



Board Report

File #: 2018-0186, File Type: Contract

Agenda Number: 59.

REGULAR BOARD MEETING JUNE 28, 2018

SUBJECT: DIVISION 20 PORTAL WIDENING TURNBACK PROJECT

ACTION: AWARD CONTRACT

RECOMMENDATION

CONSIDER:

- A. AUTHORIZING the Chief Executive Officer to execute a 5-year cost-plus fixed fee Contract No. AE48636MC074 with DHS Consulting, Inc. to provide Construction Management Support Services for the Division 20 Portal Widening Turnback Project, in an amount not-to-exceed \$13,029,957.91;
- B. APPROVE Contract Modification Authority in the amount of \$2,605,991.82 or 20% of the not-to-exceed contract award value and authorize the CEO to execute individual Contract Modifications within the Board approved Contract Modification Authority.

ISSUE

Construction Management Support Services (CMSS) are required to assist Metro Project staff in management oversight for construction of the Division 20 Portal Widening Turnback Project. Services will be provided from final design through pre-construction activities, construction, and contract close out.

The recommended Board action will provide funding through FY24 when construction of Project must be complete and ready for the Westside Purple Line Extension Section 1 to begin revenue service.

DISCUSSION

On March 23, 2017, the Metro Board of Directors approved the award of a design contract for the Division 20 Portal Widening Turnback Project (DIV 20). The project is required to support four-minute service on the Westside Purple Line Extension (WPLE) in accordance with the project's Full Funding Grant Agreement. DIV 20 will be constructed within an active rail yard while maintaining

operations on the Red and Purple Lines. Construction activities in the yard, particularly at the portal, will need to be phased and coordinated with concurrent projects including the new Emergency Security Operations Center.

DIV 20 is a design-bid-build project. As such, it is beneficial to have additional technical reviews of the bid documents by a construction management consultant team to minimize risks to Metro during construction. The CMSS consultant will provide constructability review of the bid documents, administration, inspection services and technical support during final design, the bid period, construction, and close out phases of the project. The CMSS consultant will provide skilled individuals to assist Metro with the construction management of the project. The consultant team will reside in an integrated project field office with the construction contractor and Metro staff. The CMSS contract work scope is planned and funded on an annual basis until the Life of Project Budget is established.

DETERMINATION OF SAFETY IMPACT

Approval of this item will have no impact on safety.

FINANCIAL IMPACT

This project is funded on a fiscal year basis under Project number 865519 Division 20 Portal Widening Turnback Facility, cost center 8510, under various accounts including Professional/Technical Services and ROW acquisitions. This is a multi-year project requiring expenditure authorizations in fiscal year increments until a Board Authorized Life of Project Budget is adopted. It is the responsibility of the Project Manager and Chief Program Management Officer to budget for this project in future fiscal years.

Impact to Budget

Through FY18, the sources of funds for the recommended actions are Measure R 35% and Cap & Trade Transit and Intercity Rail Capital Program (TIRCP). FY19 funding will use similar sources as FY18. Due to the underground nature of the project work scope, Proposition A or Proposition C funds were not considered and are not included in this authorization request. There is no impact to Operations eligible funding. No other funds were considered.

ALTERNATIVES CONSIDERED

The Board could direct Metro staff to perform construction management tasks with current in-house resources. This alternative would require Metro to divert resources from on-going projects and/or hire multiple full time personnel that are not immediately available or funded.

NEXT STEPS

After Board approval of the recommended action, staff will complete the process to award and execute Contract No. AE48636MC074.

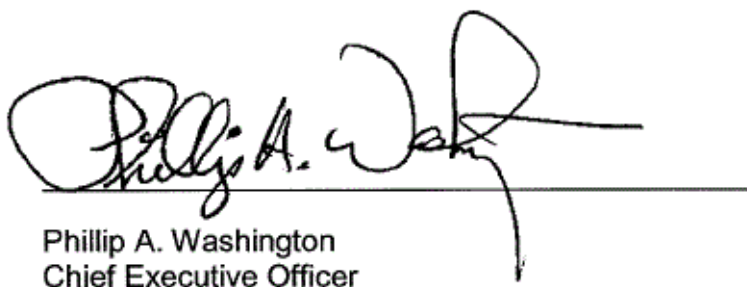
ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - DEOD Summary

Prepared by: Rick Meade, Sr. Executive Officer, Transit Project Delivery (213) 922-7917
Bruce Warrensford, Sr. Director, Contract Administration (213) 922-27338

Reviewed by: Richard Clarke, Chief Program Management Officer (213) 922-7557
Debra Avila, Chief Vendor/Contract Management Officer (213) 418-3051



