



Board Report

File #: 2018-0108, File Type: Contract

Agenda Number: 32.4

**REVISED
PLANNING AND PROGRAMMING COMMITTEE
MAY 16, 2018**

**SUBJECT: LA RIVER BIKE PATH GAP CLOSURE PROJECT
TECHNICAL SERVICES**

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. AWARD AND EXECUTE an 88-month, firm fixed price Contract No. AE47795000 with CH2M Hill, Inc. for \$45,891,279 for Los Angeles River Bike Path Gap Closure Project Technical Services (Project), subject to resolution of protest(s), if any;
- B. APPROVE Contract Modification Authority (CMA) specific to and execute modifications for Contract No. AE47795000 in the amount of \$6,883,692 (15%) to support the cost of unforeseen issues that may arise during the course of the Contract; and
- C. NEGOTIATE and enter into a Memorandum of Understanding (MOU) with Los Angeles County Department of Public Works (LACDPW) for construction management and delivery of the Project with an option for final design; and
- D. NEGOTIATE and enter into a Cooperative Agreement with the City of Los Angeles, the City of Vernon, and LACDPW.

ISSUE

In response to the June 2014 Board motion (Attachment C), the Los Angeles River Bike Path Gap Closure Feasibility Study was completed and presented to the Metro Board in 2016. The Study found that the Project is feasible and would help serve the transportation needs of communities neighboring the Project Area (Attachment D) as well as provide a regionally significant active transportation corridor.

To deliver the Project and create a continuous 32-mile grade-separated Class I bikeway, staff recommends awarding Contract No. AE47795000 with CH2M Hill, Inc. for \$45,891,279. Because unforeseen circumstances may arise as the project develops, but are not known at this conceptual

stage, staff recommends 15% CMA. Executing an MOU with LACDPW will allow Metro to define final project delivery responsibilities as Metro advances the project through environmental clearance and design.

DISCUSSION

Background

The Project will create a bicycle and pedestrian path along an eight (8)-mile stretch of the Los Angeles River from Elysian Valley through downtown Los Angeles to the City of Vernon, closing the largest remaining continuous gap of the LA River Bike Path. By connecting two existing segments of the path, the Project will provide a seamless 32-mile grade-separated regional corridor for walking and bicycling from Long Beach to the San Fernando Valley along the LA River.

The Project area has a population of over 200,000 people within 3 miles of the Project corridor and this area qualifies as a disadvantaged community based on the median household income. Community members within the project area routinely walk or bike as their primary means of transportation at rates much higher than the rest of the county. The Project would offer a backbone for a more complete active transportation network of separated and protected infrastructure.

The Project has been identified as a regionally-significant walking and bicycling infrastructure project by Metro and other jurisdictions and was listed in the Measure M expenditure plan with a FY 2023 groundbreaking date. The Project has also been identified in the “Twenty-Eight by ’28 Initiative”. The Project, also known as “LA River Waterway & System Bike Path” is funded by \$365M in the Measure M Ordinance and Expenditure Plan.

Contract Work and Structure

The contract work includes environmental review and clearance under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). The work facilitates coordination with and approval from the US Army Corps of Engineers (USACE) and other appropriate agencies, as well as obtaining any and all permits needed to construct the Project. Engineering design and specifications shall be developed in concert with the environmental review process to a level sufficient to secure environmental clearance and develop a project definition. The work also includes technical support to the Outreach Contractor (procured through separate Metro contract).

The contract is divided into four (4) phases with separate notices to proceed (NTP) for each phase to be executed at Metro’s discretion.

