



Board Report

File #: 2017-0617, File Type: Contract

Agenda Number: 31.

CONSTRUCTION COMMITTEE OCTOBER 19, 2017

SUBJECT: INSPECTION OF STRUCTURES CONTRACT

ACTION: AWARD PROFESSIONAL SERVICE CONTRACT

RECOMMENDATION

CONSIDER:

- A. AUTHORIZING the Chief Executive Officer to execute a seven-year, firm fixed price Contract No. AE39820000, with Owen Group, Inc. for the inspection of Metro structures, including light rail, roadway, bikeway, and busway bridges, elevated stations, subway tunnels, and retaining walls, comprised of a base term of five years in the amount of \$2,477,273, with two, one-year options, in the amounts of \$510,100 for option year one, and \$512,250 for option year two, for a combined total of \$3,499,623, subject to the resolution of protest(s), if any; and
- B. APPROVING Contract Modification Authority specific to Contract No. AE39820000 in the amount of \$699,925 or 20% of the total contract value, to cover any unforeseen issues that may arise during the course of the Contract.

ISSUE

Metro owns and operates structures that require periodic inspection to ensure public safety, and maintain reliability of the bus and rail system. There are approximately 241 structures that require on-going professional evaluation. Currently, Metro's existing staff is fully engaged and does not have the resources or specialized technical skills to carry out these tasks.

Award of this Contract will enable Metro to supplement internal resources for the work detailed above, and to ensure that our inspection frequency meets the guidelines established by the National Bridge Inspection System, and the National Rail Transit Tunnel standards.

DISCUSSION

Metro executive management identified State of Good Repair as a priority for the agency. In order to ensure that the assets required for safe operation of the rail and bus system are kept in good repair, it is necessary to provide periodic inspections of each asset on a rolling schedule. Contract No. PS85103002 Supplemental Engineering Consultant Services Task Order 2, awarded in March of

2013, was the previous authority for the provision of this service. At the conclusion of that contract, the total asset list to be inspected was increased to accommodate structures that were previously not included or those that were brought into service after the date of award. The national standard for bridge inspection frequency recommends evaluation every three (3) years, and the federal guidelines for rail transit tunnels recommend inspection every five (5) years. This Contract is of sufficient duration to ensure that all required inspections are performed under the scope of this authority.

Findings

Professional engineering staff is required to perform structural evaluations, identify defects and provide recommendations to mitigate any flaws identified as well as provide condition assessments for Metro's Transit Asset Management Program. The firm selected demonstrated a high level of competence and experience in the technical requirements of the services described above. Owen Group, Inc. has put together a team of employees and expert subcontractors with the documented ability to provide Metro with ratings of the structures consistent with our State of Good Repair reporting guidelines.

DETERMINATION OF SAFETY IMPACT

In order to comply with Federal regulations, Metro must evaluate the condition of all structures that have a potential safety impact. The structures identified in the statement of work will all be inspected, assessed, and given a condition rating consistent with the Federal Transit Administration Transit Economic Requirements Model (TERM) rating scale. The ratings and identified defects will be utilized to determine the need for targeted repairs to ensure safety and continuing State of Good Repair.

FINANCIAL IMPACT

The funding for eight months of \$334,000 for this action is included in the FY18 budget in cost center 6821, Enterprise Transit Asset Management under projects 300022 (Rail Operations - Blue Line), 300033 (Rail Operations - Green Line), 300044 (Rail Operations - Red Line), 300055 (Gold Line), 300066 (Rail Operations - Expo Line), 301012 (Metro Orange Line) and 306001 (Operations Transportation).

Since this is a multi-year contract, the Chief Risk, Safety and Asset Management Officer will be responsible for budgeting this expense in future years.

Impact to Budget

Approval of this action has no impact on the FY18 budget. The current fiscal year funding for this action will come from the Enterprise, General and Internal Service funds. No other sources of funds were considered since the structure inspections exclusively support rail and bus operations.

ALTERNATIVES CONSIDERED

Staff considered performing this work in-house; however, it was determined that Metro does not

currently have available staff with experience and expertise in the specific disciplines required to perform this work as required.

NEXT STEPS

Upon Board approval, staff will execute Contract No. AE39820000 with Owen Group, Inc. to provide inspection services of Metro structures.