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

DIVISION 20 PORTAL WIDENING TURNBACK CMSS / AE48636MC074

1.	Contract Number: AE48636MC074	
2.	Recommended Vendor: DHS Consulting, 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: December 7, 2017	
	B. Advertised/Publicized: December 6, 2017	
	C. Pre-Proposal Conference: December 19, 2017	
	D. Proposals Due: January 24, 2018	
	E. Pre-Qualification Completed: April 4, 2018	
	F. Conflict of Interest Form Submitted to Ethics: April 9, 2018	
	G. Protest Period End Date: May 19, 2018	
5.	Solicitations Picked up/Downloaded: 25	Proposals Received: 7
6.	Contract Administrator: Diana Dai-Tsang	Telephone Number: 213.418.3310
7.	Project Manager: June Susilo	Telephone Number: 213.922.5232

A. Procurement Background

This Board Action is to approve Contract No. AE48636MC074 issued in support of Division 20 Portal Widening Turnback project. The scope of work for the Construction Management Support Services (CMSS) consultant consists of resident engineering, inspection services, project controls, and other construction management administrative support services as required. The consultant's team shall become part of a fully integrated construction management team working with Metro in the project field office pursuant to the annual work plan, under the direction of Metro. Board approval of contract awards are subject to resolution of any properly submitted protest.

The Request for Proposal (RFP) was issued in accordance with Metro's Procurement Policies and Procedures, and California Government Code §4525-4529.5 for Architectural and Engineering (A&E) services to select the most qualified firm. The contract type is a Cost Plus Fixed Fee (CPFF) and will be a multi-year contract with a term of six years.

Two amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on December 22, 2017, clarified the proposal due date and submittal requirements;
- Amendment No. 2, issued on January 8, 2018, clarified the proposal due date, Statement of Work and submittal requirements;

A total of seven proposals were received on January 24, 2018.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Metro's Construction Management Department was convened and conducted a comprehensive evaluation of the proposals received.

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

- Experience and Qualifications of the Firms on the Team (35%)
- Skill and Experience of Project Personnel (30%)
- Project Understanding and Approach (35%)

The evaluation criteria are appropriate and consistent with criteria developed for other, similar A&E procurements. Several factors, in order of their relative degree of important, were considered when developing the weightings. Since this is an A&E, qualifications based on procurement to select the most qualified firm, price could not and cannot be used as an evaluation factor pursuant to the state and federal law.

Seven proposals were received from the following firms listed below in alphabetical order:

1. AECOM
2. Arts District Railworks, a Joint Venture (ADR) – (Ramos Consulting Services; Arcadis; Destination Enterprise, Inc.)
3. C2PM
4. DHS Consulting, Inc.
5. Hill Morgner Alliance Group, a Joint Venture – (Hill International; Morgner Construction Management Corp.; The Alliance Group Enterprise, Inc.)
6. PreScience Corporation
7. RailPros, Inc.

During the month of February 2018, the PET team reviewed seven written qualification proposals. Metro met with four proposers for oral presentations on February 28, 2018. The four firms were given the opportunity to present on understandings and approach to CMSS for this project; and skills, qualifications and experience of the management team.

The proposing firms had the opportunity to present their proposed project managers, resident engineer and some of their key members, as well as respond to the PET's questions. In general, each proposer's presentation addressed the requirements of the RFP, experience with all aspects of the required and anticipated tasks, and stressed each proposer's commitment to the success of the project. Each proposing team was asked questions relative to each firm's previous experience performing

work of a similar nature to the Scope of Work presented in the RFP. Sealed cost proposals were received at the time of oral presentations.

After the recommendation of the most qualified proposer was approved by the Executive Officer, Vendor/Contract Management (V/CM), the recommended most qualified proposer's cost proposal was opened. V/CM completed its cost analysis and engaged in negotiations with the recommended proposer.

Qualifications Summary of Recommended Firm:

The final scoring was based on evaluation of the written proposals as supported by oral presentations and clarifications received from the Proposers. The PET ranked the proposals and assessed major strengths, weaknesses and associated risks of each of the Proposers to determine the most qualified firm. The results of the final scoring are shown below:

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	DHS Consulting				
3	Experience and Qualifications of Firms on the Team	90.48	35%	31.67	
4	Skill and Experience of Project Personnel	96.66	30%	29.00	
5	Project Understanding and Approach	90.48	35%	31.67	
7	Total		100%	92.34	1
8	RailPro				
9	Experience and Qualifications of Firms on the Team	87.63	35%	30.67	
10	Skill and Experience of Project Personnel	77.23	30%	23.17	
11	Project Understanding and Approach	95.23	35%	33.33	
13	Total		100%	87.17	2
14	Arts District Railworks				
15	Experience and Qualifications of Firms on the Team	83.80	35%	29.33	
16	Skill and Experience of Project Personnel	86.66	30%	26.00	
17	Project Understanding and Approach	90.48	35%	31.67	
19	Total		100%	87.00	3
20	AECOM				
21	Experience and Qualifications of Firms on the Team	80.00	35%	28.00	

22	Skill and Experience of Project Personnel	80.00	30%	24.00	
23	Project Understanding and Approach	81.91	35%	28.67	
25	Total		100%	80.67	4

All Scores rounded to the second decimal.

