

**AMENDMENT NO. 3 TO AGREEMENT NO. 47880
BETWEEN
THE LOS ANGELES DEPARTMENT OF WATER AND POWER
AND
URS CORPORATION AMERICAS**

THIS AMENDMENT NO. 3 to Agreement No. 47880 (Agreement) is made and entered into by and between the City of Los Angeles, acting by and through the Los Angeles Department of Water and Power (LADWP), a municipal corporation, and URS Corporation Americas, a professional engineering and consulting firm (Consultant) who are referred to under this Amendment as “Party” and collectively as the “Parties.”

WITNESSETH

WHEREAS, on February 4, 2010, the Parties entered into Agreement No. 47880 wherein the Consultant agreed to provide environmental and archaeological services, and other related services needed to accomplish the North Haiwee Dam Seismic Improvement Project; and

WHEREAS, on March 13, 2018, LADWP and Consultant executed Amendment No. 1 to extend the original contract term of 8 years by an additional 8 years for a new term of 16 years, and increase the not-to-exceed amount by \$500,000 for a new not-to-exceed amount of \$4,500,000; and

WHEREAS, on August 9, 2022, LADWP and Consultant executed Amendment No. 2 to increase the not-to-exceed amount by \$3,000,000 for a new not-to-exceed amount of \$7,500,000; and

WHEREAS, LADWP has determined that it is necessary to continue, without interruption, the environmental, archaeological, and other related services to support the completion of the seismic improvements to North Haiwee Dam mandated by the State of California Department of Water Resources, Division of Safety of Dams; and

WHEREAS, LADWP has determined that it is necessary to extend the duration of the Agreement by another two years through February 2, 2028, and increase the Agreement amount of \$7,500,000 by \$2,000,000 for a new not-to-exceed amount of \$9,500,000; and

WHEREAS, Amendment No. 3 is necessary and proper to continue certain activities authorized under the Contract.

NOW, THEREFORE, the Parties hereby agree to amend the Agreement as follows:

1. Section 201.1 Term of the Agreement – Extension Options is hereby amended to read as follows:

At the Department’s option with approval by the Board of Water and Power Commissioners, the term of this Agreement will be extended through February 2, 2028.

2. Section 301.1 Not-to-Exceed Amount is hereby amended to read as follows:

The total compensation that may be paid to the Consultant by the Department for complete and satisfactory performance of services under this Agreement shall not exceed nine million five hundred thousand dollars (\$9,500,000).

Except as herein amended above, all other terms and conditions of the Agreement shall remain in full force and effect.

This Amendment is executed in one (1) original and one (1) duplicate original, each of which is deemed to be an original. This Amendment consists of three (3) pages.

[Signature Page follows.]

SIGNATURE PAGE

IN WITNESS THEREOF, the Parties hereto have executed this Amendment No. 3 to Agreement No. 47880 by their authorized representatives on the date written below. The signatories attest that they have no personal, financial, beneficial, or familial interest in this contract.

**DEPARTMENT OF WATER AND POWER
OF THE CITY OF LOS ANGELES
BOARD OF WATER AND POWER COMMISSIONERS**

By signing below, the signatories attest that they have no personal, financial, beneficial, or familial interest in this contract.

Dated : _____

By: _____
JANISSE QUIÑONES
Chief Executive Officer and Chief Engineer

And: _____
Chanté L. Mitchell
Board Secretary

URS CORPORATION AMERICAS

Dated: _____

By: _____
Teri Fenner
Vice President

And: _____
Cecilia Meyer Lovell
Associate Vice President

APPROVED TO FORM AND LEGALITY
HYOEE FELDSTEIN SOTO, CITY ATTORNEY

MAY 19 2025

BY _____
JOHN A. CARVALHO
DEPUTY CITY ATTORNEY

0150-09062-0005

T R A N S M I T T A L

| | | |
|--|-------------------------|------------------|
| TO Janisse Quinones, General Manager Los Angeles Department of Water and Power | DATE 07/25/2025 | COUNCIL FILE NO. |
| FROM The Mayor | COUNCIL DISTRICT ALL | |

**LOS ANGELES DEPARTMENT OF WATER AND POWER PROPOSED RESOLUTION
AUTHORIZING A THIRD AMENDMENT TO AGREEMENT NO. 47880 WITH URS
CORPORATION AMERICAS FOR THE NORTH HAIWEE DAM SEISMIC IMPROVEMENT
PROJECT**

Transmitted for further processing, including Council consideration. See the
City Administrative Officer report attached.



MAYOR

(Carolyn Webb de Macías for)

Attachment

MWS/PJH/JVW:DLG:10260023t

CAO 649-d

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: July 16, 2025

CAO File No. 0150-09062-0005

Council File No.

