

**Board Report**

File #: 2016-0768, **File Type:** Contract**Agenda Number:** 38

**SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
JANUARY 19, 2017****SUBJECT: EXERCISE OPTIONS FOR P3010 LIGHT RAIL VEHICLE PROCUREMENT
CONSULTING SERVICES****ACTION: AUTHORIZE CEO TO EXECUTE OPTION YEARS FOR EXISTING CONTRACTS
(OP39602795A & OP39602795B)****RECOMMENDATION**

AUTHORIZE the Chief Executive Officer to execute a Contract Modification exercising three one-year options to:

- A. Contract No. OP39602795A with **LTK Engineering Services for Element A, Consultant for Light Rail Vehicle Acquisition, Technical Support Services**, in an aggregate amount of \$5,972,304, increasing the total Contract amount from \$15,236,445 to a total not-to-exceed amount of \$21,208,749; and
- B. Contract No. OP39602795B with CH2M Hill Inc. for **Element B, Consultant for Light Rail Vehicle Acquisition, Program Management Support Services**, in an aggregate amount of \$2,291,639, increasing the total Contract amount from \$6,087,246 to a total not-to-exceed amount of \$8,378,885.

ISSUE

In April 2012, the Board approved a contract with Kinkisharyo International, LLC (KI) for the manufacture and delivery of 78 new Light Rail Vehicles. Subsequently, the Board approved the award of the four options for the P3010 LRV Project (CP 206035) for an additional 157 vehicles, for a total of 235 vehicles. With the exercise of those quantity options, the last car will not be delivered until later half of 2020. To ensure continuity of consultant support for the P3010 LRV project, it is recommended that Metro award the remaining three one-year options on the existing contracts with LTK Engineering Services and CH2M Hill, Inc.

DISCUSSION

To support Metro staff with the management of the P3010 LRV project two sets of consultants were contracted. The consultant support to the project is divided into elements A and B:

- Element A Technical Support Services: LTK Engineering
- Element B Program Management Support Services: CH2M Hill Inc.

On March 22, 2012, the LACMTA Board awarded a base five-year contract, No. OP39602795A, to LTK Engineering (LTK) to provide technical support services for the P3010 LRV Procurement Project. The base contract is for five years and will expire March 25, 2017.

On March 22, 2012, the LACMTA Board also awarded Contract No. OP39602795B, to CH2M Hill Inc. to provide program management support services for the P3010 LRV Procurement project. The base contract is for five years and will expire March 25, 2017.

DETERMINATION OF SAFETY IMPACT

The approval to execute the three options years for the Technical Support and Program Management Support Services will ensure continuity of the LRV Procurement Project and will assist with maintaining overall system safety, service quality, system reliability and overall customer satisfaction.

FINANCIAL IMPACT

Funding for P3010 consultant support services has been allocated and initial LOP budget of \$30,000,000 for Consulting Services for Light Rail Vehicle Procurement was approved by the Board in 2012. Funds required in fiscal year 2017 are included in Cost Center 3043, Capital Project (CP) 206036. Since this is a multi-year project, the Chief Operating Officer and the Project Manager are responsible for budgeting in future years. Within CP 206036, there are two consultant supporting services specified: Technical Support and Program Management Support Services. Executing the three one-year options to continue the consultant support services will not increase the Board-approved LOP of \$30,000,000.

Impact to Budget

Funding for these services will come from Proposition A 35% Rail. This funding source is eligible for Rail Capital Projects and will maximize fund use based on funding allocation provisions.

ALTERNATIVES CONSIDERED

The Board may choose not to execute the three one-year options years. This alternative is not recommended as critical project activities being supported by consultant staff will be interrupted, likely impacting project schedule. These activities include, but are not limited to: auditing manufacture and assembly site activities, witnessing commissioning tests, reviewing test procedures and test reports, providing warranty support, reviewing car history books prior to submittal to CPUC, and conducting schedule and milestone reviews. The Metro project team currently does not have the resources to absorb this work.