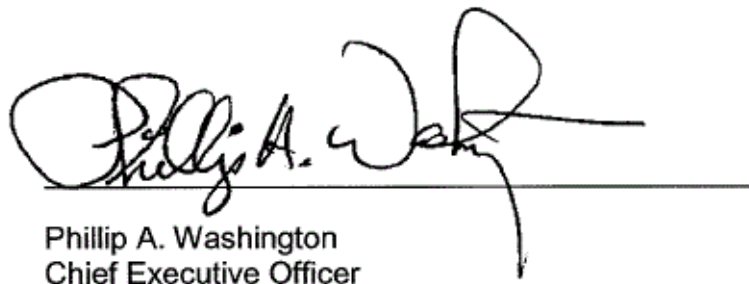
ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

INSPECTION OF METRO STRUCTURES/AE39820000

1.	Contract Number: AE39820000	
2.	Recommended Vendor: Owen Group, Inc.	
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: 3/30/2017	
	B. Advertised/Publicized: 3/30/2017	
	C. Pre-Proposal Conference: 4/10/2017	
	D. Proposals Due: 5/5/2017	
	E. Pre-Qualification Completed: 7/7/2017	
	F. Conflict of Interest Form Submitted to Ethics: 8/30/2017	
	G. Protest Period End Date: 10/23/2017	
5.	Solicitations Picked up/Downloaded: 73	Proposals Received: 5
6.	Contract Administrator: Ana Rodriguez	Telephone Number: (213) 922-1076
7.	Project Manager: Stephen Toms	Telephone Number: (213) 617-6261

A. Procurement Background

This Board Action is to approve Contract No. AE39820000 for the inspection of Metro structures, including busway bridges, subway tunnels, subway stations, aerial structures and stations within the Metro Rail line system. Board approval of contract awards are subject to resolution of any properly submitted protest.

This Architectural and Engineering (A&E) qualifications based Request for Proposals (RFP) No. AE39820 was issued under the Small Business Set-Aside program in accordance with Metro's Acquisition Policy and the contract type is a Firm Fixed Price.

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

- Amendment No. 1, issued on April 21, 2017, extended the RFP due date to May 5, 2017 and clarified accessibility for underwater tunnel segments.

A pre-proposal conference was held on April 10, 2017, and was attended by 23 participants representing 20 firms. There were ten questions submitted and responses were released prior to the proposal due date.

A total of 73 firms downloaded the RFP and were included on the plan holders list. Five proposals were received on May 5, 2017 from the following firms listed in alphabetical order:

1. Anil Verma Associates, Inc.
2. Falcon Engineering Services, Inc.
3. Innovative Inspection Solutions, JV
4. Joshi PMCM, Inc.
5. Owen Group, Inc.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Metro's Enterprise Transit Asset Management department and Major Capital Projects Engineering was convened and conducted a comprehensive technical evaluation of the proposals received.

The proposals were evaluated based on the following evaluation criteria and weights:

- Past Experience and Technical Expertise 60 percent
- Work Plan and Approach 40 percent

Several factors were considered when developing these weights, giving the greatest importance to Past Experience and Technical Expertise.

This is an A&E, qualifications based procurement; therefore, price cannot be used as an evaluation factor pursuant to state and federal law.

The PET began its independent evaluation of the proposals on May 8, 2017. All five proposals were determined to be within the competitive range.

The PET conducted interviews with the firms between May 19 and May 30, 2017. The firms had the opportunity to present their team's qualifications and their understanding of the requirements of the RFP. The firms also responded to the questions posed by the PET which required the firms to expand on, and demonstrate, their knowledge of the national bridge and tunnel rating systems, their ability to meet the required schedule for final inspection reports for each structure, their Quality Assurance and Quality Control (QA/QC) process, and their proposed innovative inspection techniques.

The final scoring, after interviews, determined Owen Group, Inc. to be the highest qualified proposer.

Qualifications Summary of Recommended Firm:

Owen Group, Inc. is a multidisciplinary design and construction services firm that provides professional engineering and construction management services to metropolitan agencies, government, and educational organizations. Owen Group's proposal delivered a detailed and thorough approach which displayed their firm's experience and demonstrated an understanding of the key engineering and inspection issues as well as an effective management plan to inspect the more than 200 structures outlined in the scope of services while managing the extremely limited track allocation during non-revenue hours.

Owen Group's team includes three subcontractors who are specialists in bridge, retaining wall, and tunnel inspections. Each of the subcontractor teams includes structural engineers, inspectors and professionals with high levels of technical understanding of structures, transportation platforms, tunnels, and bridge behavior and performance. All the firms in the team have over 20 years of experience in their respective fields.