Council District: ALL

To: The Mayor

From: Matthew W. Szabo, City Administrative Officer 

Reference: Communication from the Department of Water and Power dated June 3, 2025; referred by the Mayor for a report on June 5, 2025

Subject: **LOS ANGELES DEPARTMENT OF WATER AND POWER PROPOSED RESOLUTION AUTHORIZING A THIRD AMENDMENT TO AGREEMENT NO. 47880 WITH URS CORPORATION AMERICAS FOR THE NORTH HAIWEE DAM SEISMIC IMPROVEMENT PROJECT**

RECOMMENDATION

That the Mayor:

1. Approve the Los Angeles Department of Water and Power (LADWP) proposed Resolution authorizing the LADWP to execute a Third Amendment to Agreement No. 47880 with URS Corporation Americas, extending the term of February 4, 2010 through February 3, 2026 by two years through February 3, 2028, for a total term of 18 years, and increasing the contract authority by \$2 million, from \$7.5 million to \$9.5 million to support ongoing seismic improvements to the North Haiwee Dam Seismic Improvement Project, including completion of environmental, archaeological, and other related services;
2. Authorize, upon proper certification, the Chief Accounting Employee to draw demands on the Water Revenue Fund, in accordance with the terms of this Amendment to the Agreement and Resolution; and
3. Return the proposed Resolution to LADWP for further processing, including Council consideration.

SUMMARY

The Los Angeles Department of Water and Power (LADWP; Department) requests authority to execute a Third Amendment to Agreement No. 47880 (Agreement) with URS Corporation Americas (URS; consultant) for interrupted support to LADWP for seismic improvements and environmental services associated with the construction of the North Haiwee Dam No. 2 (Project). The proposed Third Amendment will extend the existing term of the Agreement by two years, from February 4,

2026 to February 3, 2028 and increase the Agreement's not-to-exceed contract authority by \$2 million from \$7.5 million to 9.5 million. The amended maximum expenditure amount has been budgeted by the Department.

The additional funding and time are required to comply with mitigation and monitoring requirements stipulated in the Environmental Impact Report (EIR)/Environmental Assessment. Specifically, the funding will support archaeological and paleontological construction monitoring, Native American construction monitoring, and ongoing technical advisory support and project management services.

Except as proposed in this Amendment, all other term and conditions of the original Agreement remain unchanged.

The City Attorney has reviewed and approved the proposed Amendment and Resolution as to form. In accordance with Charter Section 373 and the Los Angeles Administrative Code Section 10.5(e), the proposed Amendment requires City Council approval because the total term of the Agreement is greater than five years. Our Office has reviewed the request and recommends approval.

BACKGROUND

A seismic stability assessment conducted by LADWP concluded that the North Haiwee Dam (NHD) is susceptible to structural failure in the event of a major earthquake, which could potentially result in an uncontrolled release of substantial water volumes. Based on this evaluation, the State of California Department of Water Resources, Division of Safety of Dams (DSOD), directed LADWP to operate the NHD at a restricted maximum surface water level to mitigate potential flooding from seismic-induced dam failure. Additionally, DSOD mandated that LADWP complete necessary seismic improvements to ensure the North Haiwee Reservoir's structural reliability during seismic events.

North Haiwee Dam Seismic Improvement Project - The LADWP, in cooperation with the United States Bureau of Land Management (BLM), proposed the Project to improve the seismic reliability of the existing NHD. The existing NHD is an earthfilled dam located in Owens Valley, California, approximately 150 miles north of Los Angeles, and is owned and operated by LADWP. The NHD serves as an essential component of the Los Angeles Aqueduct (LAA) system, which transports water from Owens Valley through the North Haiwee Reservoir to the City of Los Angeles.

Project Location and Components – The Project is located approximately 800 feet north of the existing NHD. The Project consists of constructing a new dam and connecting reservoir, with the new dam serving as a backup should the NHD be damaged by a major earthquake or natural disaster. The Project will mitigate the seismic hazards, reestablish the NHD's maximum storage capacity, and reduce the risk of water supply disruptions to Los Angeles. Construction of the new dam will require realigning portions of the Los Angeles Aqueduct (LAA) channel to prevent obstruction of water flow and relocating a section of the existing Cactus Flats Road to accommodate the new infrastructure.

In 2010, the Board of Water and Power Commissioners (Board) awarded Agreement No. 47880 to URS for \$4 million to provide environmental and archaeological studies and services needed to complete the North Haiwee Seismic Improvement Project. The original contract was approved for a three-year base term, with two optional extensions—one three-year increment and one two-year increment—for a maximum total term of eight years.

Contract Modifications and Extensions - The City Council subsequently adopted two contract modifications: 1) a First Amendment (C.F. 06-2072-S1), approved in 2018, extending the contract for eight years through February 3, 2026, for a total contract term of 16 years, and increasing the contract authority by \$500,000 to a maximum of \$4.5 million; and 2) a Second Amendment (C.F. 06-2072-S2), adopted in 2022, increasing the contract authority by \$3 million from \$4.5 million to \$7.5 million to support ongoing seismic improvements and environmental and archaeological services related to the NHD.

Third Amendment for Extended Monitoring and Compliance Services - The proposed Third Amendment will extend the contract term for two years through February 3, 2028, and increase the contract authority by \$2 million from \$7.5 million to \$9.5 million. The additional time and financial resources will allow LADWP to comply with mitigation and monitoring requirements related to the protection of archaeological, cultural, paleontological, and biological discoveries. The oversight activities to protect sensitive species and areas include.