- Phase 1 - Metro led - Technical Studies and Conceptual Design
 - A) Technical studies to identify design challenges to the alignment
 - B) Completion of Conceptual Design (15% Design Drawings)

- Phase 2 - Metro led - Environmental Documentation/ Clearance and Design Development
 - A) Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) and 30% Design

B) Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/FEIR) and 60% Design

- Phase 3 - Metro or LACDPW led - Final Design and Permits
 - A) Construction Documents and associated specifications and details
 - B) Secure all necessary permits
 - C) Finalize all right-of-way acquisition/easements

- Phase 4 - LACDPW led - Construction Support
 - A) Construction contract procurement (under a separate procurement)
 - B) Design support during construction
 - C) As-built drawings

This contract adopts a phased approach as work done in each previous phase would inform the level of effort and resources needed to complete the next phase. The phased approach allows Metro the flexibility to adjust management strategies and resources allocated to the Project based on information learned during project development. This was crafted to meet the permit requirements of the USACE which includes at least 60% design development and complete environmental clearance before permits may be issued. The Contract will be managed by Metro Countywide Planning and Development Department leading Phases 1-2. Prior to entering into Phase 3, a decision will be made as to whether Metro or LACDPW will perform final design. Phase 4 contemplates LACDPW as the lead agency. When the Project is transitioned to LACDPW as the lead, Metro would retain review and approval rights as the sponsoring agency for the Project including but not limited to disbursement of Project funding, review and approval of design work(if LACDPW performs final design) to ensure that environmental and design commitments are maintained, review and approval for construction change orders, and resolution of potential multi-jurisdictional or third party disputes.

A Project Steering Committee comprised of a representative from each of the four public agencies will participate in reviewing key deliverables and the community engagement process. This body will meet at least monthly to guide design intent and integrity through all phases of project development and delivery. In addition an Advisory Group of stakeholder organizations and area elected representatives will provide input to the Steering Committee.

A Cooperative Agreement between Metro, the Cities of Los Angeles and Vernon, and LACDPW will be established to facilitate collaboration and supportive roles through all phases.

A separate, concurrent contract will be executed through the Communications Bench in June 2018 for Outreach services. The Outreach Contractor will be responsible for interfacing with the residents, employees, students, and businesses in and around the Project Area to ensure that stakeholder communities have the opportunity to participate in an inclusive design process. In addition to facilitating communication with the Technical design team, the Outreach Contractor will facilitate Advisory Committees to inform the work of the Steering Committee. Following the Metro Equity Platform Framework, the Outreach Contractor will work with Metro and partner agencies to engage with Community Based Organizations. The goal of the Outreach effort is to allow the Project to meet

the transportation needs of the indigenous Project Area communities for access to opportunity.

Project Delivery

The MOU between Metro and LACDPW will define roles and responsibilities for the delivery of the Project but would not supersede any design directive by the Metro Board. By executing an MOU with LACDPW, Metro would allow for the transfer to LACDPW the management of project delivery as well as the responsibility for procuring and managing a contractor to build the Project. A Project delivery method has not yet been selected and will be determined during Phase 2 once sufficient Project information is known and risks are better defined. Lead management of the Technical Contract may be transferred during or after Phase 3, should LACDPW-led delivery of the Project be determined as an appropriate means to reduce risk as information becomes available during project development.

LACDPW has constructed sections of Class I bikeway along the river outside of the Project Area, giving LACDPW several decades of experience in providing infrastructure for walking and bicycling in Los Angeles County. LACDPW administers the Los Angeles County Flood Control District which holds the easements through which much of the Los Angeles River flows and as such, has extensive experience coordinating with USACE.

The City of Los Angeles has expressed interest in delivering an approximately 1000-foot segment of the Project in coordination with the Sixth St PARC Project. Staff is engaged in MOU negotiations with the City of Los Angeles and will return to the Board at a later date once the terms of the agreement are finalized.

The ownership, operation, and maintenance of the Project would be determined during Phase 2 in collaboration with LACDPW, the cities of Los Angeles and Vernon, and the USACE.

DETERMINATION OF SAFETY IMPACT

These actions will not have any impact on the safety of our customers and/or employees because this project is at the study phase.

FINANCIAL IMPACT

The FY 2019 proposed budget includes \$2.5 million in Cost Center 4310 (Systemwide Team 1), Project 405303 (LA River Bike Path). Since this is a multi-year contract, the cost center manager and Chief Planning Officer will be responsible for budgeting funds in future years.

Impact to Budget

The funding source for this project is Measure M Active Transportation 2%, which is not eligible for bus and rail operating and capital expenditures.