During their interview, the Owen team was able to fully explain their knowledge of the various bridge and tunnel rating systems, their proposed approach, schedule, and use of innovative techniques. The Owen Group team responded well to the questions from the

PET especially when asked regarding the use of innovative techniques. Their response was that innovative techniques, if approved by Metro, would be used as a tool to assist and enhance the physical inspection of structures but not as the primary means of detecting structural defects. In addition, the proposed project manager is a California registered Civil Engineer with 38 years of experience and has a wide range of experience conducting inspections, program management, design and construction of bridges, and transportation projects.

The following is a summary of the PET's evaluation scores:

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	Owen Group, Inc.				
3	Past Experience and Technical Expertise	88.00	60%	52.80	
4	Effectiveness of Management Plan	79.47	40%	31.79	
5	Total		100%	84.59	1
6	Falcon Engineering Services, Inc.				
7	Past Experience and Technical Expertise	86.00	60%	51.60	
8	Effectiveness of Management Plan	75.86	40%	30.34	
9	Total		100%	81.94	2
10	Innovative Inspection Solutions, a Joint Venture				
11	Past Experience and Technical Expertise	81.33	60%	48.80	
12	Effectiveness of Management Plan	77.79	40%	31.12	
13	Total		100%	79.92	3
14	Joshi PMCM, Inc.				
15	Past Experience and Technical Expertise	82.33	60%	49.40	
16	Effectiveness of Management Plan	63.63	40%	25.45	
17	Total		100%	74.85	4
18	Anil Verma Associates, Inc.				
19	Past Experience and Technical Expertise	68.67	60%	41.20	
20	Effectiveness of Management Plan	67.77	40%	27.11	
21	Total		100%	68.31	5

C. Cost Analysis

The recommended price has been determined to be fair and reasonable based upon Metro’s Management Audit Services’ audit findings, an independent cost estimate, cost analysis, technical evaluation, fact finding, clarifications and negotiations.

The negotiated amount of \$3,499,623 is higher than Metro’s independent cost estimate due to an underestimation of the amount of time that it would take to conduct a thorough inspection of each structure, and the costs associated with constrained availability as a result of Metro’s operations.

Owen Group originally submitted a cost proposal based on performing inspections on all Metro structures on a yearly basis rather than over the course of the contract term. A cost savings of \$9,233,458 was achieved through clarifications, discussions, audit findings and negotiations.

Proposer Name	Proposal Amount	Metro ICE	Negotiated Amount
Owen Group, Inc.	\$12,733,081	\$2,531,775	\$3,499,623

D. Background on Recommended Contractor

The recommended firm, Owen Group, Inc., is located in Irvine, California, and has been in business for 36 years. Founded in 1981, Owen Group provides professional architectural, engineering, and construction services to both public and private clients. Owen Group has successfully completed similar past projects including the inspection, condition assessment, and A&E design services on the Metro Blue Line for the refurbishment of 21 stations, the County of Los Angeles Department of Public Works, Bridge Inspection and Retrofit Program, as well as the Caltrans Statewide Inspection, Condition Assessment and A&E Design Support services project for Caltrans facilities.

DEOD SUMMARY

INSPECTION OF STRUCTURES
CONTRACT NO. AE39820000**A. Small Business Participation**

Effective June 2, 2014, per Metro's Board-approved policy, competitive acquisitions with three or more Small Business Enterprise (SBE) certified firms within the specified North American Industry Classification System (NAICS) as identified for the project scope shall constitute a Small Business Set-Aside procurement. Accordingly, the Contract Administrator advanced the solicitation, including posting the solicitation on Metro's website, advertising, and notifying certified small businesses as identified by NAICS code(s) that this solicitation was open to **SBE Certified Small Businesses Only**.

Owen Group, Inc., an SBE Prime, is performing 61.46% of the work with its own workforce and made a 77.34% SBE commitment. The prime listed Brieley Associates, Inc. as a non-SBE subcontractor on this project.

SMALL BUSINESS PRIME (SET-ASIDE)

	SBE Contractors	% Committed
1.	Owen Group, Inc. (Prime)	61.46%
2.	BRG Engineering (Subcontractor)	6.10%
3.	MGE Engineering (Subcontractor)	9.78%
	Total Commitment	77.34%

B. Prevailing Wage Applicability

Prevailing Wage requirements are applicable to this project. DEOD will monitor contractors' compliance with the State of California Department of Industrial Relations (DIR), California Labor Code, and, if federally funded, the U S Department of Labor (DOL) Davis Bacon and Related Acts (DBRA).

C. Living Wage 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.