



Board Report

File #: 2016-0887, File Type: Contract

Agenda Number: 25

CONSTRUCTION COMMITTEE JANUARY 19, 2017

SUBJECT: CEQA/NEPA ENVIRONMENTAL SERVICES AND SUPPORT

ACTION: AWARD PROFESSIONAL SERVICES CONTRACT

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to execute:

- A. a five-year cost-plus fixed fee Contract No. PS20111, with **ICF International for CEQA/NEPA Environmental Services and Support** on Task Orders, inclusive of two one-year options with an initial amount not-to-exceed \$25,604,000, inclusive of three base years (not to exceed \$15,076,003) with two one-year options (year one = \$5,211,497 and year two = \$5,315,727), subject to resolution of protest(s)subject to resolution of protest(s), if any; and
- B. individual Task Orders and changes within the Board approved contract amount.

ISSUE

Environmental analysis and clearance of Los Angeles County Metropolitan Transportation Authority (Metro) projects is conducted under the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), Section 106 of the National Historic Preservation Act (NHPA), and Section 4(f) of the Department of Transportation Act (DOTA) of 1966, and other appropriate federal, state, and local laws, regulations, and guidelines related to the impact that Metro projects may have on the environment.

These Metro projects normally include rail development projects, bus service projects, and Metro facilities projects that have been planned and environmentally cleared through the use of federal Major Investment Study, Alternative Analysis/ Draft and Final Environmental Impact Statement processes or through a CEQA Draft and Final Environmental Impact Report. These projects may also have been evaluated with various supplemental or subsequent environmental documents.

DISCUSSION

The existing Environmental Compliance contract is a five year contract that expired on December 31, 2016. The environmental compliance services that the existing contract provides were in support of the major projects and various other bus and rail capital projects and this work needs to be continued. While existing Task Orders executed prior to the expiration of the previous contract provide continued support until the end of the period of performance for the specific Task Order, there is a need for a new environmental compliance services contract to execute new Task Orders that will support additional project needs to ensure Metro's continued compliance to NEPA, CEQA, and related statutes. The new environmental compliance services solicitation for the Contract that is to be awarded through this Board Report was initiated in mid-2016 and the evaluation has now been completed to ensure continuation of these services. The new Contract is for three years with two one-year options for a total of five years. The Procurement Summary for this contract is documented in Attachment A.

The services that this Contract provides include the preparation of studies, surveys, investigations, modeling, predictions, data analyses and reporting related to the categories of impact found in the CEQA/NEPA guidelines, or as required by conditions identified during the planning, development, and design stages of a project and/or during the construction, operation or close-out phases of a project. This work also includes the engineering and design of mitigation measures necessary to comply with the above listed requirements.

To accomplish the assigned tasks, the Contractor will provide necessary staff, sub-consultants, equipment, software, supplies, and services. They shall employ or subcontract as necessary with such diverse professionals like Acoustical Engineers, Air Quality Engineers, Biologists, Botanists, Arborists, Historians, Archeologists, Paleontologists, Legal Counsel, Environmental and Sustainability Scientists and Engineers and such other professional practitioners as may be needed to support Metro's environmental compliance programs.

DETERMINATION OF SAFETY IMPACT

This Board action will not have an impact on established safety standards for Metro's Construction projects.

FINANCIAL IMPACT

As specific environmental compliance needs arise, Task Orders will be issued and funded from their associated project budget, upon approval by the responsible Project Manager. Board approved and forecasted budgets within the FY17 to FY21 timeframe include, for example, major Bus and Rail Construction Projects, Metro Crenshaw Light Rail Project, Metro Regional Connector, and Metro Westside Extension Project, Bus Division Expansion Projects, Energy Conservation and Management (450001), Policy Development and Implementation (450002), Environmental Management System Implementation (450003), and Greenhouse Gas Emissions and Climate Change Management (450004). Anticipated services that will be used by these projects are provided

in Attachment C.