- *Archaeological and Cultural Monitoring* – Monitors observe construction activities to identify any potential inadvertent discoveries of archaeological or tribal cultural resources during ground disturbance and make recommendations for avoidance and testing based on the significance of the findings.
- *Paleontological Monitoring* – Monitors observe construction activities at certain depths to ensure that any potential impacts to paleontological resources, such as fossils, are avoided and handled properly if discovered.
- *Biological Monitoring* – Monitors are required to be on the project site to ensure that sensitive plant and wildlife resources are avoided to the extent feasible and that proper treatment is implemented and reported if sensitive species are encountered.

The monitoring activities described above are required components of the Project to ensure compliance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA).

Contract Expenditure Status and Remaining Funds – Through June 2025, LADWP has expended approximately 84 percent, or \$6,282,705, of the total appropriated \$7.5 million. The remaining 16 percent, or \$1,217,295, of the contract authority will be used to fund assigned task orders as well as task orders that have not yet been assigned. Budget activities for this Agreement are summarized in the table below.

| URS Corporation Americas – Agreement No. 47880 Contract Activities | |
|--|----------------------|
| Original Contract Authority – February 2010 | \$4,000,000 |
| First Amendment Increase – April 2018 | 500,000 |
| <u>Second Amendment Increase – September 2022</u> | <u>3,000,000</u> |
| Total Appropriation | \$7,500,000 |
| Total Expenditures | (\$6,282,705) |
| Remaining Contract Authority (Total Appropriation less Total Expenditures) | \$1,217,295 |
| Planned Expenditures | |
| Assigned Task Orders | (\$708,517) |
| <u>Unassigned Task Orders</u> | <u>508,778</u> |
| Total Planned Expenditures | \$1,217,295 |
| Future Contract Value (Remaining Contract Authority less Total Planned Expenditures) | \$0 |

Funding Necessity for Regulatory Compliance - Task Orders assigned under this Agreement are essential for addressing environmental regulatory requirements mandated by CEQA and NEPA. Insufficient funding for this agreement could result in the Department’s non-compliance with regulatory agencies, potentially jeopardizing the Project. Funding for this Amendment is included in the Water System Budget.

Contractor’s Performance – LADWP reports that URS has performed satisfactorily under the current Agreement.

Alternatives Considered – Given that the Department lacks in-house staff with the technical expertise to perform biological, paleontological, archaeological, and Native American monitoring work required to complete the Project, LADWP considered two alternatives:

- 1) The Department evaluated hiring employees with this specialized knowledge. However, this option is not feasible as it would be neither cost-effective nor efficient to hire employees for a temporary project; and,
- 2) LADWP considered issuing a new Request for Proposals and awarding a contract to a different consultant. The Department determined that a new consultant could not practically meet the scheduled Project deadlines. Transferring the work currently supported by URS to a new consultant would disrupt Project advancement, cause substantial delays, and result in higher costs.

As neither alternative is feasible, LADWP seeks to amend the existing Agreement with URS as the consultant provides the most viable solution for timely and cost-effective Project completion compared to alternative approaches.

CITY COMPLIANCE

Small Business Enterprise (SBE), Disabled Veterans Business Enterprise (DVBE), Minority Business Enterprise (MBE), Women Business Enterprise (WBE), Other Business Enterprise (OBE)

Subcontracting Participation – While there are no minimum mandatory Business Enterprise requirements, URS was encouraged to utilize SBE, DVBE, MBE, and WBE firms through good faith efforts. URS's participation for this contract includes 15 percent SBE/DVBE, 15 percent MBE, and 3.5 percent WBE.

California Environmental Quality Act – The Department determined that this item is in compliance with CEQA Guidelines Sections 15080-15097 and NEPA as part of an EIR prepared by LADWP and its co-lead agency, the Bureau of Land Management, to disclose the potential environmental impacts associated with the construction and operation of the Project. On July 24, 2018, the Board certified the EIR, adopted the Mitigation Measures and Reporting Program, Finding of Fact, and Statement of Overriding Considerations; and approved the Project.

Charter Section 1022 – Pursuant to Charter Section 1022, the Department determined that it is more feasible to have the work performed by URS rather than City employees since the required specialized technical expertise related to biological, paleontological, archaeological, and Native American monitoring does not current exist within LADWP.

The City Attorney has reviewed and approved the proposed Agreement and Resolution as to form. In accordance with Charter Section 373 and the Los Angeles Administrative Code Section 10.5(e), the Amendment requires City Council approval because the total term of the agreement exceeds five years.

FISCAL IMPACT STATEMENT

Approval of the Third Amendment to Agreement No. 47880 with URS Corporation Americas will have no General Fund impact. Approval of the proposed Resolution and contract amendment will increase the not-to-exceed contract authority by \$2 million, from \$7.5 million to \$9.5 million. Funding is available and budgeted in the Water Revenue Fund. The recommendations in this report comply with the LADWP's adopted Financial Policies.

Attachments – LADWP June 3, 2025 Transmittal, May 21, 2025 Board Correspondence and Proposed Resolution, and Third Amendment

MWS/PJH/JVW:DLG:10260023