



## Board Report

File #: 2018-0267, File Type: Contract

Agenda Number: 50.

### CONSTRUCTION COMMITTEE JUNE 21, 2018

**SUBJECT: SUPPLEMENTAL ENGINEERING SUPPORT (SES)  
SERVICES FOR BUS AND RAIL FACILITIES**

**ACTION: AWARD PROFESSIONAL SERVICES CONTRACT**

#### **RECOMMENDATION**

CONSIDER:

- A. AUTHORIZING the Chief Executive Officer to award a cost plus fixed fee Contract No. AE45752 to HDR | Maintenance Design Group (MDG), for Supplemental Engineering Support (SES) services for Bus and Rail Facilities for an amount not-to-exceed \$9,000,000 for the three-year base period, plus two one-year options in an amount not to exceed \$3,000,000 per option, for a Total Contract Value not to exceed \$15,000,000, subject to resolution of protest(s), and;
- B. APPROVING Contract Modification Authority specific to Contract No. AE45752 for 10% of the not-to-exceed award value.

#### **ISSUE**

Supplemental Engineering Support (SES) services are needed to assist the Program Management Department with the delivery of Metro's Capital Program for projects related to bus and rail facilities. These services will supplement Metro staff and provide technical resources and expertise to support the delivery of capital projects. The passing of Measure M has increased the workload of the Capital Projects group. SES services will provide Metro the flexibility to adjust its resources to implement and deliver necessary projects safely, on time, and within budget. In addition, the existing Facilities SES services Contract expires on June 30, 2018.

#### **DISCUSSION**

The Capital Projects Department within Program Management is responsible for the delivery of the projects in the Capital Improvement Program (CIP) with many of those projects supporting State of Good Repair (SOGR). With the recently approved Measure M program added to the already existing Measure R program, Metro is currently undertaking the largest transportation construction program in the nation, but it has also created an unprecedented challenge to project delivery. In terms of staff resources, SES services would assist the Capital Projects Department within Program Management with securing sufficient qualified resources across a wide spectrum of disciplines in a timely manner

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to manage and support the delivery of Board approved projects. The selected consultant would scale staff up or down depending on Metro's bus, rail, and other CIP needs. The Contract allows staff to efficiently and effectively augment Program Management staff as required to ensure the resources with the necessary technical expertise to design a project are available when needed.

Metro awarded three SES contracts in 2013: PS8510-3000 for Rail and Bus Maintenance, PS8510-3001 for Rail Systems Engineering, and PS8510-3002 for Rail Facilities and Third Party. All three were three-year contracts with two one-year options. Contract AE45752 will replace Contract PS8510-3000 which will expire June 30, 2018. Metro issued 20 Task Orders totaling over \$4.1 million under Contract PS8510-3000 for work related to many of its Operating Divisions including the design of a Building Maintenance Annex at Division 9, the design of a new roof at Division 2, and Maintenance and Transportation Building Renovations at Division 1. Recent Task Orders have also included a systemwide survey of Metro's vertical transportation.

The Bus and Rail Maintenance SES Contract will address the following services:

#### BUS DIVISIONS, CENTRAL MAINTENANCE FACILITY (CMF), BUS TERMINALS AND BUS STATIONS DESIGN SERVICES:

1. Industrial engineering, work flow analysis, and master planning for bus divisions, central maintenance facility, and bus stations.
2. Bus maintenance systems and equipment.
3. Bus cleaning and fueling systems and equipment.
4. Maintenance and Transportation operation building architectural and engineering, including civil, structural, mechanical electrical plumbing (MEP) and industrial engineering services.
5. Sustainability, commissioning, and LEED certification services.
6. Compressed Natural Gas (CNG) fueling, CNG detection system, and ventilation systems.
7. Electrical load analysis.
8. Storm water, sewer, and industrial process water systems.
9. Bus washer systems.
10. Energy conservation, energy audits, and renewable energy systems.
11. Site survey, geotechnical studies, and site utility assessments.
12. Heating, ventilation, and air conditioning design offices, maintenance shops and building per Title 24 energy codes, California State codes, and local codes.
13. Industrial ventilation design for maintenance shops and equipment rooms per local codes and Cal-OSHA, including administrative spaces, paint booths, welding area and CNG area.
14. Fire protection system.
15. CCTV and security system.
16. Electrical analysis for electrical buses.
17. Communication systems,
18. Emergency Generators and Uninterruptable Power Supply (UPS).
19. Lighting design.
20. Engineering design support during construction.
21. Other engineering work as required.