Contract No. PS20111 is an Indefinite Delivery/Indefinite Quantity (IDIQ) contract. No Metro funds are obligated until a Contract Work Order (CWO) is issued by a Metro authorized Contracting Officer against a valid project budget. No expenditures are authorized until a Task Order is awarded by a Metro authorized Contracting Officer for a specific package of work within the CWO. In other words, all task orders are to be individually negotiated and level of effort fully defined prior to the authorization of any project specific funds. Execution of work under those Task Orders within those CWO awards can continue beyond the contract end date.

Obligations and authorizations made within the total Contract Amount will be against specific project or operations budgets which make up the Board-approved Metro budget for this particular fiscal year. Specific funding for this contract will parallel the project approved by Board under separate actions. The Chiefs of the business units and Project Managers overseeing these projects will be responsible for providing appropriate budgets.

Impact to Budget

The Bus and Rail Operating and Capital Budgets are not impacted by this action.

ALTERNATIVES CONSIDERED

If Contract No. PS20111 is not awarded, Metro could experience increased liability for Contractor claims for delay to schedule completion milestones, incur opportunity costs, or risk fines and lawsuits resulting from inaction to comply with regulatory agency, local government, or community group requirements.

The Metro Board may reject the recommended action and direct staff to do all environmental compliance services support work in house. Under such situation, Metro would have to hire additional staff with expertise in many different subjects, such as acoustical engineering, archeology, paleontology, biology, botany, traffic engineering, environmental science and engineering; as well as purchase specialized equipment such as sound monitors, traffic counters, bio-monitors, etc. and related equipment. Such an action is not practical or cost-effective. Metro would incur more cost to do the work internally compared to employing consultants.

NEXT STEPS

After the recommended Board Action is approved, staff will complete the process to award PS20111.

ATTACHMENTS

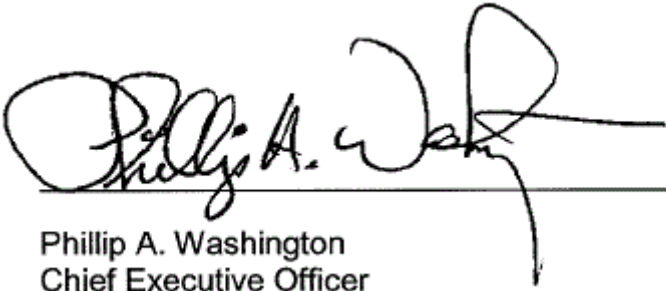
Attachment A - Procurement Summary, Environmental Compliance Services
Attachment B - DEOD Summary
Attachment C - Forecasted Environmental Compliance Services Work FY17-FY22

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

CEQA/NEPA ENVIRONMENTAL SERVICES AND SUPPORT / PS20111

1.	Contract Number: PS20111	
2.	Recommended Vendor: ICF International	
3.	Type of Procurement (check one): <input type="checkbox"/> IFB <input type="checkbox"/> RFP <input checked="" type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	Procurement Dates:	
	A. Issued: January 29, 2016	
	B. Advertised/Publicized: February 9, 2016	
	C. Pre-proposal/Pre-Bid Conference: February 18, 2016	
	D. Proposals/Bids Due: March 14, 2016	
	E. Pre-Qualification Completed: November 2, 2016	
	F. Conflict of Interest Form Submitted to Ethics: June 3, 2016	
	G. Protest Period End Date: 1/2017	
5.	Solicitations Picked up/Downloaded: 81	Bids/Proposals Received: 5
6.	Contract Administrator: Tamara Reid	Telephone Number: (213) 922-7215
7.	Project Manager: Emmanuel Liban	Telephone Number: (213) 922-2471

A. Procurement Background

This Board Action is to approve Contract No. PS20111, issued in support of CEQA/NEPA environmental services and support. The scope of the Contract is to support the preparation of studies, surveys, investigations, modeling, predications, data analyses and reporting related to the categories of impact found in the CEQA/NEPA guidelines or as required by conditions identified during the planning, development, and design stages of a project and/or during the construction, operation or close-out phases of a project. Board approval of contract awards are subject to resolution of all properly submitted protests.

