

**Board Report**

File #: 2019-0202, **File Type:** Contract

Agenda Number: 32.

**CONSTRUCTION COMMITTEE
JULY 18, 2019**

SUBJECT: EAST SAN FERNANDO VALLEY TRANSIT CORRIDOR

ACTION: NEGOTIATE AND EXECUTE PROFESSIONAL SERVICES CONTRACT

RECOMMENDATION

AUTHORIZE:

- A. the Chief Executive Officer to negotiate and execute a cost-plus fixed fee Contract No. AE58083E0129 with Gannett Fleming to perform professional services including design advancement for the design build delivery process, support during the solicitation process, and design support during construction for the East San Fernando Valley Transit Corridor Project in an amount not-to-exceed \$61,974,852, subject to resolution of any protests; and
- B. Contract Modification Authority in the amount of \$12,394,970 (20% of the not-to-exceed contract value) and authorize the CEO to execute individual Contract Modifications within the Board approved Contract Modification Authority.

BACKGROUND

The East San Fernando Valley (ESFV) Transit Corridor Project (Project) is a light rail system that will extend north from the Van Nuys Metro Orange Line station to the Sylmar/San Fernando Metrolink Station, a total of 9.2 miles. Light rail trains will operate in the median of Van Nuys Boulevard for 6.7 miles to San Fernando Road. From there, they will transition onto existing Metro right-of-way and follow a shared corridor with Metrolink and freight for 2.5 miles to the Sylmar/San Fernando Metrolink Station.

The environmental document includes 14 at-grade stations with an end-to-end travel time of approximately 37 minutes. Daily boarding is anticipated to exceed 30,000 by the year 2040. Currently, ridership volume on Metro buses operating along Van Nuys Blvd is significant, only slightly behind ridership volumes on the Metro Orange Line. Stations will be strategically located to access the Orange Line and in close proximity to Metro Local and Rapid east/west bus service to enable convenient connections.

On June 28, 2018, the Metro Board approved the Locally Preferred Alternative (LPA) as Alternative 4:

Light Rail Transit (LRT). The Final Environmental Impact Statement (EIS) / Environmental Impact Report (EIR) are expected to be presented to the Metro Board for certification in winter 2019 along with the FTA issuing a Record of Decision (ROD).

Groundbreaking for construction is scheduled to begin in 2022 with substantial completion in 2028, enabling the Project to be open for the 2028 Summer Olympic and Paralympic Games. The schedule for completing preliminary engineering and preparing solicitation documents will be critical to achieve groundbreaking in 2022 and completion in time for the Olympics.

ISSUE

Five (5) bidders responded to a request for proposal for professional services for the ESFV project to advance the design, provide technical support and provide design services during construction. Staff has reviewed the proposals and is recommending the subject firm as best qualified to provide the required work based on the selection criteria. The scope of work for the Project will consist of advancing the design (Phase 1), solicitation support (Phase 2), and design services during construction (Phase 3). The following explains the three phases:

1. Phase 1 - Design Advancement to Support DB Delivery

The ESFV Consultant shall advance the design of the Project's LPA for incorporation into the Design Build (DB) technical documents. It is anticipated Phase 1 will take approximately 24 months to complete. This phase also includes supporting a separate contract for advanced utility relocation, which is anticipated to take approximately 6 months and overlaps with advancing the mainline design. The ESFV Consultant shall also coordinate with other Metro contracts and consultants, such as the Metro Orange Line Improvements Project, Sepulveda Transit Corridor, Metro Outreach Consultant and Metro Systems Consultant.

2. Phase 2 - Design Build Solicitation Support

The ESFV Consultant shall provide support to Metro during the solicitation process for a design build contractor, such as developing technical documents for the contract solicitation, participating in the pre-proposal/bid conference and providing responses to Metro staff for bidders'/proposers' technical questions. It is anticipated Phase 2 will span over approximately 12 months after Phase 1 concludes.

3. Phase 3 - Design Support During Construction

The ESFV Consultant shall provide design services during construction to Metro during the construction of the Project. These tasks include reviewing and responding to Request for Information (RFI's) and submittals; attending construction meetings; support installation oversight

and integration support. It is anticipated Phase 3 will span over approximately 72 months (6 years) after Phase 2 concludes and that the ESFV Consultant shall be in the field at a Metro shared facility.

In addition to the phases described above, staff anticipates engineering may be needed for items such as first-last-mile, and geotechnical investigations. Further engineering work may also be required to produce a separate package beyond the scope of this authorization for advanced utility relocation. Staff may return to the Board at a later date to seek authorization for funding to pursue these items.

Commencement of each Phase of the work will be contingent upon written authorization by the Metro Contracting Officer to proceed. In addition, Metro staff is analyzing the potential for this Project to be delivered as a Public Private Partnership (P3). If the Metro Board determines that this Project will be a P3, Metro staff will work with the ESFV Consultant to determine the course of action required for developing a P3 procurement.