#### RAIL DIVISIONS, RAIL OPERATION CONTROL (ROC) FACILITY AND RAIL STATIONS DESIGN

SERVICES:

1. Architectural and civil, track, structural, MEP engineering for rail facilities.
2. Industrial engineering, work flow analysis, and master planning for new and existing equipment/systems/buildings.
3. Rail vehicle shop equipment such as car hoists, cranes, wheel truing machines, wheel press, turntable, blow down equipment, etc.
4. Rail car (LRT and HRT) cleaning system/equipment.
5. Electrical load analysis.
6. Coordination of electrical interface with facilities and systems.
7. Sustainability, commissioning, and LEED certification services.
8. Storm water, sewer, and industrial process water systems.
9. Energy conservation, energy audits and renewable energy systems.
10. Site survey work, geotechnical studies, and site utility assessments.
11. Industrial ventilation design for maintenance shops and equipment rooms per local codes and Cal-OSHA, including administrative spaces, body shop, paint shop/booths, welding shop, blow-down pit, etc.
12. Heating, ventilation, and air conditioning design for offices, shops, and building per Title 24 energy codes, California State codes, local codes.
13. Fire protection systems.
14. Fire/Life/Safety associated items.
15. Utility coordination, relocation and design.
16. CCTV and security surveillance systems.
17. Emergency generators and uninterruptable power supply (UPS).
18. Lighting design.
19. Renewable energy systems.
20. Engineering design support during construction.
21. Other engineering work as required.

**DETERMINATION OF SAFETY IMPACT**

Although this SES contract is not directly related to a specific safety issue, this Board action should have a positive impact on the safety of Metro's patrons and employees. The services provided via the SES contract will be to increase the effectiveness and efficiency of Metro's facilities, including, but not limited to, shop equipment, building systems, yard configurations, and controls to provide a safer working environment for employees.

**FINANCIAL IMPACT**

Approval of the recommendations will have no financial impact to the FY18 and FY19 budgets. As specific engineering design support needs arise, task orders will be issued and funded from the associated project budget, upon approval by the responsible Project Manager.

Since this is a multi-year project, the Project Managers, Cost Center Managers, and the Chief Program Management Officer will be responsible for budgeting costs of task orders related to this

contract.

### Impact to Budget

There is no impact to the FY18 and FY19 Budgets as funds for this action will be included in the approved budget for each project. Most of the projects are funded with multiple sources of funds: federal and state grants, bonds and local sales taxes. Much of local sales taxes are eligible for bus and rail operations and capital improvements. These funds are programmed to state of good repair projects and to augment the costs of mega projects, where eligible and appropriate.

### ALTERNATIVES CONSIDERED

Staff considered three alternatives.

- 1) Solicit qualifications proposals for each individual task whenever the need or request arises. This alternative is not recommended because it would require extensive additional staff time to process each individual task. Each task order would essentially be a separate procurement. This would result in project delays due to the lead time required to complete each procurement cycle. Additionally, procuring services on a per-assignment basis would impose a significant additional burden on the Engineering, Capital Projects, and Vendor/Contract Management departments. Such a course of action is not deemed to be practical or cost effective.
- 2) Utilize existing engineering staff to provide the required technical support. This alternative is also not feasible as Metro's current engineering capacity is fully utilized to support the existing major projects, capital improvement projects, and State of Good Repair projects. Due to these commitments, it is anticipated that the current staff would be challenged to provide the technical support necessary for upcoming capital projects which will be under concurrent development with already existing projects. If this second alternative is exercised, Metro would need to hire additional staff with expertise in several currently underrepresented disciplines to perform this work. Such a course of action is not deemed to be practical or cost effective.
- 3) Extend the expiring SES contracts. This alternative would require staff to seek Board authority to extend the existing contracts and increase the Contract Modification Authority (CMA) of the anticipated work. Such a course of action is not in accordance with Metro policy of issuing new contracts periodically usually for a period of three to five years.

### NEXT STEPS

Upon Board approval, staff will complete the process to award and execute the SES contract in accordance with Metro Procurement Policies and Procedures. Specific task orders will then be issued on an as-needed basis.