The RFP was issued in accordance with Metro's Acquisition Policy and California Government Code §4525-4529. The contract type is a five-year cost-plus fixed fee contract, inclusive of two one-year options.

One amendment was issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on March 9, 2016 to modify RFP documents.

On February 18, 2016, a pre-proposal conference was held with 30 firms in attendance. A total of five proposals from the following firms were received on March 14, 2016:

1. AECOM Technical Services, Inc. (AECOM)
2. CH2M Hill

3. ICF International (ICF)
4. Sapphos Environmental Inc. (Sapphos)
5. Ultrasystems

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Environmental Compliance and Transportation Planning was convened and conducted a comprehensive technical evaluation of the proposal received.

The proposal was evaluated based on the following evaluation criteria and weights:

- | | |
|---|-----|
| • Proposed Team Capabilities and Experience | 26% |
| • Role and Relevant Experience and Capability of the Firms on the Prime Contractor's Team | 25% |
| • Staff Positions Identified in the Scope of Services | 25% |
| • Project Management Approach | 20% |
| • DBE Contracting Outreach and Mentor Protégé Approach | 4% |

This is an Architecture and Engineering (A&E), qualifications based procurement. Price cannot be used as an evaluation factor as governed by California Government Code §4525 - 4529. The evaluation criteria are appropriate and consistent with criteria developed for other, similar A&E solicitations.

During the week of April 18, 2016, the evaluation committee conducted oral presentations with the firms. The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the evaluation committee's questions. In general, each team's presentation addressed the requirements of the RFP, experience with all aspects of the required tasks, and stressed each firm's commitment to the success of the project. Also highlighted were staffing plans, work plans, and perceived project issues. Each team was asked questions relative to each firm's proposed alternatives and previous experience.

Qualification Summary of Recommended Firm:

The evaluation performed by the PET, in accordance with evaluation criteria set forth in the RFP, determined ICF as the most qualified firm to provide the required services.

ICF has provided relevant environmental planning and regulatory compliance experience working on Metro projects such as the Blue Line, Green Line, Orange Line, Red Line, and Gold Line and their extensions; the Wilshire BRT project; Crenshaw/LAX Transit Corridor; Exposition Line Phase I; and projects along the I-5, I-710, I-405, SR 2, SR 57, SR 60, and SR 210 freeways. ICF provided a detailed Project Management Plan that included extensive coordination with internal teams

and Metro as well as staffing requirements demonstrated a clear understanding of the proposed scope of work.

ICF demonstrated they are well-skilled in providing the scope of services at the level required by this contract, and has the capabilities to provide staffing for task order assignments that may be issued under this contract.

The PET ranked the proposals and assessed strengths, weaknesses and associated risks of each of the Proposers to determine the most qualified firm.

1	FIRM	Average Score	Factor Weight	Weighted Average Score	Rank
2	ICF				
3	Proposer's team capabilities and experience	92.65	26%	24.09	
4	Role and relevant experience and capability of the firms on the prime contractor's team	90.00	25%	22.50	
5	Staff positions identified in the scope of services	95.32	25%	23.83	
6	Project management approach	90.65	20%	18.13	
7	DBE Contracting Outreach & Mentor Protégé Approach	100.00	4%	4.00	
8	Total		100%	92.55	1
9	AECOM				
10	Proposer's team capabilities and experience	86.35	26%	22.45	
11	Role and relevant experience and capability of the firms on the prime contractor's team	86.32	25%	21.58	
12	Staff positions identified in the scope of services	88.68	25%	22.17	
13	Project management approach	83.00	20%	16.60	
14	DBE Contracting Outreach & Mentor Protégé Approach	100.00	4%	4.00	
15	Total		100%	86.80	2