This Board Action requests authorization in the amount of \$74,369,822 including \$61,974,852 for the ESFV Consultant contract and \$12,394,970 for contract modification authority. The Small Business Enterprise goal for this Professional Services contract is 25% and the Disabled Veteran Business Enterprise is 3%.

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 465521 East San Fernando Valley Transit Corridor, cost center 8510, under various accounts including Professional/Technical Services. This Contract is authorized to expend up to a cumulative amount of \$21.2M through the FY19 and FY20 49 period. 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 Cost Center Manager, Project Manager and Chief Program Management Officer to budget for this project in the future fiscal years and within the cumulative budget limit for the affected fiscal year.

Sources of funds for the recommended actions are Measure M 35% and State Grants. There is no impact to Operations eligible funding. No other funds were considered.

ALTERNATIVES CONSIDERED

The Board may choose not to execute this Contract. This alternative is not recommended as this

would delay advancing design and construction, and ultimately opening of the ESFV project within the 2028 schedule.

NEXT STEPS


Upon Board approval, this Professional Services Contract and Phase 1, advancement of the design to support the DB procurement process, will begin and conclude in approximately 24 months. Phase 2, support for DB procurement, will commence after written authorization from Metro Contracting Officer and conclude in approximately 12 months. In 2022, the conclusion of Phase 2, the selected DB contractor will commence groundbreaking and Phase 3 for this Contract will begin. In 2028, the Project will be in service and this Contract will end.

ATTACHMENTS

Attachment A - Procurement Summary
Attachment B - DEOD Summary
Attachment C - Contract schedule

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Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

EAST SAN FERNANDO VALLEY TRANSIT CORRIDOR PROJECT
AE58083E0129

1.	Contract Number: AE58083E0129	
2.	Recommended Vendor: Gannett Fleming, 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 16, 2018	
	B. Advertised/Publicized: November 18, 2018	
	C. Pre-Proposal Conference: December 11, 2018	
	D. Proposals Due: March 18, 2019	
	E. Pre-Qualification Completed: July 1, 2019	
	F. Conflict of Interest Form Submitted to Ethics: June 6, 2019	
	G. Protest Period End Date: Est. July 22, 2019	
5.	Solicitations Picked up/Downloaded: 41	Proposals Received: 5
6.	Contract Administrator: Helen Gates-Bryant	Telephone Number: 213-922-1269
7.	Project Manager: Monica Born	Telephone Number: 213-418-3097

A. Procurement Background

This Board Action is to approve Contract No. AE58083E0129 issued in support of the East San Fernando Valley Transit Corridor Project, a proposed light rail system that will extend north from the Van Nuys Metro Orange Line Station to the Sylmar/San Fernando Metrolink Station, a total of 9.2 miles. The project will be delivered in three phases: Preliminary Engineering (PE); Solicitation Support (SS); and Design Support During Construction Services (DSDC). Board approval of contract award is subject to resolution of any properly submitted protest.

The RFP was issued in accordance with Metro's Acquisition Policy and California Government Code §4525-4525.9. The contract type is a Cost Reimbursable, specifically a Cost Plus Fixed Fee.

Eight (8) amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on December 10, 2018 clarified location of Pre-Proposal Conference;
- Amendment No. 2, issued on December 17, 2018 clarified time proposals are due;
- Amendment No. 3, issued on December 21, 2018 clarified proposal due date;
- Amendment No. 4, issued on February 4, 2019 changed the date proposals were due;

- Amendment No. 5, issued on February 8, 2019 clarified/ revised solicitation document (including submittal requirements, SOW, and evaluation criteria)
- Amendment No. 6, issued on February 12, 2019 clarified/ revised solicitation document (including submittal requirements and evaluation criteria)
- Amendment No. 7, issued on February 22, 2019 to change the date proposals were due
- Amendment No. 8, issued on February 25, 2019 clarified/ revised solicitation documents (including submittal requirements, and evaluation criteria)

A total of five (5) proposals were received on March 18, 2019. Metro held a pre-proposal conference on December 11, 2018, with a total of seventy (70) people in attendance. Metro had representation from the Risk Management, Ethics, Pre-Qualification, Project Management and DEOD, to highlight the main elements of the RFP including the Small Business Enterprise (SBE) goal of twenty-five percent (25 %) and the Disabled Veteran Business Enterprise (DVBE) goal of three (3%) of the Total Estimated Cost. A total of forty-four (44) questions were received between the issuance of the solicitation and the RFP due date. All questions were addressed by four (4) separate Question and Answer memorandums and the Amendments listed above.