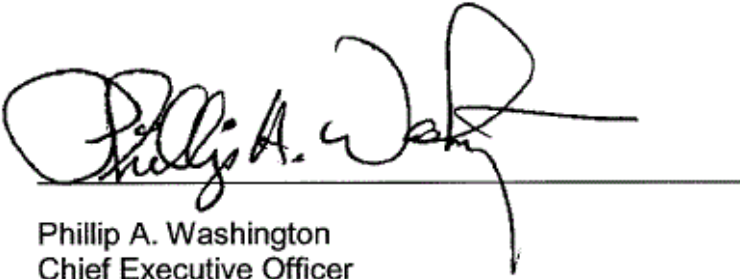
### ATTACHMENTS

Attachment A - Procurement Summary

Attachment B - SES DEOD Summary

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



Phillip A. Washington  
Chief Executive Officer

## PROCUREMENT SUMMARY

SUPPLEMENTAL ENGINEERING SERVICES (SES) FOR  
BUS AND RAIL FACILITIES / AE45752

1.	<b>Contract Number:</b> AE45752	
2.	<b>Recommended Vendor:</b> HDR   Maintenance Design Group (MDG)	
3.	<b>Type of Procurement (check one):</b> <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.	<b>Procurement Dates:</b>	
	<b>A. Issued:</b> September 7, 2017	
	<b>B. Advertised/Publicized:</b> August 29, 2017	
	<b>C. Pre-Proposal Conference:</b> September 15, 2017	
	<b>D. Proposals Due:</b> October 26, 2017	
	<b>E. Pre-Qualification Completed:</b> TBD	
	<b>F. Organizational Conflict of Interest Review Completed by Ethics:</b> October 30, 2017	
	<b>G. Protest Period End Date:</b> June 25, 2018	
5.	<b>Solicitations Picked up/Downloaded:</b> 101	<b>Proposals Received:</b> 3
6.	<b>Contract Administrator:</b> Rafael Vasquez	<b>Telephone Number:</b> 213.418-3036
7.	<b>Project Manager:</b> Andi Wang	<b>Telephone Number:</b> 213.922.4722

**A. Procurement Background**

This Board Action is to approve Contract No. AE45752 Supplemental Engineering Services for Bus and Rail Facilities (SES), to supplement Metro's Program Management department resources in providing services in architectural and engineering design for Metro bus and rail facilities related to capital improvement projects, engineering feasibility studies, code analysis and to develop a basis for design, support design review, check calculations, review and respond to RFI's, surveying services, geotechnical study and underground utility identification. The consultant will furnish all of the labor, materials, and other related items required to perform the services on a Contract Work Order basis for a project, under which specific Task Orders will be issued for specific Scopes of Services and Periods of Performance. This SES contract will be supporting the Maintenance of Way (MOW), State of Good Repair, and Transit Asset Management, which are all projects that will see significant investment and a corresponding need for design services in the next three years. Board approval of contract awards are subject to resolution of any properly submitted protest.

The Request for Proposals (RFP) was an Architectural and Engineering (A&E) qualifications based procurement process performed in accordance with Metro Procurement Policies and Procedures, and California Government Code Section 4525-4529.5 for A&E services to select the most qualified firm. The contract type is a cost plus fixed fee. The Contract is for a term of three years with two one-year options.

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

- Amendment No. 1, issued on October 2, 2017, clarified the Submittal Requirements and Evaluation Criteria; added GC-37B clause for Indemnification Design Professional Work, revised Scope of Services, including DBE goal requirements due to federal funding, and deleting SBE goal requirements.
- Amendment No. 2, issued on October 10, 2017, added Certification of Compliance with Metro Lobby Ordinance No. 99-01 and Guidelines (Pro-Form 017);

A total of three proposals were received on October 26, 2017.

## **B. Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of staff from Metro Program Management Capital Improvements Projects was convened and conducted a comprehensive evaluation of the proposals received.

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

- |   |            |
|---|------------|
| • Experience and Capabilities of the Firms on the Consultant's Project Team | 30 percent |
| • Key Personnel's Skills and Experience                                     | 30 percent |
| • Effectiveness of Management Plan  | 20 percent |
| • Understanding of Work and Appropriateness of Approach for Implementation  | 20 percent |

The evaluation criteria were appropriate and consistent with criteria developed for other, similar A&E procurements. Several factors were considered when developing the weightings, giving the greatest importance to the Experience and Capabilities of the Firms on the Consultant's Project Team and Key Personnel's Skills and Experience. This is an A&E, qualifications based procurement; therefore, price cannot be used as an evaluation factor pursuant to state and federal law.

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

1. Gannett Fleming.
2. HDR | Maintenance Design Group.
3. PacRim Engineering.

From November 2017 through early March of 2018, the PET reviewed the three written qualification proposals. On December 19, 2017, the PET met with all three Proposers for oral presentations. The firms were given the opportunity to present on 1) Effectiveness of Management Plan, and 2) Understanding of Work and Appropriateness of Approach for Implementation.