NEXT STEPS

Upon Board approval exercise the three one-year options with each CH2M Hill and LTK Engineering Services.

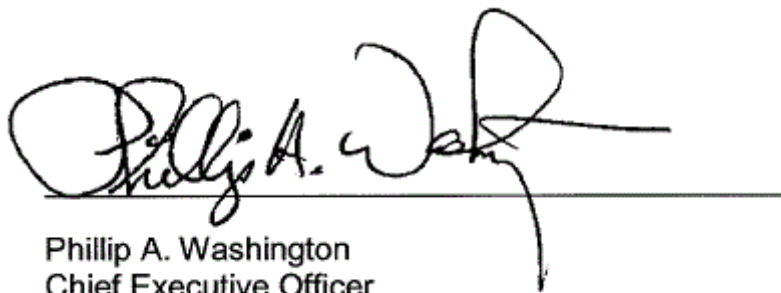
ATTACHMENTS

Contract No.: OP39602795A - LTK Engineering Services
Attachment A - Procurement Summary
Attachment B - Contract Modification Log
Attachment C - DEOD Summary

Contract No.: OP39602795B - CH2M Hill, Inc.
Attachment A - Procurement Summary
Attachment B - Contract Modification Log
Attachment C - DEOD Summary

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

EXERCISE OPTIONS FOR LIGHT RAIL VEHICLE
CONSULTING SERVICES / OP39602795A

1.	Contract Number: OP39602795A		
2.	Contractor: LTK Engineering Services		
3.	Work Description: Consulting Services for Light Rail Vehicle (LRV) Acquisition, Technical Support Services		
4.	The following data is current as of: 12/07/2016		
5.	Contract Status: Base Year Task Order Contract expires 3/25/17		
	Bids/Proposals Opened:	11/30/2011	Contract Award Amount: \$15,236,445 Base
	Contract Awarded:	03/22/2012	Total of Modifications Approved: 21
	NTP:	08/13/2012	Current Contract Value: \$15,236,445 (Base)
	Original Complete Date:	03/25/2017 (Base)	Current Est. Complete Date: 03/25/2017 (Base)
6.	Contract Administrator: Elizabeth Hernandez		Telephone Number: (213) 922-7334
7.	Project Manager: Annie Yang		Telephone Number: (213) 922 -3254

A. Procurement Background

On March 22, 2012, Contract No. OP39602795 for Element A was awarded to LTK Engineering Services (LTK), in the not-to-exceed amount of \$15,236,445, for the five year Base Contract for Consulting Services for light rail vehicle acquisition, technical support. An aggregate total amount of \$5,972,304 for up to three one-year options was proposed and evaluated at the same time. The total Contract amount with the three one-year options would total a not-to-exceed amount of \$21,208,749.

The Board action authorized the Chief Executive Officer to award the five year base contract to LTK that is set to expire on March 25, 2017. Staff recommends the exercise of the three one-year options for LTK to continue to provide technical consulting services support to the P3010 LRV acquisition project. This is consistent with the prior Board approval to award all options for the P3010 LRV Project (CP 206035) for an additional 157 LRV cars. With the exercise of these Contract Options the technical services will coincide with the delivery of the last P3010 car scheduled to be delivered by early 2020.

Attachment B shows that 21 zero dollar Contract Modifications have been issued to date to update the names of the staff/personnel authorized in the various labor categories identified in Contract.

B. Cost/Price Analysis

The recommended not-to-exceed amount for these Contract Options is consistent with the labor rates defined in the Contract. Those rates were deemed fair and reasonable through adequate price competition, audit prior to Contract award and recent market survey. Any future changes to the Contract will be based upon additional audit, cost analysis, technical evaluation, and negotiations.

