



Board Report

File #: 2019-0657, File Type: Contract

Agenda Number: 33.

CONSTRUCTION COMMITTEE SEPTEMBER 19, 2019

**SUBJECT: SUSTAINABILITY ENGINEERING SERVICES FOR WATER RESOURCES,
CONSERVATION AND COMPLIANCE**

ACTION: AWARD CONTRACT

RECOMMENDATION

AUTHORIZE the Chief Executive Officer (CEO) to:

- A. AWARD a Cost Reimbursable Contract for a base period of performance of three (3) years, Contract No. AE58845, to Geosyntec Consultants Inc., for Sustainability Engineering Services for Water Resources, Conservation and Compliance, for total contract amount of not-to-exceed \$17,714,849 with \$7,714,849 not-to-exceed value for the first three years, and exercise two one (1) year options in the amount of not-to-exceed value of \$5,000,000 for each option year; and,
- B. EXECUTE changes and modifications within the Board approved not-to-exceed contract amount.

ISSUE

Metro's sustainability program is nationally recognized as one of the leading programs in the transit industry. Sustainability principles such as climate, energy, water, resource conservation and management are integrated into Metro's transportation infrastructure and facilities activities. As a result, Metro has effectively reduced resource consumption, decreased air pollutant emissions, including greenhouse gas emissions, improved efficiency, reduced solid and liquid waste generation, and increased recycling and diversion from landfill.

To ensure the continued success of Metro's sustainability program and further achieve operational sustainability, we have solicited and recommend the award of a professional services contract for water resource management, conservation and compliance consulting services. These services will ensure the protection of human health and the environment, addressing the challenge of operational sustainability while ensuring resiliency and a state of good repair.

Metro's existing Environmental Engineering Consultant Services contract includes consultant support for Metro's sustainability program. This recommended contract was solicited to increase participation of firms that work in the sustainability industry in Metro's programs, especially those which are

involved in the fields of water conservation, resource efficiency and environmental compliance.

The recommended action will provide contracting authority for Task Orders issued during the initial three years, FY19 thru FY21. Attachment B provides examples of projects that this contract will support per fiscal year: FY19 through FY24.

DISCUSSION

As Metro's sustainability program has matured, Environmental Compliance Sustainability Department (ECSD) has a need for several specialty contracts to provide technical expertise and support to advance agency-wide sustainability initiatives and projects. The services provided through the Sustainability Engineering Services for Water Resources, Conservation and Compliance contract include the preparation of analyses, studies, surveys, investigations, modeling, predictions, recommendations and/or reports related to water resource conservation and compliance related to the operation and maintenance of Metro's transportation system, facilities and support activities. The consultant is expected to support a wide range of water initiatives, including water conservation, water quality, environmental management system (EMS), stormwater management, industrial water and wastewater management, low impact development and emerging sustainability-related and cleantech technologies. These services will also support Metro with identifying, designing and implementing the next phase of drought response measures, while fulfilling all compliance obligations.

To accomplish the assigned tasks, the consultant will provide necessary staff, sub-consultants, equipment, software, supplies and services. The consultant shall employ or sub-contract as necessary with diverse professionals such as Professional Engineers, Sustainability Engineers, Water Resource Engineers/Specialists, Water Conservation Specialists, Water Quality Specialists and other such professional practitioners as may be needed to support the required water resource conservation and compliance programs, projects and initiatives.

The process to procure for such specialty contracts is consistent with ECSD's short- and long-term goals and aligns with Metro's Vision 2028 Strategic Plan. The Board approved 2008 Metro Sustainability Implementation Plan is currently used to guide the nature of water related projects in our agency. That plan is currently being revised with strategies and metrics. The Sustainability Strategic Plan is scheduled for Board approval in Spring 2020.

DETERMINATION OF SAFETY IMPACT

This Board action will help ensure the long-term safety and security of Metro's operations by improving the management and efficiency of our use of natural resources, advancing agency resiliency and contributing to state of good repair.

FINANCIAL IMPACT

Contract No. AE58845 will be a Cost Reimbursable contract, i.e. Cost Plus Fixed Fee (CPFF). No MTA funds are obligated until a Contract Work Order (CWO) is issued by an MTA authorized Contracting Officer against a valid project budget. No expenditures are authorized until a Task Order is awarded by an MTA authorized Contracting Officer for a specific package of work within the CWO.