On April 30, 2019, Metro held Oral Presentations with all five (5) proposing firms, at which time Metro received five (5) sealed cost proposals that remain unopened.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Executive Office, Transit Project Delivery; Transportation Planning, Systemwide; Executive Office, Transit Operations; Engineering Management; and Regional Rail, Project 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:

- Experience and Capabilities of the Firms on the Consultant’s Project Team 15 percent
- Key Personnel’s Skills and Experience 35 percent
- Effectiveness of Management Plan 20 percent
- Understanding of Work and Appropriateness of Approach for Implementation 25 percent
- Innovation 5 percent

The evaluation criteria are appropriate and consistent with criteria developed for other, similar Architect and Engineers (A&E) procurements. Several factors were considered when developing these weights, giving the greatest importance to the skills and experience of key personnel, particularly the Project Manager's technical and managerial experience, and capabilities on similar projects and phases of work. The understanding and approach to implementing the work, with emphasis on maintaining schedule and budget in managing the three phases of the project.

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

Of the five (5) proposals received, all five (5) were determined to be within the competitive range. The five (5) firms are listed below in alphabetical order:

1. AECOM
2. East Valley Transit Partnership (Joint Venture of HNTB Corporation; Parsons Transportation Group; and Valle & Associates)
3. Gannett Fleming, Inc.
4. Mott MacDonald LLC & STV, Joint Venture
5. Valley First Transit Partners (Joint Venture of WSP USA, Inc.; KOA Corporation; and RAW International)

All appointed PET representatives reviewed a list of the Proposers and their subconsultants; none were aware of any actual or potential conflict of interest that may arise due to their participation in the evaluation of the Proposals, then completed and certified the Declaration of Confidentiality / No Conflict of Interest form.

During the oral presentations, 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.

The PET evaluated and scored the capabilities of each proposer and its team of subconsultants, in accordance with the Evaluation Criteria in the RFP Documents.

Qualifications Summary of Recommended Firm:

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 evaluation performed by the PET determined Gannett Fleming, Inc., as the most qualified firm to provide Preliminary Engineering (PE), Solicitation Support (SS), and Design Support During Construction (DSDC), as provided in the RFP Scope of Services. What distinguished Gannett Fleming, Inc. was they demonstrated, through their written proposal and oral presentation, their extensive technical experience performing PE, SS and DSDC services and significant expertise in meeting the street-running, shared use corridor challenges identified in the Scope of Services. Gannett Fleming, Inc. also demonstrated an exceptionally thorough and comprehensive understanding of managing multiple deliverables. The team is highly experienced in delivering similar projects with an excellent record in client satisfaction on Metro projects Division 16 Southwestern Yard, Regional Connector, Willowbrook/Rosa Parks Station Improvements and similar projects around the U.S.

Furthermore, the recommended team demonstrated that it is versed in providing the Scope of Services related to this contract, and has the capabilities to provide staffing for the type of work that is required under this contract. Gannett Fleming, Inc. exceeds the requirements of the three highest weighted criteria. It shows the Team is exceptionally thorough and has a comprehensive understanding of Metro’s goals and methods, and resource allocation.

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	Gannett Fleming, Inc.				
3	Experience and Capabilities of the Firms on the Consultant’s Project Team	84.20	15.00%	12.63	
4	Key Personnel’s Skills and Experience	86.26	35.00%	30.19	
5	Effectiveness of Management Plan	88.26	20.00%	17.65	
6	Understanding of Work and Appropriateness of Approach for Implementation	86.53	25.00%	21.63	
7	Innovation	73.40	5.00%	3.67	
8	Total		100.00%	85.77	1
9	Mott MacDonald/STV, JV				
10	Experience and Capabilities of the Firms on the Consultant’s Project Team	81.46	15.00%	12.22	
11	Key Personnel’s Skills and Experience	83.26	35.00%	29.14	

12	Effectiveness of Management Plan	82.40	20.00%	16.48	
13	Understanding of Work and Appropriateness of Approach for Implementation	84.86	25.00%	21.22	
	Innovation		5.00%	4.05	
14	Total		100.00%	83.11	2
15	East Valley Transit Partnership, JV				
16	Experience and Capabilities of the Firms on the Consultant's Project Team	87.26	15.00%	13.09	
17	Key Personnel's Skills and Experience	80.80	35.00%	28.28	
18	Effectiveness of Management Plan	82.33	20.00%	16.47	
19	Understanding of Work and Appropriateness of Approach for Implementation	80.60	25.00%	20.15	
	Innovation	86.00	5.00%	4.30	
20	Total		100.00%	82.29	3
20	Valley First Transit Partners				
21	Experience and Capabilities of the Firms on the Consultant's Project Team	83.53	15.00%	12.53	
22	Key Personnel's Skills and Experience	83.80	35.00%	29.33	
23	Effectiveness of Management Plan	78.93	20.00%	15.79	
24	Understanding of Work and Appropriateness of Approach for Implementation	82.60	25.00%	20.65	
	Innovation		5.00%	3.94	
25	Total		100.00%	82.24	4
26	AECOM				
27	Experience and Capabilities of the Firms on the Consultant's Project Team	84.60	15.00%	12.69	
28	Key Personnel's Skills and Experience	78.73	35.00%	27.56	
29	Effectiveness of Management Plan	78.66	20.00%	15.73	
30	Understanding of Work and Appropriateness of Approach for Implementation	86.46	25.00%	21.62	
31	Innovation	86.00	5.00%	4.30	
32	Total		100.00%	81.90	5

