

SECOND AMENDMENT TO AGREEMENT NO. 16-3431
BETWEEN THE CITY OF LOS ANGELES
AND TETRA TECH, INC.

THIS SECOND AMENDMENT to Agreement No. 16-3431 is made and entered into by and between the CITY OF LOS ANGELES, a municipal corporation ("City"), acting by and through its Board of Harbor Commissioners ("Board"), and TETRA TECH, INC., a Delaware corporation, 3475 E. Foothill Boulevard, Suite 300, Pasadena, CA 91107 ("Consultant") as follows:

1. Section I. SERVICES TO BE PERFORMED BY CONSULTANT, paragraph A, is removed in its entirety and replaced with the following paragraph:

A. Consultant hereby agrees to render to City, as an independent contractor, certain professional, technical and expert services of a temporary and occasional character as set forth in Exhibits A, A-1, and A-2 ("Scope of Work").

2. Exhibit A-2 – Scope of Work, which is attached hereto, is added to Agreement 16-3431, and is incorporated herewith by reference.

3. Section III. EFFECTIVE DATE AND TERM OF AGREEMENT, paragraph B, is removed in its entirety and replaced with the following paragraph:

B. This Agreement shall be in full force and effect commencing from the date of execution and shall continue until the earlier of the following occurs:

1. December 31, 2023;

or

2. The Board of Harbor Commissioners, in its sole discretion, terminates and cancels all or part of this Agreement for any reason upon giving to Consultant ten (10) days' notice in writing of its election to cancel and terminate this Agreement.

4. Section V. COMPENSATION AND PAYMENT, paragraph B, is removed in its entirety and replaced with the following paragraph:

B. The maximum payable under this Agreement, including reimbursable expenses (see Exhibit B-2), shall be Five Million Four Hundred Eighty Thousand Dollars (\$5,480,000).

5. Exhibit B-1 is removed in its entirety and replaced with Exhibit B-2 – Budget Estimate, which is attached hereto, and is incorporated herewith by reference.

Except as amended herein, all remaining terms and conditions of Agreement No. 16-3431 shall remain in full force and effect.

IN WITNESS THEREOF, the parties hereto have executed this Second Amendment to Agreement No. 16-3431 on the date to the left of their signatures.

THE CITY OF LOS ANGELES, by its
Board of Harbor Commissioners

Dated: _____, 2021

By _____
EUGENE D. SEROKA
Executive Director

Attest _____
AMBER M. KLESGES
Board Secretary

Dated: Aug 18th, 2021

TETRA TECH, INC.
By _____
Richard A. Lemmon, Sr. VP
(Print/type name and title)

Attest _____
Preston Hopson, Secretary
(Print/type name and title)

APPROVED AS TO FORM AND LEGALITY

Aug 26, 2021
MICHAEL N. FEUER, City Attorney
JANNA B. SIDLEY, General Counsel

By Janna Sidley
JUSTIN HOUTERMAN, Deputy

JH/ila (08/17/2021)

Account #	59967	W.O. #	78090
Ctr/Div #	0330	Job Fac. #	637-00
Proj/Prog #	000		
Budget FY		Amount:	
FY 22		250,000	
FY 23		800,000	
FY 24		450,000	
TOTAL		\$1,500,000	
For Acct/Budget Div. Use Only:			
Verified by:	<u>Flu</u>	Flora Khaw 2021.08.23 12:31:44 -0700	
Verified Funds Available:	<u>Janna</u>	Digitally signed by Frank Liu Date: 2021.08.23 17:16:52 -0700	
Date Approved:	<u>8/23/21</u>		

Exhibit A-2

Port of Los Angeles (POLA) Clean Truck Program Administration Services Scope of Work

Tetra Tech, Inc. (Tetra Tech) will continue teaming with Red River (formerly Natoma Technologies) for Ports Drayage Truck Registry (PDTR) Maintenance; WiseTech (formerly Trinium Technologies) for DayPass and Merchant Account Management; and CET Engineering for Terminal Access Center (TAC) and Helpline Assistance.