All task orders will be individually negotiated, and level of effort will be fully defined prior to the authorization of any project specific funds. Execution of work under those Task Orders within those CWO awards can continue beyond the contract end date.

Obligations and authorizations made within the total Contract Amount will be against specific project or operations budgets which make up the Board-approved MTA budget for this particular fiscal year. Specific funding for this contract will parallel the project approved by the Board under separate actions. The Chief Program Management and Executive Officer, Environmental Compliance and Sustainability will coordinate with the Project Managers of each of the projects and will be responsible for providing appropriate budgets.

This contract will be use on projects that are identified as part of the annual budgeting process. The Metro Environmental, Water Conservation and Reuse Policies and Metro Water Action Plan (http://media.metro.net/projects_studies/sustainability/images/Water_Plan2010_0825.pdf) and February 2016 Motion 57 Action Items are used to guide the specific projects.

Impact to Budget

There will be no net impact to Bus and Rail Operating Budgets. The initial source of funds for this contract is included in the FY20 budget under Project Number 450003 - Sustainability Environment, Cost Center 8420 Environmental Compliance and Services, Account 50316 Professional and Technical Services. Future task orders are to be individually negotiated and level of effort fully defined prior to the authorization of any project specific funds from the projects that would use these services.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This professional services contract will support the implementation of Metro's Strategic Plan Goals, with specific alignment to Initiative 5.2 - Exercise good public policy judgement and sound fiscal stewardship; and Initiative 5.4 - Apply prudent commercial business practices to create a more effective agency.

The Sustainability Engineering Services for Water Resources, Conservation and Compliance contract will support these strategic goals by: 1) Ensuring compliance with State and local water regulations; 2) Generating cost savings and reducing the prevalence and cost of retroactive sustainability upgrades; and 3) Improving organizational efficiency and reducing reliance on scarce natural resources.

ALTERNATIVES CONSIDERED

Contract AE58845 is designed to strategically advance Metro's existing water resource conservation and compliance efforts, while establishing the next generation of initiatives and best practices. If this contract is not awarded, Metro could experience a delay in implementing critical compliance and

efficiency initiatives as well as compliance to current and emerging statutes and regulations.

During the last five years, the Metro Board has approved various plans to achieve reductions in operational greenhouse gas emissions, implement innovative approaches and strategies to enhance customer experience, reduce limited natural and energy resource use, investigate public-private partnerships to supplement limited funds to design, build, operate and maintain sustainability related infrastructure and increase operational efficiency. Metro's operational sustainability program, administered through the Environmental Compliance and Services Department, has executed significant portions of that mandate and will continue to do so using all the sustainability-related consulting contracts (including Contract No. AE58845) as an expert supplement for current staff's expertise. We have seen the effectiveness of this management style (i.e., as-needed combination of internal staff and expert consultants), especially in the implementation of the Environmental Management System.

The Metro Board may reject the recommended action and direct staff to do all water conservation and compliance services work in-house. To support the large volume of technical tasks associated with this program, Metro would have to hire additional staff with specific technical expertise, which staff currently do not have. These would include Professional Engineers, Sustainability Engineers, Water Resource Engineers/ Specialists, Water Conservation Specialists, Water Quality Specialists and such other professional practitioners as may be needed to support the required water resource, conservation and compliance programs, projects and initiatives.

While cost efficiencies may be achieved by having some of these credentialed and highly skilled staff hired full-time, this alternative is not recommended as it would be financially challenging to support these specialized, highly skilled resources in-house for the next five years as regular employees. The specific tactical tasks of the water program are currently projected to be for short-term, defined, and sequential assignments. Staff will, however, need to revisit the need for augmenting in-house sustainability-related skills every three years as our portfolio of these types of programs increase alongside the expansion of our transit system.

Another alternative would be to solicit and award individual contracts for each water conservation and compliance expert consulting services task, as the need arises. This alternative is not recommended. Individually procuring these CWO's and Task Orders result in product and service inconsistencies across the program and will result in cumulative higher administrative and execution costs. As many of these projects overlap with one another, having multiple consultants will cause delays and administrative inefficiencies.

NEXT STEPS

After the recommended Board Action is approved, staff will execute the conformed contract and proceed with issuing Task Orders and Contract Work Orders.