ALTERNATIVES CONSIDERED

The Board could choose not to award the contract. This is not recommended as it may delay the Measure M groundbreaking year of FY2023.

NEXT STEPS

Upon Board approval, staff will execute Contract No. AE47795000 with CH2M Hill, Inc. to initiate environmental clearance and design work.

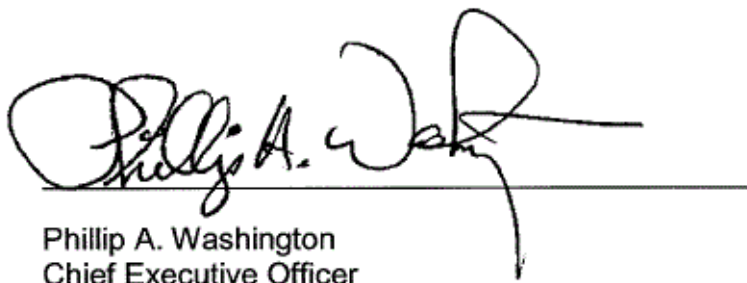
Staff will report back to the Board at significant Project development milestones, including at 15%, 30%, and 60% complete design levels.

ATTACHMENTS

- Attachment A - Procurement Summary
- Attachment B - DEOD Summary
- Attachment C - Metro Board Motion 67 (June 2014)
- Attachment D - Project Map

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

LA RIVER BIKE PATH GAP CLOSURE PROJECT TECHNICAL SERVICES/AE47795000

1.	Contract Number: AE47795000	
2.	Recommended Vendor: CH2M HILL, 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: November 1, 2017	
	B. Advertised/Publicized: November 6, 2017	
	C. Pre-Proposal Conference: November 14, 2017	
	D. Proposals Due: December 18, 2017	
	E. Pre-Qualification Completed: March 30, 2018	
	F. Conflict of Interest Form Submitted to Ethics: January 4, 2018	
	G. Protest Period End Date: May 18, 2018	
5.	Solicitations Picked up/Downloaded: 138	Proposals Received: 5
6.	Contract Administrator: Lily Lopez	Telephone Number: (213) 922-4639
7.	Project Manager: Julia Salinas	Telephone Number: (213) 922-7413

A. Procurement Background

This Board Action is to approve Contract No. AE47795000 issued in support of regional Project to perform environmental review and clearance under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), and to develop engineering design and specifications in concert with the environmental review process to a level sufficient to prepare the LA River Bike Path Gap Closure Project for construction. Board approval of contract award is subject to resolution of any properly submitted protest.

The Request for Proposal (RFP) was issued in accordance with Metro's Acquisition Policy and the contract type is firm fixed price. The RFP was issued with an SBE goal of 25% and a 3% DVBE goal and is subject to Metro's SBE/DVBE Contracting Outreach and Mentoring Plan (COMP).

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

- Amendment No. 1, issued on November 16, 2017, provided revised documents related to the Scope of Services.

A pre-proposal conference was held on November 14, 2017, and was attended by 81 participants representing 58 firms. During the solicitation phase, 22 questions were asked and responses were released prior to the proposal due date.

A total of 138 firms downloaded the RFP and were included in the planholders list. A total of five proposals were received on December 18, 2017.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Metro's Countywide Planning and Systems Engineering Departments, City of Los Angeles and City of Vernon was convened and conducted a comprehensive technical evaluation of the proposals received.

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

- | | |
|--|-----|
| • Skills and Experience of the Team (Prime and Subcontractors) | 35% |
| • Project Understanding/Approach and Management Plan | 35% |
| • Innovative and Creative Approaches for Implementation | 26% |
| • SBE/DVBE Contracting Outreach and Mentor Protégé | 4% |

The evaluation criteria is appropriate and consistent with criteria developed for other, similar Architectural and Engineering (A&E) procurements. Several factors were considered when developing these weights, giving the greatest importance to both the skills and experience of the team and project understanding/approach and management plan. The PET evaluated the proposals according to the pre-established evaluation criteria.

