performed maintenance, monitoring, and reporting for OCTA M2 EMP Preserves and performs similar projects throughout Southern California. The project team is comprised of task leads and support staff who are cross-trained to perform multiple tasks in the field and to ensure sufficient support. Most proposed team members have ten years of experience performing similar work. The project team answered all questions during interview.

The Land IQ team meets the requirements to provide the biological monitoring services requested. The project manager has 11 years of experience with Land IQ and 15 years in the field. Other proposed key personnel have over 15 or more years of experience in the field and relevant work experience. The project manager's availability is 30 percent. During the interview, Land IQ did not sufficiently clarify who would be responsible for general Preserve monitoring and whether it will be one or multiple individuals on a rotating basis if the project required greater time commitment.

#### Work Plan

Glenn Lukos presented a work plan that addressed all elements of the scope of work, its requirements, and presented clear ability to accomplish necessary tasks and flexibility in scheduling based on needs. In addition, the firm indicated an understanding and background of the OCTA Conservation Plan and goals of the EMP. The firm demonstrated knowledge of current Preserve conditions and potential issues, as well as covered species location data and referenced potential use and experience using special methods and equipment for upcoming reptile and amphibian surveys. The team's method included remotely-triggered trail cameras, scented track stations, Global Positioning System equipment, and identifying wildlife species from tracks and scat. The project team's presentation demonstrated an understanding of the project requirements, including the characteristics of the Preserves, ongoing threats, and relevant recommendations.

RECON's work plan also demonstrated their understanding of the Preserves and the project requirements. The proposal included a detailed work plan and included accommodations in light of the current coronavirus pandemic working conditions. The firm discussed its approach to biological monitoring, which included using wildlife cameras for photo documentation and special methods for reptile surveys. The firm demonstrated their understanding of the importance and requirements of monitoring tree fungi, invasive species, and other focused species needs. The firm did not suggest any additional innovation or suggestions.

Land IQ presented an understanding of the scope of work and included a detailed work plan with explanation and suggestions, but did not demonstrate an understanding of current Preserve conditions or known threats, nor provide a clear understanding of OCTA's Conservation Plan and goals of the EMP. The proposal established an understanding of general monitoring requirements such as timing of regular site visits, safety protocol, coordination, but did not go into detail on the proposed methods for the Preserves. The proposal did not define an approach for wildlife movement monitoring.

#### Cost and Price

Pricing scores were based on a formula which assigned the highest score to the firm with the lowest weighted average hourly rate for the three-year term, and scored the other proposals' weighted average hourly rate based on its relation to the lowest weighted average hourly rate. Although Glenn Lukos' weighted average hourly rate was not the lowest of the short-listed firms, the rates are deemed fair and reasonable as they are competitive with the second-ranked firm and the OCTA project manager's independent cost estimate.

#### Procurement Summary

Based on the evaluation of the written proposals, the firms' qualifications, and the information obtained from the interviews, the evaluation committee recommends the selection of Glenn Lukos as the top-ranked firm to provide biological preserve monitoring. Glenn Lukos delivered a comprehensive proposal and an interview that was responsive to the requirements of the RFP.

#### Fiscal Impact

This project was approved in OCTA's Fiscal Year 2020-21 Budget, Planning Division, Account 0017-7519-FX001-OYP, and is funded with local funds from M2 sales tax revenues.

***Summary***

Staff is recommending the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2479 between the Orange County Transportation Authority and Glenn Lukos Associates, Inc., in the amount of \$350,000, for a three-year term to provide biological preserve monitoring.

***Attachments***

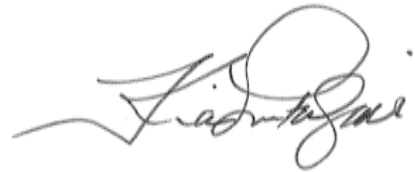
- A. OCTA Preserves
- B. Review of Proposals, RFP 0-2479 Measure M2 Environmental Mitigation Program Interim Biological Preserve Monitoring
- C. Evaluation Criteria Matrix, RFP 0-2479 Measure M2 Environmental Mitigation Program Interim Biological Preserve Monitoring
- D. Contract History for the Past Two Years, RFP 0-2479 Measure M2 Environmental Mitigation Program Interim Biological Preserve Monitoring

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