PROCUREMENT SUMMARY

EXERCISE OPTIONS FOR LIGHT RAIL VEHICLE
CONSULTING SERVICES / OP39602795B

1.	Contract Number: OP39602795B		
2.	Contractor: CH2M HILL, INC.		
3.	Work Description: Consulting Services for Light Rail Vehicle (LRV) Acquisition, Program Management Support Services		
4.	The following data is current as of: 12/07/2016		
5.	Contract Status: Base Year Task Order Contract expires 3/25/17		
	Bids/Proposals Opened:	11/30/2011	Contract Award Amount: \$6,087,246 Base
	Contract Awarded:	03/22/2012	Total of Modifications Approved: 21
	NTP:	08/13/2012	Current Contract Value: \$6,087,246
	Original Complete Date:	03/25/2017 (Base)	Current Est. Complete Date: 03/25/2017 (Base)
6.	Contract Administrator: Elizabeth Hernandez	Telephone Number: (213) 922-7334	
7.	Project Manager: Annie Yang	Telephone Number: (213) 922 -3254	

A. Procurement Background

On March 22, 2012, Contract No. OP39602795 Element B was awarded to CH2M Hill, Inc. (CH2M), in the not-to-exceed amount of \$6,087,246, for the five-year base Contract for Consulting Services for Light Rail Vehicle Acquisition, Program Management Support. An aggregate total amount of \$2,291,639 for up to three one-year options was proposed and evaluated at the same time. The total Contract amount with the three one year options will total a not-to-exceed amount of \$8,378,885.

The Board action authorized the Chief Executive Officer to award the five year base contract to CH2M that is set to expire on March 25, 2017. Staff recommends the exercise of the three one-year options for CH2M to continue to provide Program Management consulting services support to the P3010 LRV acquisition project. This is consistent with the prior Board approval to award all Contract Options for the P3010 LRV Project (CP 206035) for an additional 157 LRV cars. With the exercise of these Contract Options the program management services will coincide with the delivery of the last P3010 car scheduled to be delivered by in early 2020.

Attachment B shows that 18 zero dollar Contract Modifications have been issued to date to update the names of the staff/personnel authorized in the various labor categories identified in Contract.

B. Cost/Price Analysis

The recommended not-to-exceed amount for these Contract Options is consistent with the labor rates defined in the Contract. Those rates were deemed fair and reasonable through adequate price competition, audit prior to Contract award and recent market survey. Any future changes to the Contract rates will be based upon additional audit, cost analysis, technical evaluation, and negotiations.

ATTACHMENT B

CONTRACT MODIFICATION/CHANGE ORDER LOG

**EXERCISE OPTIONS FOR LIGHT RAIL VEHICLE
CONSULTING SERVICES / OP39602795A**

Mod. no.	Description	Status (approved or pending)	Date	Amount
1	Mod. No. 1 - Modify Exhibit 1 Firm Fixed Labor Rates and Travel Costs to include additional personnel to the list and their respective fully burdened hourly rates.	Approved	10/01/12	\$0
2	Mod. No. 2 - Modify and replace Exhibit 1-A with Exhibit 1-B Firm Fixed Labor Rates and Travel Costs to include additional personnel from LTK, and sub-contractors Turner and Virginkar, to the list and their respective fully burdened hourly rates	Approved	11/19/12	\$0
3	Mod. No. 3 - Modify and replace Exhibit 1-B with Exhibit 1-C Firm Fixed Labor Rates and Travel Costs to include additional personnel from sub-contractors Turner, Sean Costello, to the list and their respective fully burdened hourly rates	Approved	01/24/13	\$0
4	Mod. No. 4 - Modify and replace Exhibit 1-C with Exhibit 1-D Firm Fixed Labor Rates and Travel Costs to include additional personnel from sub-contractors Turner, Sean Costello, to the list and their respective fully burdened hourly rates	Approved	03/29/13	\$0
5	Mod. No. 5 - Update Statement of Work language consistent with Contract negotiations.	Approved	06/25/13	\$0
6	Mod. No. 6 - Modify Statement of Work to add language regarding transfer of electronic project files from the LTK Sharepoint Project Control Center to Metro servers upon project closeout.	Approved	06/26/13	\$0
7	Mod. No. 7 - Modify and replace Exhibit 1-D with Exhibit 1-E Firm Fixed Labor Rates and Travel Costs to include additional personnel from LTK, K. Bisset, J. Morgan, A. Staytieh, M. Barbarash, and B. Whitbred	Approved	09/13/13	\$0
8	Mod. No. 8 - Modify and replace Exhibit 1-E with Exhibit 1-F Firm Fixed Labor Rates and Travel Costs to include additional personnel from LTK, and modify travel costs and labor costs allocation. The total Contract Amount remain unchanged.	Approved	11/27/13	\$0
9	Mod. No. 9 - Modify and replace Exhibit 1-F with Exhibit 1-G Firm Fixed Labor Rates and	Approved	12/20/13	\$0