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

All five proposals received were determined to be within the competitive range and are listed below in alphabetical order:

1. CH2M HILL, Inc. (CH2M)
2. Parsons Transportation Group Inc. (Parsons)
3. Stantec Consulting Services Inc. (Stantec)
4. Tetra Tech, Inc. (Tetra Tech)
5. TRC Solutions (TRC)

During the week of January 17, 2018, the PET completed its independent evaluation of the five proposals received and determined all five firms to be qualified to provide the services required.

During the week of January 29, 2018, the firms were scheduled for oral presentations. The firms' project managers and key team members had an opportunity to present each team's qualifications and respond to the PET's questions. In general, each team addressed the requirements of the RFP, experience with all aspects of the required scope, and stressed each firm's

commitment to the success of the Project. Each team was asked questions relative to each firm's proposed staffing plans, perceived project issues, implementation of similar projects and previous experience.

The final scoring, after the oral presentations, determined CH2M to be the highest technically qualified firm.

Qualifications Summary of Recommended Firm:

CH2M, a full-service design, construction, and program management firm will be the prime contractor for the project, in collaboration with multiple experienced subcontractor firms. CH2M will lead the program management responsibilities, supported by key partner Alta Planning & Design, which will lead the conceptual design efforts. The team will also be supported by IPV Delft, specializing in innovative engineering with experience delivering walking and bicycling paths internationally, as well as Barrio Planners, a local planning firm with experience delivering transportation projects serving community needs in the Project area.

The written proposal and oral presentation distinctly demonstrated CH2M's understanding of the Project Area as an engineering led team assembled to deliver a transportation infrastructure project that focuses on constructability and feasibility in order to meet the project objectives rather than an architectural design approach that focuses less on transportation infrastructure delivery. The CH2M team demonstrated relevant experience in large-scale active transportation project development, delivering projects within the Los Angeles River, successfully navigating permitting processes with all agencies involved in the Project, and demonstrated understanding of working with public and private railways. The engineering approach places the primary goal of delivering a piece of transportation infrastructure that meets design goals on-time and on-budget.

The CH2M team was able to demonstrate depth of experience delivering transportation corridor projects and has experience managing projects on the River such as the SR710 North Study, West Santa Ana Branch project, Lower LA River Restoration, City of Vernon LA River Bikeway Study, and the Sixth Street Viaduct Replacement PA/ED.

Following is a summary of the PET scores:

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	CH2M				
3	Skills and Experience of the Team (Prime and Subcontractors)	82.66	35.00%	28.93	
4	Project Understanding/Approach and Management Plan	80.80	35.00%	28.28	
5	Innovative and Creative Approaches for Implementation	84.00	26.00%	21.84	
6	SBE/DVBE Contracting Outreach and Mentor Protégé	100.00	4.00%	4.00	
7	Total		100.00%	83.05	1
8	Tetra Tech				
9	Skills and Experience of the Team (Prime and Subcontractors)	80.66	35.00%	28.23	
10	Project Understanding/Approach and Management Plan	79.20	35.00%	27.72	
11	Innovative and Creative Approaches for Implementation	88.00	26.00%	22.88	
12	SBE/DVBE Contracting Outreach and Mentor Protégé	100.00	4.00%	4.00	
13	Total		100.00%	82.83	2
14	Parsons				
15	Skills and Experience of the Team (Prime and Subcontractors)	73.31	35.00%	25.66	
16	Project Understanding/Approach and Management Plan	77.20	35.00%	27.02	
17	Innovative and Creative Approaches for Implementation	82.00	26.00%	21.32	
18	SBE/DVBE Contracting Outreach and Mentor Protégé	75.00	4.00%	3.00	
19	Total		100.00%	77.00	3
20	Stantec				
21	Skills and Experience of the Team (Prime and Subcontractors)	74.00	35.00%	25.90	
22	Project Understanding/Approach and Management Plan	65.20	35.00%	22.82	
23	Innovative and Creative Approaches for Implementation	70.00	26.00%	18.20	
24	SBE/DVBE Contracting Outreach and Mentor Protégé	100.00	4.00%	4.00	
25	Total		100.00%	70.92	4
26	TRC				
27	Skills and Experience of the Team (Prime and Subcontractors)	65.34	35.00%	22.87	
28	Project Understanding/Approach and Management Plan	64.80	35.00%	22.68	