Tetra Tech CTP Administrative Services support includes the following tasks: 1) Program Management, Concession Agreements, and Grant Administration; 2) Outreach Activities; 3) CTP Terminal Access Center Management; 4) Concession Agreement and Tariff/State Rule Enforcement; and 5) Port Drayage Truck Registry Information Technology Services. The details of Tasks 1 through 5 are described below:

Task 1 – Program Management – Concession Agreements and Grant Administration

- Serve as the Program Administrator of these program elements under the immediate direction of POLA CTP Managers and report on results, costs, issues, and problems on a regular basis.
- Work with the Ports to process applications for Concession Agreements in accordance with the criteria established by the Ports. Consultant shall also validate and process CTP Certificates of Insurance.
- Work with the Ports to monitor and enforce compliance with requirements of the Concession Agreements.
- Maintain digital program files and implement the concept of a “paperless office.” To achieve this, Tetra Tech may use document management and scanning systems, including electronic filing for the Agreements.
- Receive and process truck move data from PierPass on a weekly basis and provide the POLA with truck move analysis.
- Attend monthly POLA CTP meetings, prepare and distribute weekly scorecard, prepare and distribute the monthly Gate Move Analysis, and any additional reports for posting on the POLA website.
- Even though currently grant funding administration is not part of our current work, there may be administrative needs to assist POLA in CTP Truck Rate Incentives, new grant funding program development and implementation.

Task 2 – Outreach Activities

- Inform Concessionaires/Registrants of program changes, clarify Concession Agreement requirements, and communicate any other program information.
- Make phone calls; prepare and disseminate e-blasts, letters, memos and flyers; and speak on behalf of (or represent) the POLA at meetings, workshops, seminars, and conferences.

Task 3 – Clean Trucks Program Terminal Access Center (TAC) Management

The TAC is currently located at 1265 Harbor Avenue, Long Beach, CA 90813. This facility provides a key point of in-person contact for Concessionaires/Registrants, grant applicants and the general public. The TAC is open Monday through Friday from 8 A.M. to 5 P.M, except holidays and where modified hours are approved in advance by Ports' CTP Management. Currently, there are approximately 2 to 3 employees aiding at the TAC daily.

- Operate the TAC on a weekday basis and provide the proper staffing and customer service levels to answer questions regarding POLA terminal access and compliance with state and POLA drayage service compliance requirements; issue non-container terminal stickers; conduct as needed engine inspections for confirmation of emissions compliance data entered in the PDTR; provide assistance on Concession Agreement application activities; Concession Agreement administration, monitoring, and enforcement support; Day Pass system support and problem resolution; and to resolve any issues related to the CTP and Ports Drayage Truck Registry (PDTR).
- Provide at least one bilingual (Spanish speaking) staff member to engage in direct contact with the public visiting the TAC.
- Provide ZE/NZE engine verification support at the TAC.

Task 4 – Concession Agreement and Tariff/State Rule Enforcement

- Assist in the enforcement of requirements pertaining to CTP Concession Agreements, the Ports' Tariffs, and the California Air Resources Board Drayage Truck Rule. Examples of enforcement items include:
 - Providing support for Concessionaires on compliance and Concession Agreement requirements.
 - Concession Agreement requirements processing (ex. Insurance, maintenance, registration with California's Secretary of State, etc.).
 - Tracking, auditing, verifying, and cross-checking to prevent fraudulent entries. Report and document suspected fraudulent cases.
 - "Dray-offs" or operations that are designed to circumvent CTP requirements.
 - PDTR/DMV database verification for accuracy of truck registration information.
 - Concession Agreement suspension/revocation due to the usage of false truck registration entries.
 - Non-Container Terminal Sticker Program compliance.
 - Ban of Class 4 through 8 "non-compliant" trucks, and
- Providing support for new Concession Agreement and new Tariff with the potential addition of the Heavy-Duty Inspection and Maintenance Program to the Concession Agreement.

Task 5 – Ports Drayage Truck Registry Information Technology Services

- Utilize the PDTR system to provide the most current data for the Ports including, but not limited to, reports about: Licensed Motor Carriers (LMC) details; truck details including engine year, fuel type, annual fee expiration; fleet summary reports; and payment histories.
- Receive and process additional CTP related data requests submitted through California Privacy Rights Act (ex. LAANE, DOJ, LNG fueled trucks).
- Receive and process miscellaneous data requests in support of POLA staff needs.