The evaluation performed by the PET determined DHS Consulting Inc. as the most qualified firm to provide Construction Management Support Services, as provided in the RFP Scope of Services. DHS Consulting Inc. demonstrated, through their written proposal and oral presentation, that their team has excellent and extensive technical experience managing construction projects required for this Contract. DHS Consulting, Inc. also demonstrated an exceptional, thorough and comprehensive understanding of the project requirements. The team is highly experienced in similar projects and very familiar with the project context, potential issues and mitigations, which are critical to the project's success.

Members of the team providing services to Metro under other contracts may not be eligible to perform certain tasks under this Contract, if their performance would result in a conflict in accordance with Metro's Organizational Conflict of Interest policy.

C. Cost/Price Analysis

The recommended amount has been determined to be fair and reasonable based upon a cost analysis, performed in accordance with Metro procurement policies and procedures, of labor rates, indirect rates and other direct costs. The analysis included, among other things, an independent cost estimate, a comparison with similar firms, an analysis of rates and factors for labor, and other direct costs upon which the consultant will base its billings. In order to prevent any unnecessary delay in contract award, Metro negotiated and established provisional indirect (overhead) rates, plus a fixed fee based on the total estimated cost during the contract term to compensate the consultant.

Audits will be completed, where required, for those firms without a current applicable audit of their indirect cost rates and exclusion of unallowable costs, in accordance with Federal Acquisition Regulations (FAR Part 31). In accordance with FTA Circular 4220.1.f, when 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	Negotiated or NTE amount
DHS Consulting Inc.	\$11,006,287.88	\$10,060,293.00	\$13,029,957.91 *

*Level of effort for this Contract was revised based on the Scope of Work (SOW) requirements resulting in the increase from the original proposal amount and ICE.

D. Background on Recommended Contractor

The recommended firm, DHS Consulting Inc., a certified DBE Program/Construction Management focused firm, has grown from three to 80 employees over the last five years. DHS has provided program/construction management services to Metro over each of the past five years on the Regional Connectors Project and recently on the Information Technology Project Management Support Services as a prime consultant. Their experience extends to other large projects and clients in California including California High Speed Rail, SANDAG, San Diego MTS trolley, San Bernardino County Transportation Authority, Caltrans, Southern California Edison, Counties and Cities in Southern California.

DEOD SUMMARY

**DIVISION 20 PORTAL WIDENING TURNBACK CONSTRUCTION MANAGEMENT
SUPPORT SERVICES - AE48636MC074**

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 35% Disadvantaged Business Enterprise (DBE) goal for this solicitation. DHS Consulting, Inc. (DHS), a DBE Prime, exceeded the goal by making a 53.81% commitment.

SMALL BUSINESS GOAL	35% DBE	SMALL BUSINESS COMMITMENT	53.81% DBE
--------------------------------	----------------	--------------------------------------	-------------------

	DBE Contractors	Scope of Work	NAICS Codes	Ethnicity	% Committed
1.	DHS Consulting, Inc. (DBE Prime)	Construction Management Support Services	541330 - Engineering Services 541618 - Other Management Consulting Services 541611 - Administrative Management and General Management Consulting	Subcontinent Asian American	47.16%
2.	Coast Surveying, Inc.	Surveying	541370 - Surveying and Mapping (except Geophysical) Services	Hispanic American	0.39%
3.	Diaz Yourman & Associates	Environmental Compliance Monitoring	541620 - Environmental Consulting Services 541690 - Other Scientific and Technical Consulting Services	Hispanic American	0.20%

4.	Ghirardelli Associates, Inc.	Construction Management Support Services	541330 - Engineering Services 541611 - Administrative Management and General Management Consulting 541690 - Other Scientific and Technical Consulting Services	Caucasian Female	3.38%
5.	NSI Engineering, Inc.	Quality Management Services	541611 - Administrative Management and General Management Consulting 541614 - Process, Physical Distribution, and Logistics Consulting Services 541618 - Other Management Consulting Services	Caucasian Female	2.68%
Total Commitment					53.81%

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

C. Living Wage Service Contract Worker Retention Policy Applicability

Living Wage Service Contract Worker Retention 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.

The CMSS is a professional service contract, therefore PLA/CCP is not applicable. Metro's PLA/CCP is with the Los Angeles/Orange Counties Building and Construction Trades Council and is enforceable on construction contracts in value of \$2.5M and above.