16	Sapphos				
17	Proposer's team capabilities	91.00	26%	23.66	

	and experience				
18	Role and relevant experience and capability of the firms on the prime contractor's team	87.68	25%	21.92	
19	Staff positions identified in the scope of services	87.32	25%	21.83	
20	Project management approach	88.35	20%	17.67	
21	DBE Contracting Outreach & Mentor Protégé Approach	25.00	4%	1.00	
22	Total		100%	86.08	3
23	Ultrasystems				
24	Proposer's team capabilities and experience	80.65	26%	20.97	
25	Role and relevant experience and capability of the firms on the prime contractor's team	82.00	25%	20.50	
26	Staff positions identified in the scope of services	86.00	25%	21.50	
27	Project management approach	83.35	20%	16.67	
28	DBE Contracting Outreach & Mentor Protégé Approach	75.00	4%	3.00	
29	Total		100%	82.64	4
30	CH2MHill				
31	Proposer's team capabilities and experience	70.00	26%	18.20	
32	Role and relevant experience and capability of the firms on the prime contractor's team	64.32	25%	16.08	
33	Staff positions identified in the scope of services	80.00	25%	20.00	
34	Project management approach	81.65	20%	16.33	
35	DBE Contracting Outreach & Mentor Protégé Approach	75.00	4%	3.00	
36	Total		100%	73.61	5

C. Cost/Price Analysis

The cost analysis included: (1) a comparison with historical cost data of other firms offering similar services; (2) an analysis of prior audited and overhead rates, and factors for labor, and other direct costs, and (3) compliance with Federal Acquisition Regulation (FAR) Part 31 guidelines. Metro has rates for direct labor and provisional overhead rates, and a negotiated fixed fee rate for the contract. The negotiated amount has been determined to be fair and reasonable.

An audit request has been submitted to the Metro Management Audit Services Department (MASD). In order to prevent any unnecessary delay in contract award, provisional overhead rates have been established subject to retroactive Contract adjustments. In accordance with FTA Circular 4220.1.F, if an audit has been performed by any other cognizant agency within the last twelve month period, Metro will receive and accept that audit report for the above purposes rather than perform another audit.

Proposer Name	Proposal Amount	Metro ICE	Funding Amount
ICF International	\$26,000,000	\$25,604,000	\$25,604,000

Note: This is a a five-year cost-plus fixed fee Contract inclusive of two one-year options with an initial amount not-to-exceed \$25,604,000, inclusive of three base years (not to exceed \$15,076,003) with two one-year options (year one = \$5,211,497 and year two = \$5,315,727).

D. Background on Recommended Contractor

ICF was founded in 1969. ICF is a multidisciplinary firm providing professional services in environmental planning and regulatory compliance. ICF provides the full range of environmental documentation for transportation projects and Categorical Exclusions under NEPA and Categorical Exemptions under CEQA.

ICF has a successful partnership with Metro that dates back to 1980, and has had a role helping to deliver some of Metro's largest projects, including the Blue Line, Green Line, Orange Line, Red Line, and Gold Line and their extensions; the Wilshire BRT project; Crenshaw/LAX Transit Corridor; Exposition Line Phase I; and projects along the I-5, I-710, I-405, SR 2, SR 57, SR 60, and SR 210 freeways in Los Angeles.

DEOD SUMMARY

CEQA/NEPA ENVIRONMENTAL SERVICES AND SUPPORT / PS20111

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 30% Disadvantaged Business Enterprise (DBE) goal for this solicitation. ICF International, Inc. met the goal by making a 30% DBE commitment.

Small Business Goal	30% DBE	Small Business Commitment	30% DBE
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	DBE Subcontractors	Ethnicity	% Committed
1.	A. Ontiveros & Associates	Hispanic American	0.50%
2.	ACT Consulting Engineers	Asian Pacific American	1.00%
3.	The Alliance Group Enterprise	Asian Pacific American	0.50%
4.	Arellano Associates	Hispanic American	1.70%
5.	BRC-Equals3, Inc.	Caucasian Female	1.00%
6.	Civil Works Engineers, Inc.	Caucasian Female	0.50%
7.	Cross-Spectrum Acoustics	African American	3.00%
8.	California Watershed Engineering Corp.	Subcontinent Asian American	1.00%
9.	Diaz Yourman Consultants	Hispanic American	2.50%
10.	Geospatial Professional Solutions, Inc.	Asian Pacific American	0.50%
11.	Global ASR Consulting	Asian Pacific American	1.00%
12.	Katherine Padilla & Associates	Hispanic American	1.70%
13.	LRS Program Delivery, Inc.	Asian Pacific American	0.50%
14.	Morgner Construction Mgmt.	Hispanic American	1.00%
15.	Paleo Solutions, Inc.	Caucasian Female	4.00%
16.	Public Connections Organization	African American	1.00%
17.	Ramos Consulting Services	Hispanic American	0.50%
18.	Terry A. Hayes Associates	African American	7.10%
19.	Translink Consulting, LLC	Asian Pacific American	1.00%
	Total Commitment		30.00%