	Travel Costs to include additional personnel from LTK, and modify travel costs and labor costs allocation. The total Contract Amount remain unchanged.			
10	Mod. No. 10 - Modify and replace Exhibit 1-G with Exhibit 1-H Firm Fixed Labor Rates and Travel Costs to include additional personnel from LTK, and modify travel costs and labor costs allocation. The total Contract Amount remain unchanged.	Approved	02/21/14	\$0
11	Mod. No. 11 - Modify and replace Exhibit 1-H with Exhibit 1-I Firm Fixed Labor Rates and Travel Costs to include additional personnel from LTK, Judy Hong and modify travel costs and labor costs allocation. The total Contract Amount remain unchanged.	Approved	03/31/14	\$0
12	Mod. No. 12 - Modify and replace Exhibit 1-I with Exhibit 1-J Firm Fixed Labor Rates and Travel Costs to include additional personnel from LTK, Louis Lim. The total Contract Amount remain unchanged.	Approved	07/09/14	\$0
13	Mod. No. 13 - Modify and replace Exhibit 1-J with Exhibit 1-K Firm Fixed Labor Rates and Travel Costs to include additional personnel from LTK, Richard Whitwell. The total Contract Amount remain unchanged.	Approved	10/21/14	\$0
14	Mod. No. 14- Modify and replace Exhibit 1-K with Exhibit 1-L Firm Fixed Labor Rates and Travel Costs to include additional personnel from LTK sub-contractor, Virginkar & Associates, Inc., Clark Kidwell. The total Contract Amount remain unchanged.	Approved	10/21/14	\$0
15	Modification No. 15 - Revise Article VII: Invoices to change submittal of invoices to Annie Yang, Project Manager	Approved	01/12/15	\$0
16	Mod. No. 16- Modify and replace Exhibit 1-L with Exhibit 1-M Firm Fixed Labor Rates and Travel Costs to include additional personnel from LTK, Correia, McKinley and Bakar, and Nicholas and Thornburg from TENCOi. The total Contract Amount remain unchanged.	Approved	05/28/15	\$0
17	Mod. No. 17- Modify and replace Exhibit 1-M with Exhibit 1-N Firm Fixed Labor Rates and Travel Costs to include additional personnel from LTK, Ji, TENCO, Lawrenc and VAI Arellano & Cosio. The total Contract Amount remain unchanged.	Approved	08/05/15	\$0
18	Mod. No. 18- Modify and replace Exhibit 1-N with Exhibit 1-O Firm Fixed Labor Rates and Travel Costs to to replace Julio Jimenez with Diane Finkel for LTK, and add Magid Elgendi toTENCO. The total Contract Amount remain unchanged.	Approved	10/30/15	\$0
19	Mod. No. 19- Modify and replace Exhibit 1-O with Exhibit 1-P Firm Fixed Labor Rates and Travel Costs to replace Diane Finkel with	Approved	01/07/16	\$0