ATTACHMENTS

Attachment A - Procurement Summary

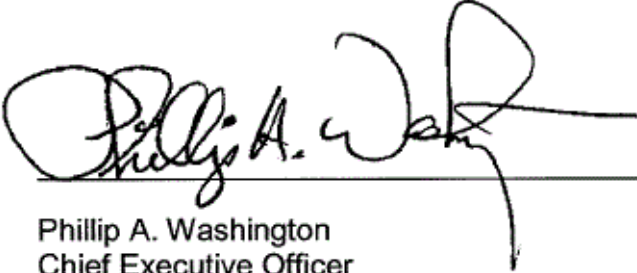
Attachment B - Total Value of Estimates of Projects/Tasks - FY20 to FY25

Attachment C - DEOD Summary

Prepared by: Cris B. Liban, EO, Environmental Compliance and Sustainability,
(213) 265-0691

Reviewed by:

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



Phillip A. Washington
Chief Executive Officer

PROCUREMENT SUMMARY

**SUSTAINABILITY ENGINEERING SERVICES FOR WATER RESOURCES,
CONSERVATION AND COMPLIANCE
CONTRACT NO. AE58845**

1.	Contract Number: AE58845	
2.	Recommended Vendor: Geosyntec Consultants, 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: March 28, 2019	
	B. Advertised/Publicized: March 28, 2019 (Vendor Portal) / April 8, 2019 (Other)	
	C. Pre-Proposal Conference: April 10, 2019	
	D. Proposals Due: May 13, 2019	
	E. Pre-Qualification Completed: August 30, 2019	
	F. Conflict of Interest Form Submitted to Ethics: August 20, 2019	
	G. Protest Period End Date: September 23, 2019	
5.	Solicitations Picked up/Downloaded: 77	Proposals Received: 5
6.	Contract Administrator: Diana Sogomonyan	Telephone Number: 213.922.7243
7.	Project Manager: Craig Reiter	Telephone Number: 213.418.3476

A. Procurement Background

This Board Action is to approve the award of Contract No. AE58845, Sustainability Engineering Services for Water Resources, Conservation and Compliance, to provide consulting services to address water resources and conservation goals of Metro's sustainability effort, including the preparation of analyses, studies, surveys, investigations, modeling, predictions, recommendations, and/or reports related to the operation and maintenance of Metro's transportation systems, facilities, and support activities, in support of Metro's Environmental Compliance and Sustainability Department (ECSD). Board approval of contract awards are subject to resolution of any properly submitted protest.

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 Period of Performance.

The Request for Proposals (RFP) was an Architectural & Engineering (A&E), qualifications based procurement process performed in accordance with Los Angeles County Metropolitan Transportation Authority (Metro) Procurement Policies and Procedures, and California Government Code §4525-4529.5 for Architectural and

Engineering (A&E) services. The contract type is a Cost Plus Fixed Fee (CPFF). The Contract is for a term of three (3) years plus 2 one year options.

Two (2) Amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on April 17, 2019, with revisions clarifying Consultant Qualifications, the Supplemental Instruction to Bidders, and Pro-Form 017 Certificate of Compliance Metro Lobby Ordinance.
- Amendment No. 2, issued on May 7, 2019, with revisions clarifying Exhibit 2-Form 60 Instructions Professional Services Cost/Price Summary, Submittal Requirements, and Pro Form 024 Certificate of Compliance Drug & Alcohol Testing.

A total of five (5) proposals were received on May 13, 2019.

B. Evaluation of Proposals

A Proposal Evaluation Team (PET) consisting of staff from Environmental Compliance and Sustainability, Major Capital Projects Engineering, and Facilities Engineering and Operations, was convened and conducted a comprehensive technical evaluation of the proposals received.

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

1. Experience, Qualifications and Capabilities of the Firms on the Consultant’s Team.....(35%)
2. Experience, Qualifications and Capabilities of Personnel.....(35%)
3. Understanding and Approach to Service Delivery.....(30%)

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 the criteria weightings, giving the greatest importance to the Experience, Qualifications and Capabilities of the Firms on the Consultant’s Team, and Experience, Qualifications and Capabilities of Personnel.

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 (5) proposals received were determined to be within the competitive range and are listed below in alphabetical order:

1. Geosyntec Consultants, Inc.
2. GHD
3. Kleinfelder, Inc.
4. Michael Baker International, Inc.
5. Tetra Tech

During the week(s) of May 14 thru June 28, 2019, the PET reviewed the five written qualification proposals. From June 18 through June 20, 2019, Metro held Oral Presentations with all five (5) proposing firms. The firms were given the opportunity to present on Understanding and Approach to Service Delivery, specifically, demonstrated Understanding of Scope of Work, Team Approach and Management Plan.