B. Living Wage and Service Contract Worker Retention Policy Applicability

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

C. Prevailing Wage Applicability

Prevailing wage 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.

Attachment C. Forecasted Environmental Compliance Work - FY17 to FY21

CEQA/NEPA	FY17	FY18	FY19	FY20	FY21
a. Documents	\$256,700.14	\$258,651.86	\$263,824.90	\$269,101.39	\$274,483.42
1. Exemptions/ Exclusions	\$42,581.65	\$42,902.01	\$43,760.05	\$44,635.25	\$45,527.96
2. Initial Studies/Environmental Assessments	\$21,191.99	\$21,334.35	\$21,761.04	\$22,196.26	\$22,640.19
3. Negative Declarations/ Mitigated Negative Declarations/ FONSI	\$29,783.35	\$29,977.42	\$30,576.97	\$31,188.51	\$31,812.28
4. EIR/EIS	\$163,143.14	\$164,438.07	\$167,726.83	\$171,081.37	\$174,502.99
b. Supporting Documentation/Studies	\$214,479.86	\$214,384.71	\$218,672.40	\$223,045.85	\$227,506.77
1. Air Quality	\$15,757.49	\$15,608.05	\$15,920.21	\$16,238.61	\$16,563.39
2. Biology	\$20,163.77	\$20,312.77	\$20,719.02	\$21,133.40	\$21,556.07
3. Cultural	\$46,936.02	\$46,986.85	\$47,926.59	\$48,885.12	\$49,862.82
4. Geology and Soils	\$31,135.52	\$30,987.16	\$31,606.91	\$32,239.04	\$32,883.83
5. Hydrology and Water Quality	\$23,195.10	\$23,194.21	\$23,658.10	\$24,131.26	\$24,613.88
6. Land Use and Planning	\$16,933.75	\$17,070.44	\$17,411.85	\$17,760.08	\$18,115.29
7. Noise	\$25,868.64	\$25,628.95	\$26,141.53	\$26,664.36	\$27,197.65
8. Transportation and Traffic	\$26,184.62	\$26,226.52	\$26,751.05	\$27,286.08	\$27,831.80
9. Visual Resources and Aesthetics	\$8,304.95	\$8,369.75	\$8,537.14	\$8,707.89	\$8,882.05
c. Field Monitoring	\$4,486,384.71	\$4,536,091.33	\$4,626,813.16	\$4,719,349.42	\$4,813,736.41
1. Air Quality	\$41,913.70	\$41,342.43	\$42,169.28	\$43,012.67	\$43,872.92
2. Archeology	\$1,944,566.09	\$1,968,595.45	\$2,007,967.36	\$2,048,126.71	\$2,089,089.24
3. Paleontology	\$1,939,535.02	\$1,963,826.20	\$2,003,102.73	\$2,043,164.78	\$2,084,028.08
4. Historical	\$481,898.21	\$484,571.14	\$494,262.56	\$504,147.81	\$514,230.77
5. Noise and Vibration	\$78,471.69	\$77,756.10	\$79,311.23	\$80,897.45	\$82,515.40
<i>Yearly Total</i>	\$4,957,564.71	\$5,009,127.90	\$5,109,310.46	\$5,211,496.67	\$5,315,726.60
ROM Amount	\$25,603,226.34				
Contingency (15%)*	\$3,840,484				
Total with Contingency	\$29,443,710				

*Contract shall be managed to the awarded amount of \$25,604,000 which excludes CMA/Contingency