	Carol Joe for LTK, and add Bernivce Lopp and Noah Jones toTENCO. The total Contract Amount remain unchanged.			
20	Mod. No. 20- Modify and replace Exhibit 1-P with Exhibit 1-Q Firm Fixed Labor Rates and Travel Costs toreplace FMI Inspector in Japan Keith Bates with a local Inspector from Osaka, Takahiro Matsumura. The total Contract Amount remain unchanged.	Approved	02/23/16	\$0
21	Mod. No. 21- Modify and replace Exhibit 1- Q with Exhibit 1-R for the addition of Daniel Davies of Virginkar & Associates to provide full time manufacturing inspection and testing support for the carbody shells and trucks. The total Contract amount remains unchanged.	Approved	05/04/16	\$0
	Modification Total:			\$0
	Original Contract:			\$15,236,445
	Pending for Options:			\$5,972,304
	Total Not-To-Exceed Amount:			\$21,208,749

ATTACHMENT B

CONTRACT MODIFICATION/CHANGE ORDER LOG

**EXERCISE OPTIONS FOR LIGHT RAIL VEHICLE
CONSULTING SERVICES / OP39602795B**

Mod. no.	Description	Status (approved or pending)	Date	Amount
1	Modification No. 1 - Revise Exhibit 1 Firm Fixed Labor Rates and Travel Costs to include Francois Lavoie and Gregory Wasz to the list and their respective fully burdened hourly rates	Approved	10/01/12	\$0
2	Modification No. 2 - Revise Exhibit 1-A Firm Fixed Labor Rates and Travel Costs to include additional personnel to the list and their respective fully burdened hourly rates	Approved	01/09/13	\$0
3	Modification No. 3 - Revise Exhibit 1-B Firm Fixed Labor Rates and Travel Costs to include additional personnel to the list and their respective fully burdened hourly rates	Approved	05/30/13	\$0
4	Modification No. 4 - Revise Exhibit 1-C Firm Fixed Labor Rates and Travel Costs to include additional CH2M Hill personnel to the list and their respective fully burdened hourly rates	Approved	07/02/13	\$0
5	Modification No. 5 - Revise Exhibit 1-D Firm Fixed Labor Rates and Travel Costs to include additional CH2M Hill personnel to the list and their respective fully burdened hourly rates	Approved	07/12/13	\$0
6	Modification No. 6 - Revise SOW to designate PM and Assistant PMI; Add title to Section 2.1 E Risk Management Plan	Approved	10/10/13	\$0
7	Modification No. 7 - Revise Exhibit 1 to substitute Sub-Contractor Administrator for CH2M Hill Christine Fischer with Shannon Daisey and Teresa Rankins	Approved	04/25/14	\$0
8	Modification No. 8 - Revise Exhibit 1 to substitute Schedule Analyst for GBSI Ernesto Trias with Debra Kiss	Approved	07/16/14	\$0
9	Modification No. 9 - Revise Exhibit 1 to substitute Project Accountant for CH2M Hill Sarah Quick with Laura Simon.	Approved	09/25/14	\$0