- Responsible for enforcement of the Concession Agreement requirements.
- Ensure that all trucks granted access to the Ports adhere to the requirements, specifically:
 - New account management.
 - Truck data entry or registration/deregistration.
 - Annual truck fee payments, dispute resolution, refund, substitution, and transfer.
 - Truck information update.
 - Insurance confirmation through Uniform Intermodal Interchange Agreement/Intermodal Association of North America (UIIA/IANA) routine updates.
 - DMV Vehicle Identification Number data matching and resolution.
 - Exempt truck, engine year, fuel type, engine emissions compliance, and terminal access overrides.
 - Concession Agreement database update.
 - PDTR upgrades and enhancements.
 - PDTR testing and implementation, and
 - New feature beta testing and feedback.
- Update and maintain the Concession Agreement database.
- Integration support of CTP system with outside data systems (CARB SDTR, VIN decoder, new system evaluation and integration to DayPass and PDTR).
- Assist LMCs to troubleshoot any issues that may arise from the PDTR.
- Responsible for maintaining and upgrading the PDTR, Concession, and Day Pass systems; developing new functional features; maintaining and testing any updates; and resolving any issues.
- Download and archive essential daily reports as a contingency to the PDTR, Concession, and Day Pass operations in case of a system failure.
- Responsible for providing a merchant account(s) for receiving Annual Truck Fee and Day Pass payments via credit card and e-check (Automatic Clearing House (ACH) payment).
- Responsible for rectifying any issues that may arise regarding payments for Annual Truck Fees and Day Pass fees, including refunds or payment reversals, substitutions, transfers, and resolutions for insufficient funds.
- Provide support with the 2017 CAAP Update and resulting PDTR enhancements, specifically:
 - New CTP truck rate collection support.
 - New CTP truck rate exemption support.
 - PDTR system integration, testing, implementation, and
 - PDTR new reporting requirements.

Exhibit B-2

Budget Estimate for POLA CTP Contract Amendment

Presented below are Tetra Tech Team's current authorized task budgets, the proposed contract amendment task increases, and the amended task budgets covering the contract extension and the additional work scope described herein.

POLA CTP Tasks	Authorized Task Budget	Amendment Task Increase	Amended Task Budget
Task 1. Program Management, Registration Agreements & Grant Management	\$ 366,456	\$ 200,000	\$ 566,456
Task 2. Outreach Activities	\$ 79,496	\$ 20,000	\$ 99,496
Task 3. CTP Terminal Access Center Management and other additional elements (see below): (a) ZE/NZE Engine Verification Support	\$ 863,229	\$ 360,000	\$1,223,229
Task 4. Registration Agreement, Tariff/State Rule Enforcement, and other additional elements (see below): (a) New Concession Agreement Support (b) New Tariff Support	\$1,263,598	\$ 300,000	\$1,563,598
Tasks 5. PDTR Integration Support and other additional elements (see below): (a) CTP Rate Integration Support (b) CTP Rate Exemption Support	\$1,407,221	\$ 481,800	\$1,889,221
Additional Contingency		\$ 138,200	\$ 138,200
Totals:	\$3,980,000	\$1,500,000	\$5,480,000

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Below are the labor rates under this contract amendment:

Tetra Tech, Inc.

Labor Category	Project Manager	Technical Advisor	Principal Scientist Engineer	QA/QC Manager	Senior Engineer Scientist	Project Engineer Scientist	Staff Engineer Scientist	Administrative Support
Labor Rate (\$/hr.)	\$290	\$260	\$230	\$185	\$170	\$145	\$125	\$100

Red River (Formerly Natoma Technologies)

Labor Category	Technical Lead	Senior Developer/DBA	Developer	QA/Tester
Labor Rate	\$175	\$160	\$145	\$130

WiseTech (Formerly Trinium Technologies)

Labor Category	Executive (CEO, CTO, VP)	Senior Technical	Project Manager	Developer	Billable Support	Systems Administrator
Labor Rate	\$200	\$190	\$175	\$150	\$150	\$150

Subscription Fees	Monthly DayPass Hosting and Maintenance	Monthly PDTR ATF Merchant Account, not including existing merchant account fees
Monthly	\$3,850	\$1,100

CET Engineering, Inc.

Labor Category	Senior Engineer	Engineer	Administration Support
Labor Rate	\$135	\$85	\$60