The proposing firms had the opportunity to present their proposed project managers, key personnel 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 contract. Each proposing team was asked questions relative to each firm's previous experience performing work of a similar nature to the Scope of Services presented in the RFP. Sealed cost proposals were received at the time of oral presentations.

During the evaluation process, Requests for Clarifications regarding the proposals were sent to the respective proposers. There were issues addressed consisting of qualifications, skills and experience of key personnel and the principal/lead positions as specified in the RFP Scope of Services.

After the recommendation of the most qualified proposer was approved by the Executive Officer of 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	<b>HDR MDG</b>				
3	Experience and Capabilities of the Firms on the Consultant's Project Team	86.94	30%	26.08	
4	Key Personnel's Skills and Experience	88.39	30%	26.52	
5	Effectiveness of Management Plan	88.92	20%	17.78	
6	Understanding of Work and Appropriateness of Approach for Implementation	85.58	20%	17.12	
7	<b>Total</b>		<b>100.00%</b>	<b>87.50</b>	<b>1</b>



<b>8</b>	<b>GANNETT FLEMING</b>				
<b>9</b>	Experience and Capabilities of the Firms on the Consultant's Project Team	88.22	30%	26.47	
<b>10</b>	Key Personnel's Skills and Experience	86.11	30%	25.83	
<b>11</b>	Effectiveness of Management Plan	86.17	20%	17.23	
<b>12</b>	Understanding of Work and Appropriateness of Approach for Implementation	85.58	20%	17.12	
<b>13</b>	<b>Total</b>		<b>100.00%</b>	<b>86.65</b>	<b>2</b>
<b>14</b>	<b>PACRIM ENGINEERING</b>				
<b>15</b>	Experience and Capabilities of the Firms on the Consultant's Project Team	78.56	30%	23.57	
<b>16</b>	Key Personnel's Skills and Experience	77.06	30%	23.12	
<b>17</b>	Effectiveness of Management Plan	77.42	20%	15.48	
<b>18</b>	Understanding of Work and Appropriateness of Approach for Implementation	77.00	20%	15.40	
<b>19</b>	<b>Total</b>		<b>100.00%</b>	<b>77.57</b>	<b>3</b>

Weighted Scores are rounded up to the nearest second decimal point.

The evaluation performed by the PET determined HDR|MDG as the most qualified firm and team to provide Supplemental Engineering Services for Bus and Rail Facilities, as provided in the RFP Scope of Services. HDR|MDG demonstrated, through their written proposal and oral presentation, their ability to manage projects of a similar nature. The team is highly experienced in delivering similar task order based contracts with an excellent record in client satisfaction.

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 an organizational conflict of interest, in accordance with Metro's Organizational Conflict of Interest policy.

### **C. Cost/Price Analysis**

The recommended price has been determined to be fair and reasonable based upon a cost analysis of labor rates, indirect rates and other direct costs completed in accordance with Metro's Procurement Policies and Procedures. The analysis includes, among other things, 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. Metro negotiated and established provisional indirect (overhead) rates, plus

a fixed fee based on the total estimated cost for task orders 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, other factors, and exclusion of unallowable costs, in accordance with Federal Acquisition Regulation (FAR) Part 31. In order to prevent any unnecessary delay in contract award, provisional overhead rates have been established subject to 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.

<b>Proposer Name</b>	<b>Proposal Estimate</b>	<b>Metro NTE Estimate</b>	<b>Recommended NTE amount</b>
HDR MDG	\$9,000,000 <sup>(1)</sup>	\$9,000,000 <sup>(2), (3)</sup>	\$9,000,000 <sup>(2), (4)</sup>

- (1) The proposal was for rates only and not a total cost since a total level of effort had not been established. The proposal is for a Not To-Exceed-Amount of \$9,000,000. This is a Cost Plus Fixed Fee (CPFF) Task Order Contract. Hourly labor rates, overhead and fee were negotiated and determined to be fair and reasonable.
- (2) FY '19 starts from July 1, 2018 thru June 30, 2019  
FY '20 starts from July 1, 2019 thru June 30, 2020  
FY '21 starts from July 1, 2020 thru June 30, 2021
- (3) The amount \$9,000,000 is NTE amount for the first three fiscal year contract base period.
- (4) The amount of \$9,000,000 is the Not to Exceed amount for the FY '19 –FY '21 period. Future work will be funded according to an Annual Work Program, on a two year basis. The total contract amount will be the aggregate value of all task orders negotiated with the Consultant through the term of the contract.