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 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 of Vendor/Contract Management, the recommended most qualified proposer's cost proposal was opened. The Contract Administrator completed a cost analysis and engaged in negotiations with the recommended proposer.

Qualifications Summary of Recommended Firm:

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

1	Firm	Average Score	Factor Weight	Weighted Average Score	Rank
2	Geosyntec Consultants, Inc.				
3	Experience, Qualifications and Capabilities of the Firms on the Team	86.11	35%	30.14	

4	Experience Qualifications and Capabilities of Personnel	85.89	35%	30.06	
5	Understanding and Approach to Service Delivery	85.37	30%	25.61	
6	Total		100.00%	85.81	1
7	Michael Baker International, Inc				
8	Experience, Qualifications and Capabilities of the Firms on the Team	82.17	35%	28.76	
9	Experience Qualifications and Capabilities of Personnel	84.51	35%	29.58	
10	Understanding and Approach to Service Delivery	85.70	30%	25.71	
11	Total		100.00%	84.05	2
12	Kleinfelder, Inc.				
13	Experience, Qualifications and Capabilities of the Firms on the Team	84.54	35%	28.59	
14	Experience Qualifications and Capabilities of Personnel	81.46	35%	28.51	
15	Understanding and Approach to Service Delivery	82.23	30%	24.67	
16	Total		100.00%	81.77	3
17	GHD				
18	Experience, Qualifications and Capabilities of the Firms on the Team	82.00	35%	28.70	
19	Experience Qualifications and Capabilities of Personnel	79.54	35%	27.84	
20	Understanding and Approach to Service Delivery	81.23	30%	24.37	
21	Total		100.00%	80.91	4
22	Tetra Tech				
23	Experience, Qualifications and Capabilities of the Firms on the Team	79.74	35%	27.91	
24	Experience Qualifications and Capabilities of Personnel	78.83	35%	27.59	
25	Understanding and Approach to Service Delivery	78.80	30%	23.64	
26	Total		100.00%	79.14	5

Note: All Scores rounded to the second decimal.

The evaluation performed by the PET determined Geosyntec Consultants, Inc. as the most qualified firm and team to provide Sustainability Engineering Services for Water Resources, Conservation and Compliance Systems Engineering and Support Services, as provided in the RFP Scope of Services. What distinguished Geosyntec Consultants, Inc. was they demonstrated, through their written proposal and oral

presentation extensive technical experience and significant expertise in each of the specialty areas identified in the Scope of Services. Geosyntec Consultants, Inc. demonstrated high quality of technical expertise and years of experience along with a thorough, complete and comprehensive understanding of project goals, methods and objectives. Their Proposal took a practical approach to compliance, sustainability and resilience. Their proposed team allows for interchangeability for optimizing resources and substantial processes for allocating work among team members and handling staff changes. Geosyntec Consultants, Inc. demonstrated past project experience in providing the identified professional services. Geosyntec Consultants, Inc. demonstrated combined team of local consultants and resources in their Proposal. The team qualifications that were outlined show unique expertise levels.

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

C. Cost Analysis

The recommended total estimated 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 costs upon which the consultant will base its billings. Metro negotiated and established provisional indirect (overhead) rates, plus a fixed fee factor 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.

Proposer Name	Proposal Amount	Metro ICE	NTE Funding Amount
Geosyntec Consultants, Inc.	N/A ⁽¹⁾	\$17,714,849 ⁽²⁾	\$17,714,849 ⁽²⁾

- (1) A proposal amount was not applicable. This is a Cost Plus Fixed Fee (CPFF) Task Order Contract with no definable level of effort for the Scope of Work. Hourly labor rates, overhead and fee were negotiated and determined to be fair and reasonable.
- (2) The amount \$17,714,849 is the Independent Cost Estimate (ICE) for 3-year base Period of the Contract.

The Sustainability Engineering Services Independent Cost Estimate (ICE) was developed based on the Scope of Services developed for the Contract. The ICE included an opinion of probable costs for performing the Sustainability Engineering Services by looking at the anticipated level of effort to be performed by the Consultant and sub-consultants for the Scope of Services.