29	Innovative and Creative Approaches for Implementation	68.00	26.00%	17.68	
30	SBE/DVBE Contracting Outreach and Mentor Protégé	100.00	4.00%	4.00	
31	Total		100.00%	67.23	5

C. Cost Analysis

The recommended price of \$45,891,279 has been determined to be fair and reasonable based upon an independent cost estimate (ICE), technical analysis, a cost analysis, fact finding, and negotiations.

Proposer Name	Proposal Amount	Metro ICE	Negotiated Amount
CH2M	\$43,889,247	\$39,066,424	\$45,891,279

The proposal amount lacked some estimates in level of effort related to structural design and geotechnical exploration that are necessary to assume at this early stage in project development. The negotiated amount accounts for several scope elements specific to the Project mode (walking and bicycling), historic location, and permitting requirements that were not included in the ICE that, after analysis, are necessary to the successful delivery of this innovative Project.

D. Background on Recommended Contractor

The recommended firm, CH2M, headquartered in Meridian, Colorado with offices and staff worldwide, including Los Angeles, has been in business since 1946. On December 15, 2017, CH2M became a wholly owned subsidiary of Jacobs Engineering Group, Inc. and remains fully operational. CH2M is an engineering firm that provides consulting, design, construction, and operations services for various industries and government agencies. CH2M has worked on several Metro projects and has performed satisfactorily.

CH2M’s key Metro projects include: Rail Vehicle and Engineering Consulting Services, P2000 Overhaul Support Services, I-5 North Managed Lanes Plans Specifications and Estimates and SR-710 Gap EIS/EIR.

The proposed team is comprised of staff from CH2M and 18 subcontractors, of which 13 are Metro certified SBEs and one DVBE.

DEOD SUMMARY

LA RIVER BIKE PATH GAP CLOSURE PROJECT TECHNICAL
SERVICES/AE47795000**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 25% Small Business Enterprise (SBE) and 3% Disabled Veteran Business Enterprise (DVBE) goal for this solicitation. CH2M Hill, Inc. exceeded the goal by making a 25.24% SBE and 4.10% DVBE commitment.

SMALL BUSINESS GOAL	25% SBE 3% DVBE	SMALL BUSINESS COMMITMENT	25.24% SBE 4.10% DVBE
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	SBE Subcontractors	% Committed
1.	2R Drilling	0.90%
2.	Barrio Planners, Inc.	2.97%
3.	D'Leon Consulting Engineers	6.72%
4.	EcoKai Environmental Inc.	0.18%
5.	Epic Land Solutions, Inc.	0.33%
6.	FPL & Associates, Inc.	4.75%
7.	Geo-Advantec, Inc.	0.32%
8.	MA Engineering	6.54%
9.	Martini Drilling	0.12%
10.	Terry A. Hayes Associates, Inc.	0.27%
11.	Urban Strategy Group, Inc.	0.29%
12.	Wagner Engineering & Survey, Inc.	1.65%
13.	Wiltec	0.20%
	Total SBE Commitment	25.24%

	DVBE Subcontractors	% Committed
1.	Virtek Company	4.10%
	Total DVBE Commitment	4.10%

B. Contracting Outreach and Mentoring Plan (COMP)

To be responsive, Proposers were required to submit a Contracting Outreach and Mentoring Plan (COMP) including strategies to mentor two (2) SBE firms and one (1) DVBE firm for protégé development. CH2M Hill, Inc. selected to mentor the following three (3) SBE firms: FPL & Associates, Barrio Planners, Inc. and Urban Strategy Group, Inc. The selected DVBE protégé is Virtek Company.

C. 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). Trades that may be covered include: surveying, potholing, field, soils and materials testing, building construction inspection, construction management and other support trades.