10	Modification No. 10 - Revise Article VII: Invozes to change submittal of invoices to Annie Yang, Project Manager	Approved	01/12/15	\$0
11	Modification No. 11 - Replace Proj. Schedule Analyst Debra Kiss with Ian McDonald & delete reitred Scott Rodda from list of personnel; Reduce total Contract Price by the unexpended travel costs allocated to S. Rodda	Approved	02/06/13	\$0
12	Modification No. 12 - Add Charles Ng, CH2MHil, as Deputy Project Managerto Exhibit 1 list of authorized personnel; Contract amount revmains unchanged	Approved	08/06/15	\$0
13	Modification No. 13 - Add Vish Mawley, Bogonovich Gapola, Muthukrishanan and Heather Anderson to Exhibit 1 list of CH2M Hill authorized personnel and designate Lucian Popescu as Inspector for Global; Contract amount revmains unchanged	Approved	10/26/15	\$0
14	Modification No. 14 - Add Capitol Government Contract Specialists (CGCS) to the Contract as a SBE sub-contractor to perform Buy America Audit and Carnell Parks, Auditor to Exhibit 1-L list of CH2M Hill authorized personnel. Contract amount revmains unchanged	Approved	12/29/15	\$0
15	Modification No. 15 - Modify SOW - Buy America; Contract amount revmains unchanged	Approved	12/30/15	\$0
16	Modification No. 16 - Modify hourly rate for Charles Ng the designated Project Manager, replace Popescu with Jermaine Watson and Laura Simon with Tesha Fillis in Exhibit 1-M List of CH2M Hill authorized personnel; Indicate the change in business name of SBE Global Business Solutions, Inc. to Global Design Build, Inc. Contract amount revmains unchanged	Approved	03/16/16	\$0
17	Modification 17 - Add Robert Bafus and his hourly rate to the list of authorized presonnel under Exhibit 1-N as lead commissioning engineer; Contract amount remain unchanged	Approved	03/29/16	\$0
18	Modification 18 - Replace Robert Bafus with David Trimble and his hourly rate to the list of authorized presonnel under Exhibit 1-O as lead commissioning engineer; Contract amount remain	Approved	08/24/16	\$0

	unchanged			
	Modification Total:			\$0
	Original Contract:			\$6,087,246
	Pending Option Years:			\$2,291,639
	Total Not-To-Exceed Amount:			\$8,378,885

DEOD SUMMARY

Consulting Services for Light Rail Vehicle (LRV) Acquisition, Technical Support Services/OP39602795A

A. Small Business Participation

LTK Engineering (LTK) made a 25.36% Small Business Enterprise (SBE) commitment. The project is 63% complete. Current SBE participation is 15.20%, a shortfall of 10.16%. LTK explained that 3.1% of the shortfall resulted from the loss of work committed to Virginkar & Associates (SBE subcontractor) for one task order. Virginkar & Associates was unable to provide an inspector to perform work in Japan. Despite this loss, LTK confirmed that Virginkar & Associates is actively being utilized to perform inspection services domestically. LTK further committed to make every effort possible to achieve or exceed its SBE commitment through the completion of contract.

Small Business Commitment	25.36% SBE	Small Business Participation	15.20% SBE
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	SBE Subcontractors	% Committed	Current Participation¹
1.	A-Train Enterprises	2.05%	2.47%
2.	Turner Engineering	2.80%	6.71%
3.	Virginkar & Associates	20.51%	6.02%
	Total	25.36%	15.20%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

B. Prevailing Wage Applicability

Prevailing Wage is not applicable to the contract.

C. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy is not applicable to this contract.

D. Project Labor Agreement/Construction Careers Policy

Project Labor Agreement/Construction Careers Policy is not applicable to this contract.

DEOD SUMMARY

EXERCISE OPTIONS FOR LIGHT RAIL VEHICLE
CONSULTING SERVICES / OP39602795B**A. Small Business Participation**

CH2M Hill Inc. (CH2M) made a 26.35% Small Business Enterprise (SBE) commitment. The project is 94% complete; CH2M is currently exceeding their SBE commitment with an SBE participation of 27.10%.

Small Business Commitment	26.35% SBE	Small Business Participation	27.10% SBE
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	SBE Subcontractors	% Committed	Current Participation¹
1.	Global Business Solutions	26.35%	19.56%
2.	Global Design Build	Added	6.51%
3.	Capitol GCS	Added	1.03%
	Total	26.35%	27.10%

¹Current Participation = Total Actual amount Paid-to-Date to DBE firms ÷ Total Actual Amount Paid-to-date to Prime.

B. Prevailing Wage Applicability

Prevailing Wage is not applicable to the Contract.

C. Living Wage and Service Contract Worker Retention Policy Applicability

The Living Wage and Service Contract Worker Retention Policy is not applicable to this Contract.

D. Project Labor Agreement/Construction Careers Policy

Project Labor Agreement/Construction Careers Policy is not applicable to this Contract.