D. Background on Recommended Contractor

Geosyntec Consultants, Inc. has offices located at various locations throughout United States and abroad, with local offices located in Los Angeles, Pasadena, Long Beach and Riverside, Ca. Geosyntec Consultants, Inc. has been in business for 35 years and is a leader in the consulting and engineering services involving the environment, natural resources and civil infrastructure. They work with private and public sector clients providing engineers, scientists, and related technical and project support personnel.

Geosyntec Consultants, Inc. and their proposed Team worked on various projects, including various Metro projects. Below are some examples of their work and involvement:

- City of LA, Bureau of Sanitation - Van Nuys Green Street project
- Prince George's County - Clean Water Partnership – 100M Community-based Public-Private Partnership (CBP3)
- LADWP Stormwater Capture Master Plan
- Metro Purple Line Extension 1 and 2
- Metro Crenshaw LAX Corridor
- Metro Climate Action and Adaptation Plan
- Expo Rail Operations and Maintenance Facility
- LA Metro Division 13 Bus O&M Facility
- Metro Express Lanes Study & Revenue
- Metro Regional Connector Corridor Project
- CA Dept. of Water Resources Salton Sea Restoration Assessment



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

ATTACHMENT B

Total Value Estimates of Projects/Tasks – FY20 to FY25

Water Resources, Conservation and Compliance Systems Engineering and Support Services	No. of Units (yrs., projs., etc.)	Consultant Svcs. per Unit	Est. Consult. Svcs. Amount
First 3 years Services (1)(2)(3) <ul style="list-style-type: none"> • Water Resources Engineering • Water Conservation • Water Compliance 	3 years	\$2,571,000	~\$7,714,000(4)
Option Yearly Services (2)(3) <ul style="list-style-type: none"> • Water Resources Engineering • Water Conservation • Water Compliance 	2 years	\$5,000,000	\$10,000,000
ROM/Recommended LOP Amount			\$17,714,000

Notes:

- (1) Consistent with Metro Environmental, Water Conservation and Reuse Policies and Metro Water Action Plan (http://media.metro.net/projects_studies/sustainability/images/Water_Plan2010_0825.pdf) and February 2016 Motion 57 Action Items
- (2) The 2008 Metro Sustainability Implementation Plan is currently being updated. This contract will be used to implement the strategies to achieve metrics that will be identified in the Sustainability Strategic Plan (scheduled for Board approval in Spring 2020)
- (3) Specific projects where this contract will be used are identified on an annual basis and approved as part of the annual budgeting process
- (4) Roundoff error

DEOD SUMMARY

**SUSTAINABILITY ENGINEERING SERVICES FOR WATER RESOURCES,
CONSERVATION AND COMPLIANCE / AE58845**

A. Small Business Participation

The Diversity and Economic Opportunity Department (DEOD) established a 30% Disadvantaged Business Enterprise (DBE) goal for this solicitation. Geosyntec Consultants, Inc. made a 30% DBE commitment for this Task Order Contract. Geosyntec listed 22 subcontractors of which 8 are DBE firms.

In response to a specific Task Order request with a defined scope of work, the prime consultant 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 cumulative DBE participation of all Task Orders awarded.

Metro Project Managers and Contract Administrators will work in conjunction with DEOD to ensure that the prime consultant is on schedule to meet or exceed its DBE commitment. Accordingly, access has been provided to Metro’s tracking and monitoring system to key stakeholders over the contract to ensure that all parties are actively tracking Small Business progress.

SMALL BUSINESS GOAL	30% DBE	SMALL BUSINESS COMMITMENT	30% DBE
----------------------------	----------------	----------------------------------	----------------

	DBE Subcontractors	Ethnicity	% Committed
1.	Casamar Group, LLC	Hispanic American	TBD
2.	Colbert Environmental Group	African-American Female	TBD
3.	DRP Engineering, Inc.	Asian-Pacific American	TBD
4.	Global ASR Consulting Inc.	Asian-Pacific American	TBD
5.	IEM (Integrated Engineering Management)	Non-Minority Female	TBD
6.	MugenKioku Corporation	Asian-Pacific American Female	TBD
7.	ET&T, Inc dba Advanced Technology Laboratories	Hispanic American	TBD
8.	Suenram & Associates, Inc.	Non-Minority Female	TBD
	Total DBE Commitment		30%

B. Prevailing Wage Applicability

Prevailing Wage is not applicable to this contract.

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.