D. Living Wage Service Contract Worker Retention Policy Applicability

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

E. Project Labor Agreement/Construction Careers Policy

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

PLANNING AND PROGRAMMING COMMITTEE**MOTION BY:****MAYOR ERIC GARCETTI, SUPERVISOR GLORIA MOLINA,
AND DIRECTOR MIKE BONIN**

June 18, 2014

Los Angeles River Bikeway Connection

The City and County of Los Angeles have devoted significant time and resources in creating a Los Angeles River Revitalization Master Plan. This Plan incorporates transportation infrastructure as a key element of accessibility and mobility for the LA River, and addresses the need to have a regionally connected bikeway network. The County and many cities in the Los Angeles River Corridor, often with the assistance of the Los Angeles County Metropolitan Transportation Authority (MTA), have implemented major infrastructure and recreation areas along the river, its tributaries, and connecting surface streets.

In May 2014, the U.S. Army Corps of Engineers recommended approval of an ambitious, \$1-billion proposal to restore habitat, widen the river, create wetlands and provide pedestrian access points and bicycle paths along an 11-mile stretch of the LA River north of downtown through Elysian Park. This proposal, known as "Alternative 20," is the starting point for projects that will eventually revitalize all 51 miles of the river, from the San Fernando Valley to Long Beach.

However, the plan does not cover the most significant gap along the Los Angeles River, between the bicycle and pedestrian facilities in the Elysian Valley to the existing LA River Path that connects the City of Maywood to the City of Long Beach. This gap was also identified in MTA's Bicycle Transportation Strategic Plan adopted in 2006.

This gap is located in areas where the LA River is surrounded by active train tracks and industrial uses, which make it difficult to acquire the necessary right-of-way for placement of a bike path and pedestrian access on the river banks.

Recently a conceptual technical study was presented to MTA, which focuses on an "In River Channel Bike Path," similar to the bicycle path along the Arroyo Seco in the City of Los Angeles. As the Regional Transportation Planning Agency, MTA is best suited to coordinate regional, countywide bicycle efforts. A study of this nature will require multi-agency stakeholder coordination, and should include a detailed analysis of potential bicycle, pedestrian, and transit connections to the LA River facilities.

(CONTINUED)

WE, THEREFORE, MOVE that the Board direct the Chief Executive Officer to:

- A. Develop a proposed scope for studying an in-channel bike path design, with logical pedestrian linkages along ingress and egress areas, that connects the missing link from Taylor Yard to the City of Maywood;
- B. Recommend a project timeline and a proposed implementation strategy to advance a comprehensive bike channel study;
- C. Identify and receive input from key stakeholders and study participants;
- D. Report back to the Board in September 2014 on Items A - C and a possible recommendation for implementation.

LA River Bike Path Study Area



LA River Bike Path Gap Closure

Planning and Programming – May 16, 2018

File # 2018-0108



Staff Recommendation

Authorize:

- > Award of technical contract with CH2M Hill, Inc. for \$45,891,279;
- > Approve contract modification authority in the amount of \$6,883,692 and approve authority;
- > Negotiate and enter into an MOU with LA County Department of Public Works (LACDPW); and
- > Negotiate and enter into a Cooperative Agreement with the Cities of Los Angeles and Vernon, and LACDPW.



Project Area

- > Closing 8-mile gap creates 32-mile path from Elysian Valley to Vernon
- > June 2014: Motions at City of Los Angeles and Metro Board to begin Project study
- > September 2016: Feasibility Study completed



Technical Contract

- > Phase 1 – Technical Studies and Concept Design
- > Phase 2 – Environmental Clearance and Design
- > Phase 3 – Final Design and Permitting
- > Phase 4 – Construction Support



Project Timeline



MOU with LACDPW

- > Deliver Project by 2027
 - > Procure Contractor
 - > Technical Contract Construction Support
- > Optional: Technical Contract Phase 3
 - > Construction Documents
 - > Secure permits
 - > Finalize right-of-way acquisitions/ easements



Next Steps

- > Initiate Technical Contract work
- > Execute Task Order for Outreach Contract
- > Execute MOU with LACDPW
- > Execute Cooperative Agreement with Cities of Los Angeles and Vernon, and LACDPW