The Not-to-Exceed (NTE) estimate for the contract was developed by taking into account the value of Task Orders issued under previous Supplemental Engineering Services (SES) contracts. Previously, there was one SES contract for Bus Facilities and a second SES contract for Rail Facilities. This award is for both Bus and Rail Facilities.

**D. Background on Recommended Contractor**

Formerly known as Maintenance Design Group (MDG), LLC has been acquired by HDR Engineering, Inc. and going forward will be doing business as HDR | Maintenance Design Group.

Founded in 1995, Maintenance Design Group specialized in planning and design of vehicle and fleet operations and maintenance facilities. The firm employed close to 40 professionals in offices in Denver, Los Angeles, Minneapolis, Houston, Baltimore and Nashville.

For more than a century, HDR has provided engineering, architecture, and construction services. HDR has approximately 10,000 employees, in more than 225 locations around the world.

The HDR| MDG team has worked together for more than a decade. Projects the firms have collaborated on include the Sun Link Streetcar in Tucson, Arizona and the Kansas City Streetcar.

HDR | MDG team has a combined experience of over 20 projects for Metro, including the current SES Bus and Rail contracts. The team has specific bus and rail facility design experience and a history of successful project collaboration including Metro Division 14 Rail Operations and Maintenance Facility, Division 13 Bus Maintenance and Operations Facility, Division 7 Long-Term Programming and Site Analysis, Metro El Monte Transit Center Expansion, and Division 24 Metro Gold Line Operations Campus.

DEOD SUMMARY

**SUPPLEMENTAL ENGINEERING SERVICES (SES) FOR  
BUS AND RAIL FACILITIES / AE45752**

**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 28% Disadvantaged Business Enterprise (DBE) goal for this solicitation.

HDR | Maintenance Design Group (MDG) formed a team that included DBE firms without schedules or specific dollar commitments prior the establishment of this Task Order Contract and has committed to meeting the 28% DBE goal.

In response to a task order request, the prime contractor will be required to identify DBE subcontractor activity and actual dollar value commitments for that task order. Overall DBE achievement in meeting the commitment will be determined based on the aggregate of actual DBE participation on all task orders awarded.

<b>Small Business Goal</b>	<b>28% DBE</b>	<b>Small Business Commitment</b>	<b>28% DBE</b>
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	<b>DBE Subcontractors</b>	<b>Scope of Work</b>	<b>NAICS Codes</b>	<b>Ethnicity</b>	<b>% Committed</b>
1.	Coast Surveying, Inc.	Surveying	<b>541370</b> - Surveying and Mapping (except Geophysical)	Hispanic American	TBD
2.	Diaz Consultants, Inc. dba Diaz Yourman & Associates	Geotechnical Engineering	<b>541330</b> - Engineering Services <b>541380</b> – Testing Laboratories <b>541620</b> – Environmental Consulting Services	Hispanic American	TBD
3.	FPL and Associates, Inc.	Traffic and Civil Engineering	<b>541330</b> Engineering Services <b>541340</b> – Drafting Services	Asian Pacific American	TBD

4.	Katherine Padilla & Associates (KPA)	Community Outreach, Graphic Design	<b>541820</b> – Public Relations Agencies <b>541430</b> – Graphic Design <b>541611</b> - Admin. Mgmt. and Gen. Mgmt. Consulting Services	Hispanic American Female	TBD
5.	Miyamoto International, Inc.	Structural Engineering Services	<b>541330</b> - Engineering Services	Asian Pacific American	TBD
6.	Pacific Railway Enterprises	Railroad Signal and Communication Systems Design and Engineering Services	<b>541330</b> - Engineering Services <b>541340</b> – Drafting Services <b>541512</b> – Computer System Design Services	Caucasian Female	TBD
7.	SAA Associates	Planning, Design	<b>541310</b> – Architectural Services	African American	TBD
8.	W2 Design, Inc.	Civil and Utility Engineering, Stormwater Management	<b>541330</b> - Engineering Services <b>541340</b> – Drafting Services <b>541611</b> – Admin. Mgmt. and Gen. Mgmt. Consulting Services <b>541690</b> – Other Scientific and Technical Consulting Services	Asian Pacific American	TBD
<b>Total DBE Commitment</b>					<b>28.00%</b>

**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 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. Project Labor Agreement/Construction Careers Policy**

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