C. Cost Analysis

The recommended cost 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 cost 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 the contract term to compensate the consultant. Additionally, direct labor (level of effort) was reduced in several disciplines within the scope of services. This in turn reduced overhead costs, subconsultant costs and fixed fee for the prime and subconsultants.

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 purpose rather than perform another audit.

Proposer Name	Proposal Amount	Metro ICE	Recommended NTE amount
Gannett Fleming, Inc.	\$120,104,664.09	\$68,620,182.23	\$61,974,852

D. Background on Recommended Contractor

The recommended firm, Gannett Fleming, Inc., located in Los Angeles, California, has been in business for 104 years and is a leader in the delivery of light rail transit projects. Gannett Fleming, Inc. ranks #8 for Mass Transit and Rail and has delivered a number of LRT projects in urban settings, similar to the location of the ESFV project. Additionally, their experience includes P3/Design Build, street-running and shared-use projects which are important elements within the scope of this project.

Gannett Fleming, Inc. has been delivering light rail systems in Los Angeles County for nearly 40 years, and the identified Project Manager, has successfully delivered Design Build light rail systems for more than 20 years. The multidisciplinary team includes 20 subconsultants that have a vast knowledge and experience with Metro, including work on the Metro Regional Connector Transit Corridor Project, the Crenshaw Southwestern Yard Division 16 Maintenance Facility, Willowbrook/Rosa Parks Station Improvements.

The Project Manager has managed large teams and transitioning light rail projects into viable transportation systems for 30 years. Delivering four operating Design

Build light rail projects on the Metro system. Served as Project Manager on the Pasadena Gold Line LRT, and Gold Line Eastside Extension LRT, as well as the Chief Project Officer on the Exposition Phase 1 and Phase 2 LRT. The Project Manager's commitment to this project will be 100% availability.

The LRT Design Manager and the Project Manager have worked together for more than eight years, including Phase 2 of the Exposition LRT Project. The Station and Urban Design Manager has delivered transit projects in Los Angeles for the last 10 years. He currently serves as the design lead for Metro's Orange Line Grade Separation project and served as the Project Director for the Willowbrook/Rosa Parks Transit Station. Other Leads or Key Members of the team with multiple years of experience working with Metro and in Los Angeles County, are the Maintenance Facility Design Manager, the Project Management and Controls Manager; and the Quality Control/Quality Assurance Manager.

DEOD SUMMARY

EAST SAN FERNANDO VALLEY TRANSIT CORRIDOR /
AE58083E0129**A. Small Business Participation**

The Diversity and Economic Opportunity Department (DEOD) established a 25% Small Business Enterprise (SBE) goal and a 3% Disabled Veteran Business Enterprise (DVBE) goal for this solicitation. Gannett Fleming, Inc. exceeded the goals by making a 25.29% SBE commitment and a 5.54% DVBE commitment.

SMALL BUSINESS GOAL	25% SBE 3% DVBE	SMALL BUSINESS COMMITMENT	25.29% SBE 5.54% DVBE
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	SBE Subcontractors	% Committed
1.	BA, Inc.	1.66%
2.	Diaz Consultants, Inc, dba Diaz Yourman & Associates	1.44%
3.	FPL & Associates, Inc.	5.96%
4.	Here Design Studio, LLC (Here LA)	0.60%
5.	Lenax Construction Services, Inc. (LENAX)	0.29%
6.	PacRim Engineering, Inc.	2.18%
7.	Ramos Consulting Services, Inc.	8.27%
8.	Sanchez/Kamps Associates Design dba SKA Design	0.59%
9.	Zephyr UAS, Inc.	4.30%
	Total SBE Commitment	25.29%

	DVBE Subcontractors	% Committed
1.	Casamar Group, LLC	5.54%
	Total DVBE Commitment	5.54%

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

The Living Wage / 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. Project Labor Agreement/Construction Careers Policy is applicable only to construction contracts that have a construction contract value in excess of \$2.5 million.

ESFV Consultant Schedule

	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	
Phase 1		24 months									
Phase 2			12 months								
Phase 3				72 months							